

ORDINANCE NO. _____

ORDINANCE AMENDING THE CITY CODE OF ORDINANCES CHAPTER 42 "FIRE PREVENTION AND PROTECTION"; ARTICLE II ("FIRE MARSHAL"); AMENDING SECTION 42-36 AND 42-37; PROVIDING FOR A CUMULATIVE & CONFLICTS CLAUSE, PROVIDING FOR A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

Be it Ordained by the City Council of the City of Bay City that the following amendments are adopted as Amendments to Chapter 42; Article II of the Code of Ordinances.

Section One. The following deletions and additions are to be made to Chapter 42, Article II of the Code of Ordinances. All deletions and additions are shown as such.

Sec. 42-36. - Office created.

The office of fire marshal is hereby created. Such office shall be independent of other city departments, the fire marshal reporting directly to the ~~mayor~~ City Manager.

Sec. 42-37. - Appointment.

Pursuant to the Charter [section 7.07](#), the position of fire marshal shall be filled by appointment by the ~~mayor~~ City Manager, by and with the consent of the City Council.

Section Two. Cumulative and Conflicts. This Ordinance shall be cumulative of all provisions of ordinances of the City of Bay City, Texas, except where the provisions of the Ordinance are in direct conflict with the provisions of such ordinances, in which event the conflicting provisions of such ordinances are hereby repealed. Any and all previous versions of this Ordinance to the extent that they are in conflict herewith are repealed.

Section Three. Severability. It is hereby declared to be the intention of the City Council that the phrases, clauses, sentences, paragraphs, and sections of this Ordinance are severable, and if any phrase, clause sentence, paragraph or section of this Ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this Ordinance, since the same would have been enacted by the City Council without the incorporation in this Ordinance of any such unconstitutional phrase, clause, sentence, paragraph or section.

Section Four. Effective Date. This Ordinance shall become effective immediately upon its passage, approval and publication as provided by law.

PASSED, APPROVED, AND ADOPTED on this 11th Day of June 2024.

CITY OF BAY CITY, TEXAS

Robert K. Nelson, Mayor

ATTEST:

Approved By:

Jeanna Thompson, City Secretary

Anne Marie Odefey, City Attorney

Council Member:	Voted Aye	Voted No	Absent
Robert K. Nelson Mayor	_____	_____	_____
Blayne Finlay Mayor Pro Tem	_____	_____	_____
Ben Flores	_____	_____	_____
Jim Folse	_____	_____	_____
Bradley Westmoreland	_____	_____	_____
Becca Sitz	_____	_____	_____

Robert K. Nelson, Mayor, City of Bay City

ATTEST:

Jeanna Thompson, City Secretary

APPROVED AS TO FORM:

Anne Marie Odefey, City Attorney
City of Bay City