

CITY OF LAVON, TEXAS
ORDINANCE NO. 2018-07-02

Fire Services and Fire Marshal Position

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LAVON, TEXAS, CLARIFYING THE DELIVERY OF FIRE SERVICES AND THE POSITION AND DUTIES OF THE FIRE MARSHAL BY REPEALING ORDINANCE NO. 2005-02-02, ORDINANCE NO. 2009-07-01 AND ORDINANCE NO. 2017-08-01, AND AMENDING THE CODE OF REGULATIONS TO REPLACE REFERENCES TO THE “DIRECTOR OF HEALTH AND LIFE SAFETY” WITH “FIRE MARSHAL” AND TO REPLACE REFERENCES TO THE “DEPARTMENT OF HEALTH AND LIFE SAFETY” WITH “FIRE MARSHAL’S OFFICE” AND TO ADD A SECTION TITLED “DUTIES OF THE FIRE MARSHAL”; PROVIDING REPEALINGS, SAVINGS AND SEVERABILITY CLAUSES; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Lavon, Texas (the “City Council”) seeks to provide for the public health, safety, and welfare of its citizens; and

WHEREAS, it has been determined that there are sections of the ordinances and Code of Regulations relating to the delivery of fire services and the position of Fire Marshal that are inaccurate and potentially conflicting;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF LAVON, COLLIN COUNTY, TEXAS:

SECTION 1: FINDINGS INCORPORATED.

The findings set forth above are true and correct, constitute findings and determinations by the City Council acting in its legislative capacity and are incorporated herein.

SECTION 2: FIRE SERVICES.

1. Ordinance No. 2009-07-01 approved on June 2, 2009 is hereby repealed in its entirety.

SECTION 3: FIRE MARSHAL.

1. Ordinance No. 2005-02-02 approved on February 3, 2005 is hereby repealed in its entirety.
2. Ordinance No. 2017-08-01 approved on August 1, 2017 is hereby repealed in its entirety.
3. In the Code of Regulations, replace all references to the “Department of Health and Life Safety” or any variation thereof with “Fire Marshal’s Office”.

4. In the Code of Regulations, replace all references to the “Director of Health and Life Safety” or any variation thereof with “Fire Marshal”.

5. Add a section to the Code of Regulations, Departments of the City, Public Safety Departments (Section 3.4.7.1) as follows:

Duties of fire marshal

- a) Review land use plans and applications for fire safety.
- b) Review commercial construction plans for fire safety.
- c) Review residential construction plans that contain fire sprinkler systems
- d) Review applications for controlled access entries for fire safety.
- e) Investigate and report any fire hazard within the City.
- f) Conduct routine fire safety inspections.
- g) Coordinate fire services with the fire department.
- h) Provide fire safety training.
- i) Provide public education relating to fire safety, fire prevention and awareness.
- j) Perform code enforcement duties.
- k) Serve as the City’s Emergency Manager.
- l) Perform other duties as assigned.

SECTION 4: SEVERABILITY.

Should any section, subsection, sentence, clause or phrase of this Ordinance be declared unconstitutional or invalid by a court of competent jurisdiction, it is expressly provided that any and all remaining portions of this Ordinance shall remain in full force and effect. Lavon hereby declares that it would have passed this Ordinance, and each section, subsection, clause or phrase thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional or invalid.

SECTION 5: SAVINGS/REPEALING CLAUSE.

The Lavon Code of Regulations shall remain in full force and effect, save and except as amended by this or any other Ordinance. All provisions of any ordinance in conflict with this Ordinance are hereby repealed to the extent they are in conflict; but such repeal shall not abate any pending prosecution for violation of the repealed or amended ordinance, nor shall the repeal or amendment prevent a prosecution from being commenced for any violation if occurring prior to the repeal or amendment of the ordinance. Any remaining portions of said ordinances shall remain in full force and effect.

SECTION 6: EFFECTIVE DATE.

This Ordinance shall become effective immediately upon its adoption and its publication as required by law.

DULY PASSED AND APPROVED by the City Council of the City of Lavon, Texas on the 17th day of July, 2018.



Vicki Sanson

Mayor

ATTEST:



Kim Dobbs

City Administrator | City Secretary

