ORDINANCE

AN ORDINANCE OF THE CITY OF BURLESON, TEXAS, AMENDING THE CODE OF ORDINANCES BY REPEALING SECTION 2-121 "DEPARTMENT CREATED" AND DIVISION 4 "PUBLIC SAFETY COMMUNICATIONS DEPARTMENT" OF ARTICLE III "DEPARTMENTS" OF CHAPTER 2 "ADMINISTRATION"; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Burleson, Texas ("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, the City Council, after due and careful consideration, has determined that it is reasonable and appropriate to repeal section 2-121 "Department Created" and Division 4 "Public Safety Communications Department" of Article III "Departments" of Chapter 2 "Administration" of the City of Burleson Code of Ordinances; and

WHEREAS, the City Council hereby finds and determines that the amendments and regulations set forth herein are in the best interest of the public and are adopted in furtherance of the public health, safety, welfare, morals, and general welfare.

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

SECTION I.

Division 4 "Public Safety Communications Department," including section 2-121 "Department Created," of Article III "Departments" of Chapter 2 "Administration" of the City of Burleson Code of Ordinances is hereby repealed in its entirety.

SECTION II.

This Ordinance shall be cumulative of all provisions of ordinances of the City, except where the provisions of this Ordinance are in direct conflict with the provisions of such ordinances, in which event the conflicting provisions of such ordinances are hereby repealed.

SECTION III.

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, clauses, 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 its ordinance of any such unconstitutional phrase, clause, sentence, paragraph, or section.

SECTION IV.

All rights and remedies of the City are expressly saved as to any and all violations of the provisions of Division 4 "Public Safety Communications Department," including section 2-121 "Department Created," of Article III "Departments" of Chapter 2 "Administration" of the Code of Ordinances, City of Burleson, Texas and or any other ordinances which have accrued at the time of the effective date of this Ordinance; and, as to such accrued violations and all pending litigation, both civil and criminal, whether pending in court or not, under such ordinances, same shall not be affected by this Ordinance but may be prosecuted until final disposition by the courts.

SECTION V.

The City Secretary is hereby directed to publish this Ordinance as required by state law.

SECTION VI.

This Ordinance shall be in full force and effect from and after its passage and publication as required by law, and it is so ordained.

AND IT IS SO ORDAINED.

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

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

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

_____
Chris Fletcher, Mayor
City of Burleson, Texas

ATTEST:

_____
Amanda Campos, City Secretary

APPROVED AS TO FORM:

_____
E. Allen Taylor, Jr., City Attorney