

ORDINANCE

AN ORDINANCE AMENDING CHAPTER 2, “ADMINISTRATION” OF THE CODE OF ORDINANCES OF THE CITY OF BURLESON, TEXAS (2005), AS AMENDED, BY ADDING DIVISION 4, ENTITLED “PUBLIC SAFETY COMMUNICATIONS DEPARTMENT” TO ARTICLE III “DEPARTMENTS” AND ESTABLISHING THE CREATION OF THE DEPARTMENT; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Burleson (“City”) is a home rule city acting under its charter adopted by the electorate pursuant to Article XI, Section 5 of the Texas Constitution and Chapter 9 of the Texas Local Government Code; and

WHEREAS, in January of 2021 the City’s telecommunications and dispatch center was separated from the Burleson Police Department; and

WHEREAS, since that time the department has been operating as a standalone department named the “Public Safety Communications Department” that is managed separately from the Burleson Police Department and Burleson Fire Department; and

WHEREAS, the City desires that the Public Safety Communications Department register with the Texas Commission on Law Enforcement as a law enforcement telecommunication center; and

WHEREAS, the Texas Commission on Law Enforcement requires the City adopt an ordinance creating the Public Safety Communications Department; and

WHEREAS, the City desires to adopt an ordinance creating the Public Safety Communications Department; and

WHEREAS, the City Council finds and determines that the adoption of this ordinance is necessary and proper and in the best interests of the public health, safety, and general welfare.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BURLESON, TEXAS, THAT:

SECTION 1.

The Code of Ordinances of Burleson, Texas (2005) is hereby amended by adding a new division, entitled Division 4 “Public Safety Communications Department” to Article III “Departments” of Chapter 2 “Administration”, comprised of Section 2-141 which reads as follows:

“DIVISION 3: PUBLIC SAFETY COMMUNICATIONS DEPARTMENT

Sec. 2-141. Department Created.

There is created a Public Safety Communications Department. The city manager shall appoint the director of the Public Safety Communications Department.”

SECTION 2. CUMULATIVE

This ordinance shall be cumulative of all provisions of ordinances and of the Code of Ordinances of the City of Burleson, Texas, as amended, except where the provisions of this ordinance are in direct conflict with the provisions of such ordinances and such Code, in which event the conflicting provisions of such ordinances and such Code are hereby repealed. This ordinance is consistent with and is not intended to repeal any provision in the zoning ordinance.

SECTION 3. 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 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 4. PUBLICATION

Pursuant to Section 36 of the Charter of the City of Burleson, that this ordinance shall take effect after its passage and publication, and that the City Secretary is hereby directed to give notice of the passage of this ordinance by causing the caption or title and the penalty clause of this ordinance to be published once in a newspaper of general circulation in the city and on the city’s website.

SECTION 5. EFFECTIVE DATE

This ordinance shall become effective immediately upon its passage and publication as required by law.

First Reading: the _____ day of _____, 20_____.

Final Reading: the _____ day of _____, 20_____.

PASSED AND APPROVED this the _____ day of _____, 20____.

Chris Fletcher, Mayor
City of Burleson, Texas

ATTEST:

APPROVED AS TO FORM:

Amanda Campos, City Secretary

E. Allen Taylor, Jr., City Attorney