

**TOWN OF BARTONVILLE  
ORDINANCE NO. 774-24**

**AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF BARTONVILLE, TEXAS, AMENDING THE TOWN OF BARTONVILLE CODE OF ORDINANCES, CHAPTER 9, "PERSONNEL," ARTICLE 9.05, "POLICE DEPARTMENT," BY AMENDING CHIEF OF POLICE AND TOWN ADMINISTRATOR PROVISIONS; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR ENGROSSMENT AND ENROLLMENT; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the Town of Bartonville, Texas, is a Type A General Law Municipality located in Denton County, Texas, created in accordance with provisions of the Texas Local Government Code and operating pursuant to the enabling legislation of the State of Texas; and

**WHEREAS**, the Town of Bartonville, Texas, is a general law municipality empowered under the Texas Local Government Code, Section 51.001, to adopt an ordinance or rule that is for the good government of the Town; and

**WHEREAS**, Sections 22.071 and 22.072 of the Texas Local Government Code provide, in part, that the Town Council may prescribe the powers and duties of Town officers; and

**WHEREAS**, the Code of Ordinances of the Town of Bartonville, Texas ("Town Code"), provides, among other things, for the appointment of certain Town officials as well as describes their official duties; and

**WHEREAS**, in order to provide for the duties and job-related obligations of the Chief of Police and the Town Administrator, the Town Council has determined that it is appropriate to modify certain provisions contained in Article 9.05, "Police Department," of Chapter 9, "Personnel," of the Town Code; and

**WHEREAS**, the Town Council of the Town of Bartonville has determined that it is in the best interest of the health, safety, and welfare of its citizens, and for the good government of the Town, to amend the Town Code as specified herein.

**NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF BARTONVILLE, TEXAS, THAT:**

**SECTION 1.  
INCORPORATION OF PREMISES**

The above and foregoing premises are true and correct legislative determinations and are incorporated herein and made a part hereof for all purposes.

**SECTION 2.  
AMENDMENT OF ARTICLE 9.05**

From and after the effective date of this Ordinance, the Town of Bartonville Code of Ordinances, Chapter 9, "Personnel," Article 9.05, "Police Department," is hereby amended by modifying Sections 9.05.002 and 9.05.003, which shall read as follows:

**"Article 9.05 Police Department**

\* \* \*

**§ 9.05.002 Chief of police.**

The chief of police of the town shall be a sworn peace officer under the laws of the state and shall be appointed by the town council.

**§ 9.05.003 Composition; appointment of personnel.**

The police department, after approval by the town council, shall be composed of the chief of police and such other positions including, but not limited to, officers, patrolmen and/or other employees as may be from time to time authorized by the town council. The chief of police shall have the authority to appoint or offer employment with the advice and consent of the town council. In the event a position in the department becomes vacant within the fiscal year, the position may be filled, upon approval by the town council, provided that the salary and benefit packages for additional personnel shall not exceed the current fiscal year budget appropriation unless otherwise authorized by the town council.

\* \* \*"

**SECTION 3.  
SEVERABILITY**

It is hereby declared to be the intention of the Town Council of the Town of Bartonville, Texas, 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 should 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, or sections of this Ordinance, since the same would have been enacted by the Town Council without incorporation in this Ordinance of any such unconstitutional phrase, clause, sentence, paragraph, or section.

**SECTION 4.  
SAVINGS**

An offense committed before the effective date of this Ordinance is governed by prior law and the provisions of the Town of Bartonville Code of Ordinances, as amended, in effect when the offense was committed, and the former law is continued in effect for that purpose.

**SECTION 5.  
ENROSS AND ENROLL**

The Town Secretary of the Town of Bartonville is hereby directed to engross and enroll this Ordinance by copying the exact Caption and the Effective Date clause in the minutes of the Town Council of the Town of Bartonville and by filing this Ordinance in the Ordinance records of the Town.

**SECTION 6.  
PUBLICATION**

The Town Secretary of the Town of Bartonville is hereby directed to publish in the Official Newspaper of the Town of Bartonville the Caption and the Effective Date of this Ordinance for two (2) days.

**SECTION 7.  
EFFECTIVE DATE**

This Ordinance shall be in full force and effect upon passage and publication of its caption, as the law in such cases provides.

**AND IT IS SO ORDAINED.**

**PASSED AND APPROVED** by the Town Council of the Town of Bartonville, Texas, on this the 30th day of September, 2024.

APPROVED:

\_\_\_\_\_  
Jaclyn Carrington, Mayor

ATTEST:

\_\_\_\_\_  
Shannon Montgomery, TRMC, Town Secretary