

**TOWN OF BARTONVILLE
ORDINANCE NO. XXX-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 9.04, "OFFICERS AND EMPLOYEES," DIVISION 1, "GENERALLY," BY SPECIFYING JOB-RELATED DUTIES OF THE TOWN SECRETARY; 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, the Code of Ordinances of the Town of Bartonville, Texas ("Town Code"), provides, among other things, for the appointment of certain Town officers as well as describes their official duties; and

WHEREAS, in order to describe the duties and job-related obligations of the Town Secretary, the Town Council has determined that it is appropriate to add provisions contained in Article 9.04, "Officers and Employees," of Chapter 9, "Personnel," of the Town Code, specifically, Division 1, "Generally," concerning the Town Secretary; 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 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 9.04, DIVISION 1

From and after the effective date of this Ordinance, the Town of Bartonville Code of Ordinances, Chapter 9, "Personnel," Article 9.04, "Officers and Employees," Division 1, "Generally," is hereby amended by adding Sections 9.04.001, 9.04.002 and 9.04.003, as follows:

"Article 9.01 OFFICERS AND EMPLOYEES

Division 1

Generally

§ 9.04.001. Town secretary office established; appointment; removal.

The office of town secretary is hereby established. The town secretary shall be appointed by a majority of the town council and serve at the pleasure of the town council. The town secretary shall be deemed a town officer and subject to discharge pursuant to the Texas Local Government Code governing discharge of town officers.

§ 9.04.002. Town secretary compensation; bond.

The town secretary shall receive such compensation approved by the town council. The town secretary shall furnish such surety bond as may be required by the town council by ordinance or resolution, the premium of which shall be paid by the town.

§ 9.04.003. Town secretary powers and duties; certification; administrative supervision.

- (a) The town secretary shall have such powers and perform such duties as specified in Chapter 22 of the Texas Local Government Code including, but not limited to, § 22.073; and as specified in other state law; and as specified in the town code of ordinances; and as may be specified by the town council.
- (b) The town secretary may be certified as set forth in § 22.074 of the Texas Local Government Code.
- (c) The town administrator shall supervise the work of the town secretary and shall report to the mayor and to the town council regarding such supervision of the town secretary for proper administration of the affairs of the town as set forth in Division 2 of this article regarding the powers and duties of the town administrator.

§ 9.04.004. through 9.04.030. (Reserved)"

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. ENGROSS 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 21st day of May, 2024.

APPROVED:

Jaclyn Carrington, Mayor

ATTEST:

Shannon Montgomery, TRMC, Town Secretary