

ORIGINAL

Village of Volente

ORDINANCE ABOLISHING OFFICE OF MARSHAL

ORDINANCE NO. 2003-O-07

**AN ORDINANCE OF THE VILLAGE OF VOLENTE
ABOLISHING THE OFFICE OF MARSHAL, AND
PROVIDING FOR THE FOLLOWING: A SEVERABILITY
CLAUSE; EFFECTIVE DATE; AND PROPER NOTICE
AND OPEN MEETING**

WHEREAS, the Village of Volente is a newly created governmental entity that was incorporated pursuant to the laws of the State of Texas as a Type B General-Law Municipality following an election held on February 1, 2003; and

WHEREAS, the City Council (i.e., governing body or board of aldermen) was selected by the voters at an election held on May 3, 2003; and

WHEREAS, Section 23.029 of the Texas Local Government Code authorizes the governing body of a municipality with a population of less than 5,000, such as the Village of Volente, to by ordinance abolish the Office of Marshal; and

WHEREAS, the City Council finds that the Village is receiving adequate law enforcement protection from the Travis County Sheriff's Office, there is no reasonable need for a Village Marshal, and it is in the best interests of the Village to abolish the Office of Marshal; and

NOW THEREFORE, be it ordained by the City Council of the Village of Volente, County of Travis, State of Texas:

1. OFFICE ABOLISHED

- A.** The Office of Marshal for the Village of Volente is hereby abolished.
- B.** Any person elected to the position of Marshal and holding that position upon the adoption of this Ordinance may continue to serve until the conclusion of the term for which the person was elected, or until the person submits a notice of resignation to the Mayor or any member of the City Council.

2. EFFECTIVE DATE

This Ordinance shall take effect immediately from and after its passage.

3. SEVERABILITY

It is hereby declared to be the intention of the City Council that the phrases, clauses, sentences, paragraphs and sections of this Ordinance be severable, and if any phrase, clause, sentence, paragraph or section of this Ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs or sections of this Ordinance, and the remainder of this Ordinance shall be enforced as written.

4. PROPER NOTICE AND MEETING

It is hereby officially found and determined that the meeting at which this Ordinance was passed was open to the public as required and that public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act, Chapter 551 of the Texas Government Code.

PASSED AND APPROVED this the 16th day of September, 2003, by a vote of 5 (ayes) to 0 (nays) to 0 (abstentions) of the City Council of the Village of Volente, Texas.

VILLAGE OF THE VOLENTE

by:


Jan Yenawine, Mayor

ATTEST:


Jennifer Zufelt, City Secretary

APPROVED AS TO FORM:

Alan J. Bojorquez, City Attorney