

ORDINANCE NO. O-2015-94

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TYLER, TEXAS, AMENDING CHAPTER 1, "GENERAL PROVISIONS", RELATING TO MUNICIPAL COURTS, OF THE CODE OF ORDINANCES OF THE CITY OF TYLER, TEXAS; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, Reporting structures are established in the City Code;

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

PART 1: That Tyler City Code Chapter 1, "General Provisions", Article VIII, "Municipal Courts", is hereby amended by amending Section 1-82 to read as follows:

Sec. 1-82. Office of City Marshal; appointment; deputies; qualifications.

- a. There is hereby created the office of City Marshal, to be filled by a qualified person appointed by the City Manager or designee. The City Marshal shall appoint such Deputies as are necessary with the approval of the City Manager. The City Marshal and Deputies shall meet the Texas Commission on Law Enforcement Officer Standards and Education.
- b. The City Marshal and Deputies shall perform the following duties:
 1. Execution of warrants of arrest, subpoenas, and other legal process issuing from the Municipal Court and all duties incident thereto;
 2. Maintenance of physical warrants in the Municipal Court;
 3. Service as court bailiffs in the Municipal Court and duties incident thereto;
 4. Performance of such other duties as are delegated by the City Marshal, City Manager or Designee;
 5. Performance of such other duties as are authorized or required of the City Marshal under or by virtue of State law.
- c. The City Marshal shall serve as the department leader and supervised by the City Manager or designee. The City Marshal shall have direct supervisor authority over the Deputies.
- d. The City Marshal and Deputies shall serve as peace officers and have full police authority in the exercise of their assigned duties.
- e. The City Marshal and Deputies are paid law enforcement officers for the purpose of qualifying for survivor's assistance benefits under State law. (Ord. No. 0-98-45, 5/27/98) (Ord. No. 0-98-80, 9/23/98) (Ord. No. 0-98-45, 5/27/98) (Ord. No. 0-98-80, 9/23/98) (Ord. No. 0-99-77, 10-6-99) (Ord. No. 0-15-94, 10/14/15)

PART 2: 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 3: That any person, firm, or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be punished by a fine as provided in Section 1-4 of the Tyler Code. Each day such violation shall continue, or be permitted to continue, shall be deemed a separate offense. Since this ordinance has a penalty for violation, it shall not become effective until its publication in the newspaper as provided by Section 85 of the Charter of the City of Tyler, Texas, or later. The effective date of this Ordinance shall be October 14, 2015.

PASSED AND APPROVED this 14th day of October, A. D., 2015.


MARTIN HEINES, MAYOR
OF THE CITY OF TYLER, TEXAS

ATTEST:


CASSANDRA BRAGER, CITY CLERK

APPROVED:


DEBORAH G. FULLUM, CITY ATTORNEY

