

ORDINANCE NO. 0-2015-51

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TYLER, TEXAS, AMENDING CHAPTER 3, "PERSONNEL/CIVIL SERVICE/TMRS", ARTICLE III., "CIVIL SERVICE FOR FIREFIGHTERS AND POLICE OFFICERS", DIVISION 2, "CLASSIFICATION PLAN", OF THE CODE OF ORDINANCES OF THE CITY OF TYLER, TEXAS, BY AMENDING THE CIVIL SERVICE CLASSIFICATION PLAN ADOPTION PROCESS TO PROVIDE FOR REVIEW BY THE CIVIL SERVICE COMMISSION; PROVIDING A SEVERABILITY CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, in accordance with State law, the City of Tyler has established a local Civil Service system and Civil Service Commission in Tyler City Code Chapter 3, Article III.; and

WHEREAS, Texas Local Government Code requires the City Council to approve a Fire and Police Civil Service employee classification plan and authorize the number of Civil Service employees for each position on an annual basis; and

WHEREAS, the procedure for adopting the Fire and Police Civil Service employee classification plan is established in Texas Local Government Section 143.021 and City Code Sections 3-42 and 3-43; and

WHEREAS, Texas Local Government Code Section 143.021(a) provides that the governing body shall establish the classification of all fire fighters and police officers, and prescribe the number of positions in each classification by ordinance; and

WHEREAS, Texas Local Government Code Section 143.021(a) also provides that the Civil Service Commission shall provide for the classification of all firefighters and police officers; and

WHEREAS, Tyler City Code Section 3-42 should now be amended include the Civil Service Commission in the review of the Fire and Police Civil Service employee classification plan, with the City Council retaining final authority;

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

PART 1: That Tyler City Code Chapter 3, "Personnel/Civil Service/TMRS", Article III., "Civil Service for Firefighters and Police Officers", Division 2, "Classification Plan", is hereby amended by amending Section 3-42 to read as follows:

Sec. 3-42. Establishment and adoption of the classification plan.

Following review and recommendation of the Civil Service Commission, the City Council hereby establishes and adopts the classification plan set forth in this division as the official classification plan of all classified service positions. The City Council reserves to itself the sole right to designate in the annual budget or by separate ordinance new classes of positions, or combine, divide, alter or abolish existing classes, subject only to the provisions of the Civil Service law. (Ord. No. O-96-8, 2-7-96) (Ord. No. 0-2015-51, 5-13-15)

PART 3: That if any provision or any section of this ordinance shall be held to be void or unconstitutional, such holding shall in no way affect the validity of the remaining provisions or sections of this ordinance, which shall remain in full force and effect.

PART 4: This ordinance shall take effect immediately upon its adoption.

PASSED AND APPROVED on this the 13th day of May, A.D., 2015.


MARTIN HEINES, MAYOR OF
THE CITY OF TYLER, TEXAS

ATTEST:


CASSANDRA BRAGER, CITY CLERK

APPROVED:


STEVEN M. KEAN, DEPUTY
CITY ATTORNEY

