

ORDINANCE NO. 088-044

AN ORDINANCE OF THE TOWN OF ADDISON, TEXAS, AMENDING CHAPTER 2, ADMINISTRATION, OF THE CODE OF ORDINANCES, TOWN OF ADDISON, TEXAS, PROVIDING FOR ESTABLISHMENT OF DEPARTMENTS OF FINANCE, MUNICIPAL COURT, TAX ASSESSOR/ COLLECTOR, FIRE, POLICE, PERSONNEL, STREETS, PARKS AND RECREATION, UTILITIES; PROVIDING FOR MISCELLANEOUS PROVISIONS; PROVIDING FOR REPEAL; PROVIDING FOR SEVERABILITY; PROVIDING FOR PENALTIES; AND DECLARING AN EMERGENCY.

BE IT ORDAINED BY THE CITY COUNCIL OF THE TOWN OF ADDISON, TEXAS:

SECTION 1. That the Code of Ordinances, Town of Addison, Texas, is hereby amended by adding an article, to be numbered Article V, which article reads as follows:

Article V. Departments

Division 1, Finance

Sec. 2-90. Department established.

There is hereby created a Department of Finance, which department shall be under the supervision of the Director of Finance, who shall be subject to appointment and removal by the City Manager at his will. The Salary of the Director shall be in accordance with the compensation plan of the City.

Sec. 2-91. Duties of Director of Finance.

Subject to the approval of the City Manager, the Finance Director shall be responsible for rendering a

complete and composite statement of receipts, deposits and disbursements as the City Council or City Manager require; assisting all departments with their budgetary function, maintaining a general accounting system, auditing and approving all bills before payment, serving as Purchasing Officer of the City, unless allowed to delegate this function by the City Manager, and performing other duties as may be required of him. The Finance Director shall be responsible to the City Manager for administration and implementation of the policies established by the City Council in accordance with the provisions of this article. The Finance Director shall perform any other duties required of him by the City Manager. The Finance Director may be required by the City Council to post a fidelity bond as provided by the Charter.

Sec. 2-92. Municipal Court.

There shall be hereby created a court known as the Municipal Court of Addison, Texas, presided over by a municipal judge or judges who are appointed in accordance with the Charter of the Town of Addison. The Court shall be deemed always open for the trial of causes and having such jurisdiction, powers and duties as are given and prescribed by the laws of the State of Texas.

Sec. 2-93. Court Administrator.

The City Manager shall appoint a Court Administrator who shall be immediately responsible to the Director of Finance. The Court Administrator shall, for all purposes, be the immediate supervisor of all persons employed within the Clerk's office of the Municipal Court. The Court Administrator and such clerks shall keep all records of the proceedings of the Court and prepare all process and generally perform all the duties of the Clerk of a court as prescribed by law for a County Clerk insofar as same may be applicable. Although the Court Administrator is, for all purposes, under the full control and authority of the City Manager, he shall nevertheless attend to all lawful orders of the Judge of the Municipal Court and shall coordinate all activities of his unit with such Judge and all other personnel acting in a service capacity to the Court. The Court Administrator is subject to removal by the City Manager at his will. The Court Administrator may be required by the City Council to post a fidelity bond as provided by the Charter.

Sec. 2-94. Tax Assessor/Collector.

The City Manager shall appoint a Tax Assessor/Collector who shall be immediately responsible to the Director of Finance. He shall carry out the functions of taxation and collection as provided by the Charter. The principal duty of the Tax Assessor/Collector is to collect all taxes due the City. The tax collector shall, in performance of his duties, observe the provisions of the Constitution and the General Laws of the State of Texas, the Ordinances of the City relating thereto, and the provisions of the Charter. He is subject to removal from office by the City Manager at his will. The Tax Assessor/Collector may be required by the City Council to post a fidelity bond as required by the Charter.

Sec. 2-95. City Manager may act as Assessor and Collector of taxes.

The City Manager may act as Assessor and Collector of taxes with all powers conferred on the Assessor and Collector by this Charter, the statutes and Constitution of the State of Texas unless a person has been appointed to the position of Assessor and Collector of taxes for the Town of Addison. In either event, bond shall be given as required by law.

Division 2. Fire

Sec. 2-96. Fire Department Established.

There is hereby created a Department of Fire which department shall be under the supervision of the Fire Chief, who shall be subject to appointment and removal by the City Manager at his will. The salary of the Chief shall be in accordance with the compensation plan of the City.

Sec. 2-97. Duties of Fire Chief.

Subject to the approval of the City Manager, the Fire Chief shall be responsible for the proper administration and operation of the Fire Department, subject to the supervision of the City Manager and subject to all regulations, policies and ordinances of the City, and the Fire Chief shall promulgate all rules, regulations and orders for the governing of the Fire Department. The Fire Chief shall have the power to negotiate agreements with other governmental subdivisions for mutual aid in fire protection subject to the approval of the City Manager. The Fire Chief shall ensure that the Fire Department provides a high level of protection against fire damages to lives and property of the citizens of the City.

He shall also see to it that the department provides continuous service in the areas of fire prevention, fire control, field management areas of hazardous materials, emergency medical service, and related public education functions and shall enforce all municipal ordinances and laws, state and federal, with whose enforcement it is charged. The Fire Chief shall be responsible to the City Manager for administration and implementation of the policies established by the City in accordance with the provisions of this article. The Fire Chief shall perform any other duties required of him by the City Manager.

Division 3. Police

Sec. 2-98. Police Department established.

There is hereby created a Department of Police, which department shall be under the supervision of the Police Chief, who shall be subject to appointment and removal by the City Manager at his will. The salary of the Chief shall be in accordance with the compensation plan of the City.

Sec. 2-99. Duties of Police Chief.

Subject to the approval of the City Manager, the Police Chief shall be responsible for the proper administration and operations of the Police Department, subject to the supervision of the City Manager, and subject to all regulations, policies and ordinances of the City and he shall promulgate all rules, regulations and orders for the governing of the Police Department. The Police Chief shall have the power to negotiate agreements with other governmental subdivisions for mutual aid in police protection subject to the approval of the City Manager. The Police Chief shall ensure that the Police Department maintains peace and order in the community and protects the citizens of the City. He shall also see to it that the department provides continuous patrol services, response to citizens' calls for assistance, investigate criminal offenses, apprehend offenders, provide traffic enforcement and enforce all municipal ordinances and laws, state and federal, with whose enforcement it is charged. The Police Chief shall be responsible to the City Manager for administration and implementation of the policies established by the City in accordance with the provisions of this article. The Police Chief shall perform any other duties required of him by the City Manager.

Division 4. Personnel

Sec. 2-100. Personnel Department established.

There is hereby created a Department of Personnel, which department shall be under the supervision of the Director of Personnel, who shall be subject to appointment and removal by the City Manager at his will. The salary of the Director shall be in accordance with the compensation plan of the City.

Sec. 2-101. Duties of Director of Personnel.

Subject to the approval of the City Manager, the Personnel Director shall be responsible for developing and maintaining a system of personnel administration to meet the needs of the City. This system shall provide means to recruit, select, develop and maintain an effective and responsible work force and shall include policies and procedures for employee hiring and advancement, training and career development, job classification, salary administration, retirement, fringe benefits, discipline, discharge and other related activities. The Personnel Director shall be responsible to the City Manager for administration and implementation of the policies established by the City in accordance with the provisions of this article. The Personnel Director shall perform any other duties required of him by the City Manager.

Division 5. Streets

Sec. 2-102. Streets Department established.

There is hereby created a Department of Streets, which department shall be under the supervision of the Director of Streets, who shall be subject to appointment and removal by the City Manager at his will. The salary of the Director shall be in accordance with the compensation plan of the City.

Sec. 2-103. Duties of Director of Streets.

Subject to the approval of the City Manager, the Streets Director shall be responsible for determining overall policies, regulations and programs governing improvement, maintenance and operation of all streets and rights-of-way owned or controlled by the City. The Streets Director shall be responsible to the City Manager for administration and implementation of the policies established by the City in accordance with the provisions of this article. The Streets Director shall perform any other duties required of him by the City Manager.

Division 6. Parks and Recreation

Sec. 2-104. Parks and Recreation Department established.

There is hereby established a Department of Parks and Recreation, which department shall be under the supervision of the Director of Parks and Recreation, who shall be subject to appointment and removal by the City Manager at his will. The salary of the Parks and Recreation Director shall be in accordance with the compensation plan of the City.

Sec. 2-105. Duties of Director of Parks and Recreation.

Subject to the approval of the City Manager, the Parks and Recreation Director shall be responsible for determining overall policies, regulations and programs governing improvement, maintenance and operation of all public parks, lakes and other recreational areas, all rights-of-way, all street medians and the grounds surrounding all buildings owned or controlled by the City. The Parks and Recreation Director shall be responsible to the City Manager for administration and implementation of the policies established by the City Council in accordance with this article. The Parks and Recreation Director shall perform any other duties required of him by the City Manager.

Division 7. Utilities

Sec. 2-106. Utilities Department established.

There is hereby established a Department of Utilities, which department shall be under the supervision of the Director of Utilities, who shall be subject to appointment and removal by the City Manager at his will. The salary of the Director of Utilities shall be in accordance with the compensation plan of the City.

Sec. 2-107. Duties of Director of Utilities.

Subject to the approval of the City Manager, the Utilities Director shall be responsible for determining overall policies, regulations and programs governing improvement, maintenance and operation of all utilities and utility systems owned, operated or controlled by the City. The Utilities Director shall be responsible to the City Manager for administration and implementation of the policies established by the City Council in accordance with this article. The Utilities Director shall perform any other duties required of him by the City Manager.

Division 8. Miscellaneous Provisions

Sec. 2-108 Creation of Other Departments.

Other departments may be created by the City Council from time to time as the need arises.

Sec. 2-109. Service as Directors of Multiple Departments.

The City Manager or a Department Director may serve as the Director of one (1) or more additional departments of the City without receiving additional compensation therefor.

SECTION 2. That all ordinances of the City in conflict with the provisions of this ordinance be, and the same are hereby repealed and all other ordinances of the City not in conflict with the provisions of this ordinance shall remain in full force and effect.

SECTION 3. That should any paragraph, sentence, subdivision, clause, phrase or section of this ordinance be adjudged or be held to be unconstitutional, illegal or invalid, the same shall not affect the validity of this ordinance as a whole or any part or provision thereof other than the part so decided to be invalid, illegal, or unconstitutional.


SECTION 4. Any person, firm or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and, upon conviction, shall be punished by a penalty of fine only not to exceed the sum of Four Hundred and no/100 Dollars (\$400.00) for each offense, and each and every day such offense is continued shall constitute a new and separate offense.

SECTION 5. This ordinance shall take effect immediately

from and after its passage and publication of the caption as the law in such cases provides.

DULY PASSED by the City Council of the Town of Addison, Texas, this the 25th day of October, 1988.

APPROVED:


MAYOR

ATTEST:


CITY SECRETARY

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