

ORDINANCE NO. 2025-09

AN ORDINANCE OF THE CITY OF OAK RIDGE NORTH, TEXAS, AMENDING THE CODE OF ORDINANCES OF THE CITY OF OAK RIDGE NORTH, TEXAS, BY AMENDING CHAPTER 46, ARTICLE II, ENTITLED "POLICE DEPARTMENT," BY AMENDING SECTIONS 46-26 ENTITLED "COMPOSITION; APPOINTMENT OF OFFICERS," 46-29 ENTITLED "PERSONNEL ACTIONS," 46-30 ENTITLED "QUALIFICATIONS AND BOND OF MEMBERS," AND 46-31 ENTITLED "POWERS AND DUTIES OF CHIEF OF POLICE"; PROVIDING FOR SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE.

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WHEREAS, the City of Oak Ridge North, Texas ("City") is authorized by Section 341.001 of the Texas Local Government Code to prescribe powers and duties of its police officers and to provide that those officers serve at the pleasure of the governing body; and

WHEREAS, the City is authorized by Section 51.012 of the Texas Local Government Code to adopt an ordinance, act, law, or regulation, not inconsistent with state law, that is necessary for the government, interest, welfare, or good order of the municipality; and

WHEREAS, the City held an election on May 7, 2005, and pursuant to Chapter 25 of the Texas Local Government Code, the city manager form of government was adopted as being applicable to the City; and

WHEREAS, as authorized under law, and in the best interests of the citizens of the City of Oak Ridge North, Texas, the City Council deems it necessary amend the Code for the purpose of clarifying the meaning and import of certain provisions within Chapter 46 and to update certain references to be consistent with current legal authorities;

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF OAK RIDGE NORTH, TEXAS:

Section 1. Findings.

The City Council of the City of Oak Ridge North hereby adopts the recitals of this Ordinance as if fully set forth herein.

Section 2. Amendment to Section 46-26 of the Code.

Chapter 46, Article II, Section 46-26 of the Code is hereby amended and shall read as follows:

Sec. 46-26. - Composition; appointment of officers.

The police department for the city shall consist of a chief of police and such other police officers, including members of the police reserve force, as may be provided for by the city council from time to time. The chief of police shall be appointed by the city manager with approval of the city council and may only be terminated by the city manager after consultation with and prior notice to the city council at a city council meeting. All other members of the police department shall be appointed by

the chief of police, ~~with subject to prior~~ approval of the city manager.

Section 3. Amendment to Section 46-29 of the Code.

Chapter 46, Article II, Section 46-29 of the Code is hereby amended and shall read as follows:

Sec. 46-29. Personnel actions.

The specific authority to select, remove, promote, demote, and take any and all other necessary personnel actions within the police department is hereby delegated to the chief of police, ~~subject to prior approval by the city manager.~~

Section 4. Amendment to Section 46-30 of the Code.

Chapter 46, Article II, Section 46-30 of the Code, is hereby amended and shall read as follows:

Sec. 46-30. Qualifications and bond of members.

The chief of police and all police officers of the police department shall have such qualifications as are required by state law and the city council and shall execute such bond for the faithful performance of their duties as the city council may require. All police officers shall satisfy and fulfill the requirements imposed by the state commission on law enforcement officer standards and education pursuant to ~~V.T.C.A., Code of Criminal Procedure and V.T.C.A., Occupations Code ch. 1701~~ Government Code ch. 415.

Section 5. Amendment to Section 46-31 of the Code.

Chapter 46, Article II, Section 46-31 of the Code is hereby amended and shall read as follows:

Sec. 46-31. Powers and duties of chief of police.

The chief of police ~~is the executive officer of the police department. He~~ shall have the authority ~~and responsibility to~~ enforce enforcement of police department policies and to assign and manage police officers' responsibilities, together with full responsibility for the complete discharge of all duties imposed by law on him and the other police officers ~~by law~~. The chief of police shall be the keeper of the city jail and shall have custody of all persons incarcerated therein. He shall have ~~the~~ custody of all lost, abandoned or stolen property recovered in the city. He shall keep such records and reports concerning the activities of the police department as may be required by statute, ~~or~~ by the city council, or by the city manager. The chief of police shall be responsible for the performance by the police department of its functions and duties, and all persons who are members of the police department shall serve subject to the orders of the chief of police. ~~The chief of police and all police officers are subject to the supervision and control of the city manager, as provided in section 2-40. The term 'oversee,' as used in section 2-45, shall mean the following with respect to the city manager's oversight of the police department~~ Such supervision and control by the city manager shall be exercised so that:

- (1) The chief of police or his designee shall control all day-to-day operations of the police department;
- (2) The chief of police shall timely advise and inform the city manager with respect to all police department operations except for matters of a sensitive or confidential nature. The city manager shall timely advise and inform the chief of police with respect to all city operations except for matters of a sensitive or confidential nature;

- (3) The chief of police shall administer the police budget and shall obtain the city manager's approval on budget changes or purchases outside of the current budget, subject to limitations imposed by any city ordinances or other statutory regulations. The chief of police shall submit an annual budget for the police department, and any amendments thereto, to city council after consultation with the city manager;
- (4) The chief of police shall report to the mayor and city council through the city manager. Nothing in this subparagraph shall preclude or inhibit the chief of police from having direct contact with the mayor or any council member.

Section 6. Ordinance Cumulative.

This Ordinance shall be cumulative of all provisions of ordinances of the City of Oak Ridge North, Texas, except where the provisions of this ordinance are in direct conflict with the provisions of such ordinances, in which event the conflicting provisions of such ordinances are hereby repealed. To the extent that the provisions of the City of Oak Ridge North, Texas' various development ordinances conflict with the Ordinance, the terms of this Ordinance shall control.

Section 7. Severability.

If any section, sentence, clause or phrase of this ordinance should be held invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this Ordinance.

Section 8. Repeal Clause.

All other ordinances or parts of ordinances inconsistent or in conflict herewith are, to the extent of such inconsistency or conflict, hereby repealed.

Section 9. Effective Date.

This Ordinance shall be effective upon approval and publication as required by law.

PASSED, APPROVED, and ADOPTED on this the 28th day of April, 2025.

Paul Bond, Mayor

ATTEST:

Elizabeth Harrell, City Secretary

