

ORDINANCE #G-13-26

AN ORDINANCE OF THE CITY OF PORT LAVACA AMENDING CHAPTER 24 OF THE CITY OF PORT LAVACA CODE OF ORDINANCES BY ADDING PROVISIONS ESTABLISHING THE POLICE DEPARTMENT; REQUIRING POLICE OFFICERS TO BE LICENSED; ESTABLISHING THE POSITION, AUTHORITY, DUTIES, AND RESPONSIBILITIES OF THE CHIEF OF POLICE; ESTABLISHING THE AUTHORITY, DUTIES, AND RESPONSIBILITIES OF POLICE OFFICERS; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR THE REPEAL OF CONFLICTING ORDINANCES; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Texas Local Government Code authorizes cities to provide for a Police Department; and

WHEREAS, the City Council of the City of Port Lavaca established a Department of Police in Article 6.01A of the City Home Rule Charter for the purpose “to preserve order within the City and to secure the residents of the City from violence and the property therein from injury or loss, and to enforce such ordinances as may be required by the Council”; and

WHEREAS, the Police Department is actively engaged in pursuing “Recognized” status from the Texas Police Chiefs Association’s Law Enforcement Best Practices Recognition Program; and

WHEREAS, the standards of the Recognition Program require explicit language creating a Police Department and establishing the authority of both the officers and the Chief of Police, rather than reliance on the general powers provided in the City Charter; and

WHEREAS, the City Council has determined that a clear and definitive statement of intent is preferable to provide for the establishment of the Police Department.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PORT LAVACA, TEXAS:

Section 1. Purpose.

The attached Exhibit “A” identifies the proposed amendments to Chapter 24 of the City of Port Lavaca Code of Ordinances by adding provisions establishing the Police Department; providing for the certification of police officers; establishing the position, authority, and responsibilities of the Chief of Police; and establishing the authority and duties of police officers. New text is identified by red-colored underlined letters.

Section 2. Severability.

It is specifically declared to be the intention of the City Council that sections, paragraphs, sentences, clauses, and phrases of this ordinance are severable, and if any phrase, clause, sentence, paragraph, or section of this ordinance shall be declared unconstitutional or invalid by the valid

judgment or decree of any court of competent jurisdiction, such unconstitutionality or invalidity 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 unconstitutional or invalid phrase, clause, sentence, paragraph, or section.

Section 3. Repeal.

All ordinances or parts of ordinances conflicting with or not consistent with the provisions of this ordinance are hereby repealed; provided that such repeal shall be only to the extent of such inconsistency or conflict, and in all respects, this ordinance shall be cumulative of all other ordinances of the City of Port Lavaca regulating and governing the subject matter covered in this ordinance. Any cause of action accruing prior to the passage of this ordinance shall continue as if this ordinance was not passed or any other ordinance had not been repealed.

Section 4. Effective Date

THAT this ordinance shall become effective on the date of its passage.

FIRST READING this 12th day of October, 2026

Luis De La Garza, Mayor

SECOND AND FINAL READING this 9th day of November, 2026

Luis De La Garza, Mayor

APPROVED AND ADOPTED this 9th day of November, 2026.

Luis De La Garza, Mayor

ATTEST:

Lorena Perez-Diaz, City Secretary

APPROVED AS TO FORM:

Anne Marie Odefey, City Attorney

RECORD OF VOTE

First Reading	Second and Final	Passed and Approved
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Councilman Aguirre
Councilman Dent
Councilwoman Rigby
Councilwoman Padron
Councilwoman Bland-Stewart
Councilman Burke

Record of approval by City Council: City Council Minute Records, Volume 3-J, Page ____.