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 captain 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 10th day of July, 2023.

Final Reading: the 24th day of July, 2023.

PASSED AND APPROVED this the 24th day of July, 2023.

Chris Fletcher, Mayor
City of Burleson, Texas

ATTEST:

Amanda Campos, City Secretary

APPROVED AS TO FORM:

E. Allen Taylor, Jr., City Attorney

TEXAS COMMISSION ON LAW ENFORCEMENT

6330 E. Highway 290, STE. 200, Austin, Texas 78723-1035
Phone: (512) 936-7700
http://www.tcole.texas.gov

LAW ENFORCEMENT TELECOMMUNICATION NUMBER APPLICATION

Return form with non-refundable fee of $1,000.00. Agency, cashier's check or money order. (5519)

PROPOSED AGENCY INFORMATION

1. Proposed Agency Name	2. Proposed Agency Address		
Burleson Public Safety Communications Department	1161 SW Wilshire Blvd		
3. City	4. State	5. County	6. Zip Code
Burleson	TX	Johnson	76028
7. Phone Number	8. Fax Number	9. E-mail	
817-426-9903	817-426-9385	dispatch911@burlesontx.com	

PROPOSED AGENCY CHIEF ADMINISTRATOR INFORMATION

10. Title	11. First Name	12. M.I.	13. Last Name	14. Suffix (Jr.Etc)
PSC Director	Paul	F	Bradley	
15. TCOLE PID	16. Date of Birth	17. Race / Ethnicity		18. Gender
371742	XX/XX/XXXX	☐ American Indian or Alaskan Native ☐ Asian ☐ Black ☐ Hispanic ☐ Multicultural ☒ White		☒ Male ☐ Female

Cite applicable statute providing legislative authority
(i.e., Local Government Code, Education Code): TX Admin. Code, Title 37 Statute Number: 211.16(d)

The entity shall submit to the commission on creation of the law enforcement telecommunication center information regarding:

_____(1) The need for the law enforcement telecommunication center in the community;
_____(2) The funding sources for the law enforcement telecommunication center;
_____(3) The physical resources available to tele communicators;
_____(4) The physical facilities that the law enforcement telecommunication center will operate, including descriptions of the secured dispatch/clerk area, and public area;
_____(5) Telecommunication policies of the law enforcement telecommunication center, including policies on:
- ____(A) General Rules/Professional Conduct of Tele communicators;
- ____(B) Dispatch Procedures/Training;
- ____(C) Access to Communication Area;
- ____(D) Call Taking/Radio Log protocols;
- ____(E) General Broadcasting-Emergency Alerts;
- ____(F) Lane/Road Closures; and Accidents
- ____(G) In Progress Incidents;
- ____(H) Violation Alerts
- ____(I) Emergency Transmissions

_____(6) The administrative structure of the law enforcement telecommunication center;
_____(7) Liability insurance;
_____(8) Documents from the governing body authorizing creation of agency: Example(s): Municipal Code/Ordinance, School District Resolution, and;
_____(9) Minutes approving ordinance.

REQUESTING GOVERNMENTAL BODY

19. Governing Body			20. Mailing Address	
City of Burleson			141 W Renfro St	
21. City	22. State	23. Zip Code	24. Phone Number	25. Fax Number
Burleson	TX	76028	817-426-9600	817-426-9376
26. Governing Body Administrator		27. Title		29. Phone Number
Tommy Ludwig		City Manager		817-426-9683

I, the administrator of the governmental body making request, am fully aware that this application is a government document and under penalties of perjury I declare the foregoing information to be true and correct.

Tommy Ludwig
Administrator (Type or Print)

Signature

July 24, 2023
Date

Sworn to and subscribed before me, this 24th day of Month, July 4, 2023 Year

Notary public in and for, State of Texas

My Commission expires /Month/Year December 21, 2025

LISANDRA LEAL
Notary Public
STATE OF TEXAS
ID# 131389326
My Comm. Exp. Dec. 21, 2025

Lisandra Leal
Printed Name of Notary

Lisandra Leal
Signature of Notary