

**CITY OF LAVON, TEXAS**  
**ORDINANCE NO. 2020-01-02**

Fire Department Organization and Membership - Amending

**AN ORDINANCE OF THE CITY OF LAVON, TEXAS, AMENDING CHAPTER 6, “FIRE PREVENTION AND PROTECTION”, OF THE CITY OF LAVON CODE OF ORDINANCES BY AMENDING ARTICLE 6.02.003 “MEMBERSHIP AND APPOINTMENT” TO AMEND REQUIREMENTS RELATING TO MEMBERSHIP AND APPOINTMENT OF MEMBERS; PROVIDING FOR SEVERABILITY, SAVINGS AND REPEALING CLAUSES; AND PROVIDING FOR AN EFFECTIVE DATE OF THE ORDINANCE.**

**WHEREAS**, the City Council of the City of Lavon, Texas (“City Council”) desires to clarify and refine the command structure and membership requirements of the fire department; and

**WHEREAS**, the City Council has determined the following amendment would be in the best interest of the safety, health and general welfare of its citizens.

**NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LAVON, TEXAS, THAT:**

**Section 1. RECITALS.**

The City Council hereby finds that the statements set forth in the recitals of this Ordinance are true and correct, and the City Council hereby incorporates such recitals as part of this Ordinance.

**Section 2. AMENDMENT.**

The Code of Ordinances of the City of Lavon, Texas is hereby amended as follows:

Section 6.02.003(a) The members of the fire department shall consist of a chief of the fire department, who shall be appointed by the city administrator and confirmed by a majority of the city council; an assistant fire chief, recommended by the fire chief and appointed by the city administrator; and such other officers, firefighters, employees and volunteers as the city council may from time to time determine.

Section 6.02.003(b) The fire chief, with the city administrator’s concurrence, may identify an organizational structure and appoint volunteer command and administrative officers in accordance with the organizational structure.

**Section 3. SAVINGS/REPEALING CLAUSE.**

This ordinance shall be cumulative of all provisions of state or federal law and all ordinances of the City of Lavon, Texas, except where the provisions of this ordinance are in direct conflict with the provisions of such other ordinances, in which event the conflicting provisions of such ordinances are hereby repealed to the extent of such conflict.

**Section 4. SEVERABILITY.**

In the event any clause, phrase, provision, sentence, or any part of this Ordinance or the application of the same to any person or circumstances shall for any reason be adjudged invalid or held unconstitutional by a court of competent jurisdiction, it shall not affect, impair, or invalidate this Ordinance as a whole or any part or provisions hereof other than the part declared to be invalid or unconstitutional; and the City Council of the City of Lavon, declares that it would have passed each and every part of the same notwithstanding the omission of any such part thus declared to be invalid or unconstitutional, whether there be one or more parts.

**Section 5. OPEN MEETING.**

It is hereby officially found and determined that all notice required by law has been given and notice of this Ordinance was posted and the Ordinance passed in accordance with the Open Meeting Act.

**Section 6. EFFECTIVE DATE.**

This Ordinance shall take effect immediately from and after its passage and the publication of the caption, as the law in such cases provides.

**DULY PASSED and APPROVED** by the City Council of the City of Lavon, Texas, on the 7<sup>th</sup> day of January 2020.



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Vicki Sanson  
Mayor

ATTEST:



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Kim Dobbs  
City Administrator/City Secretary

