

## **AN ORDINANCE**

### **AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FAIR OAKS RANCH, TEXAS, AMENDING THE FAIR OAKS RANCH CODE OF ORDINANCES CHAPTER 9 PERSONNEL, ARTICLE 9.03 POLICE DEPARTMENT, SECTION 9.03.004 CHIEF OF POLICE OF THE CITY OF FAIR OAKS RANCH CODE OF ORDINANCES; PROVIDING FOR REPEALING AND SEVERABILITY CLAUSES; AND AN EFFECTIVE DATE**

**WHEREAS**, in May 2017, the citizens of Fair Oaks Ranch voted to adopt the City of Fair Oaks Ranch Home Rule Charter, and

**WHEREAS**, prior to adoption of the Home Rule Charter, the Police Chief was appointed by the Mayor and confirmed by the City Council, and

**WHEREAS**, the Home Rule Charter established a “Council-Manager” form of municipal government, and

**WHEREAS**, in accordance with the Home Rule Charter, the City Manager has the authority to appoint, suspend, or remove City employees, except as otherwise specified in the Charter, and

**WHEREAS**, it is necessary from time to time to update the City Code to ensure alignment with applicable federal, state, and local laws, as well as to reflect current practices.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FAIR OAKS RANCH, TEXAS:**

**Section 1.** The Fair Oaks Ranch Code of Ordinances Chapter 9 Personnel Article 9.03 Police Department Section 9.03.004 Chief of Police is hereby amended as show in **Exhibit A**.

**Section 2.** That the recitals contained in the preamble hereto are hereby found to be true and such recitals are hereby made a part of this ordinance for all purposes and are adopted as a part of the judgment and findings of the Council.

**Section 3.** It is hereby declared to be the intention of the City Council that the phrases, clauses, sentences, paragraphs, and sections of this ordinance be severable, and, if any phrase, clause, sentence, paragraph, or section of this ordinance shall be declared invalid by judgment or decree of any court of competent jurisdiction, such invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs, or sections of this ordinance and the remainder of this ordinance shall be enforced as written.

**Section 4.** That it is officially found, determined, and declared that the meeting at which this ordinance is adopted was open to the public and public notice of the time, place, and subject matter of the public business to be considered at such meeting, including this ordinance, was given, all as required by Chapter 551, as amended, Texas Government Code.

**Section 5.** The provisions of this ordinance shall be cumulative of all ordinances not repealed by this ordinance and ordinances governing or regulating the same subject matter as that covered herein.

**Section 6.** If any provision of this ordinance or the application thereof to any person or circumstance shall be held to be invalid, the remainder of this ordinance and the application of such provision to other persons and circumstances shall nevertheless be valid, and the City hereby declares that this ordinance would have been enacted without such invalid provision.

**Section 7.** All ordinances, or parts thereof, which are in conflict or inconsistent with any provision of this ordinance are hereby repealed to the extent of such conflict, and the provisions of this ordinance shall be and remain controlling as to the matters ordained herein.

**Section 8.** This ordinance shall be construed and enforced in accordance with the laws of the State of Texas and the United States of America.

**Section 9.** This ordinance shall take effect immediately from and after its second reading, passage and any publication requirements as may be required by governing law.

**PASSED and APPROVED on first reading by the City Council of the City of Fair Oaks Ranch, Texas, on this 3<sup>rd</sup> day of July 2025.**

**PASSED, APPROVED, and ADOPTED on second and final reading by the City Council of the City of Fair Oaks Ranch, Texas, on reading this 17th day of July 2025.**

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Gregory C. Maxton, Mayor

ATTEST:

APPROVED AS TO FORM:

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Christina Picioccio, TRMC  
City Secretary

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Denton Navarro Rodriguez Bernal Santee & Zech  
P.C., City Attorney

## EXHIBIT A

Chapter 9 Personnel; Article 9.03 Police Department; Section 9.03.004 Chief of Police is hereby amended as follows:

[Deletions shown as strikethrough and Additions shown as underscore]:

(a) The Police Department of the City shall consist of the Chief of Police and such members as the City Council may provide.

~~(b) The Chief of Police shall be appointed by the mayor and confirmed by the City Council.~~

(b) ~~(c)~~ The Chief of Police shall carry out the functions of the police department relating to public safety and enforcement of ordinances, state and federal laws; organize the Police Department of the City in conformity with the laws of the state and ordinances of the City; and shall promulgate policies, procedures, rules, directives and orders for the administration of the department, including but not limited to, discipline within the department.