

ORDINANCE NO. 315

**AN ORDINANCE
RELATING TO OFFICE OF POLICE CHIEF; CONFIRMING THE
APPOINTMENT OF POLICE CHIEF; REPEALING ORDINANCES IN CONFLICT
AND PROVIDING FOR SEVERANCE**

WHEREAS, the Town of Fulton abolished the office of town marshal in 1986; and

WHEREAS, Section 24-40, Code of Ordinances, provided for the appointment of Police Chief by Resolution; and

WHEREAS, Section 22.076, Local Government Code provides for abolishing the office of marshal and conferring the duties of marshal to a police officer appointed by Ordinance.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF FULTON:

Section 1. That Section 24-40, Code of Ordinances shall be amended to read as follows:

“Se. 24.40. Office established; appointment; term; qualifications.

The town has abolished the office of town marshal. The town council may appoint a town chief of police to serve at the pleasure of the town council. The chief shall be appointed by Ordinance and shall be certified as a police officer in compliance with the state law. The chief, at appointment, shall have a minimum of two (2) years’ experience in the law enforcement field.”

Section 2. That the previous appointment of Ty Gerstenberger as Police Chief of the Town of Fulton is hereby ratified and affirmed and he is appointed as Police Chief.

Section 3. Any ordinance, resolution or regulation in conflict with this Ordinance is hereby repealed.

Section 4. In the event any section, part or paragraph of this Ordinance is held to be invalid or unenforceable by any Court of competent jurisdiction, the remaining parts of this Ordinance shall be and remain in full force and effect, it being the intention of the City Council to pass each part of this Ordinance irrespective of any other section, part or paragraph.

Passed and approved on the ____ day of _____, 2023.

TOWN OF FULTON

Kellie Cole
Mayor

ATTEST:

Stephanie Garcia
City Secretary