

## **ORDINANCE NO. 676**

### **AN ORDINANCE OF THE CITY OF MANOR, TEXAS, AUTHORIZING THE DESIGNATION OF FIRE MARSHAL; MAKING FINDINGS OF FACT; PROVIDING A SAVINGS CLAUSE; PROVIDING AN EFFECTIVE DATE; AND PROVIDING FOR CERTAIN RELATED MATTERS.**

**WHEREAS**, the Code of Ordinances for the City of Manor, Texas, Chapter 5, Article 5.02 (“Code”) provides the City Council of the City of Manor, Texas (“City Council”) the authority to designate a person or entity to the position of Fire marshal for the City of Manor, Texas (“City”); and

**WHEREAS**, the City and \_\_\_\_\_ have entered into an Interlocal Agreement for Fire Code Enforcement Services effective November 1, 2022 (“Interlocal Agreement”); and

**WHEREAS**, the City Council desires to designate the Fire Marshal.

**NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MANOR, TEXAS:**

**Section 1. Findings.** The foregoing recitals are hereby found to be true and correct and are incorporated herein as findings of fact.

**Section 2. Appointment of Fire Marshal.** The City Council hereby designates \_\_\_\_\_ to serve as Fire Marshal for the City of Manor, Texas, and to faithfully perform the duties prescribed to the office of Fire Marshal as provided for in the Code and the Interlocal Agreement with an effective date of November 1, 2022.

**Section 3. Repealing all Conflicting Ordinances.** All ordinances or parts thereof conflicting or inconsistent with the provisions of this ordinance as adopted herein are hereby amended to the extent of such conflict. In the event of a conflict or inconsistency between this ordinance and any other code or ordinance of the City of Manor, the terms and provisions of this ordinance shall control.

**Section 4. Savings Clause.** This City Council of the City of Manor, Texas does hereby declares that if any section, subsection, paragraph, sentence, clause, phrase, work or portion of this ordinance is declared invalid, or unconstitutional, by a court of competent jurisdiction, that, in such event that it would have passed and ordained any and all remaining portions of this ordinance without the inclusion of that portion or portions which may be so found to be unconstitutional or invalid, and declares that its intent is to make no portion of this ordinance dependent upon the validity of any portion thereof, and that all said remaining portions shall continue in full force and effect.

**Section 5. Severability.** If any provision of this ordinance or the application of any provision of this ordinance to any person or circumstance is held to be invalid, the invalidity shall not affect other provisions or applications of this ordinance which can be given effect without the invalid provision or applications, and to this end the provisions of this ordinance are declared to be severable.

**Section 6. Open Meetings.** It is hereby officially found and determined that the meeting at which this ordinance was considered was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act, Chapter 551, Texas Government Code.

**Section 7. Effective Date.** This ordinance shall take effect immediately from and after its passage and be in full force and effect on the date shown below.

**PASSED AND APPROVED** on this 19<sup>th</sup> day of October 2022.

**THE CITY OF MANOR, TEXAS**

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Dr. Christopher Harvey, Mayor

**ATTEST:**

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Lluvia Almaraz, City Secretary