

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE OF THE CITY OF MANSFIELD, TEXAS, AMENDING ORDINANCE NO. 867, PROVIDING FOR THE ADDITION OF LAW ENFORCEMENT DUTIES TO THE OFFICE OF CITY MARSHAL; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the City of Mansfield, Texas 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 Local Government Code; and

**WHEREAS**, the City Council passed Ordinance No. 867 on June 12, 1990, creating the office of City Marshal for the Jail Division of the Law Enforcement Center and listing duties to be performed by that office.

**WHEREAS**, the City Council desires to add the performance of additional law enforcement duties to the duties of the office of City Marshal.

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

**I.**

**THAT**, Section 1 of Ordinance No. 867 is amended as follows:

The office of the City Marshal for the City of Mansfield, Texas is hereby created. The City Marshal and his or her deputies shall be appointed by the City Manager or designee. Their compensation shall be established by ordinance.

**THAT**, Section 2 of Ordinance No. 867 is amended as follows:

The City Marshal and his or her deputies, acting under the direction of the Director of Public Safety, shall perform the following duties:

**Add:**

- E.** The City Marshal's office is authorized to provide City Marshal personnel to work as Bailiff and/or Warrant Officers for the Mansfield Municipal Court and perform any law enforcement duties as authorized by law, and as directed by the City Marshal, including the authority to arrest, detain or issue summons or citations.

**II.**

**THAT**, this ordinance shall and does amend and/or repeal every prior Ordinance or rule or regulation or policy in conflict herewith, but as to all other Ordinances or rules or regulations or policies or sections of Ordinances or rules or regulations or policies not in conflict herewith, this Ordinance shall be and is hereby made cumulative.

**III.**

**THAT**, it is hereby declared to be the intention of the City Council that the 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 void, ineffective, or unconstitutional by the valid judgment or final decree of a court of competent jurisdiction, such voiding, ineffectiveness, or unconstitutionality shall not effect any of the remaining phrases, clauses, sentences, paragraphs and sections hereof, since the same would have been enacted by the City Council without the incorporation herein of any such void, ineffective or unconstitutional phrase, clause, sentence, paragraph or section.

**IV.**

**THAT**, this Ordinance shall be effective from and after its adoption and publication as required by law.

PASSED AND ADOPTED on the First reading this \_\_\_ day of \_\_\_\_\_ 2012.

PASSED AND ADOPTED on the Second reading this \_\_\_ day of \_\_\_\_\_ 2012.

PASSED AND ADOPTED on the Final reading this \_\_\_ day of \_\_\_\_\_ 2012.

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**David Cook, Mayor**

ATTEST:

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**Vicki Collins, City Secretary**

APPROVED AS TO FORM AND LEGALITY:

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**E. Allen Taylor, City Attorney**