

## **ORDINANCE NO. 2022-006**

**AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF SANTA CLARA, TEXAS; RE-APPOINTING JERRY AIROLA TO SERVE AS THE MUNICIPAL CHIEF MARSHAL FOR THE CITY OF SANTA CLARA, TEXAS; PROVIDING FOR: REPEAL OF CONFLICTS, SEVERABILITY, A SAVINGS CLAUSE, MEETING OPEN TO THE PUBLIC AND AN EFFECTIVE DATE.**

**WHEREAS**, the City of Santa Clara, Texas is a Type A general law City incorporated and functioning as such under the provisions of Chapter 11, Title 28, Revised Civil Statutes of Texas, 1925, as amended; and

**WHEREAS**, On the 23<sup>rd</sup> day of August, 2000 the City of Santa Clara abolished the municipal Marshal office by Ordinance No 2000-5; and

**WHEREAS**, Section 22.071 of the Texas Local Government Code provides that an aldermanic form of government in type a general-law municipality may appoint municipal officers by ordinance; and

**WHEREAS**, Section 22.072 of the Texas Local Government Code provides that the City Council of the City of Santa Clara, Texas may require a municipal officer whose duties are prescribed by the Texas Local Government Code to perform additional duties; and

**WHEREAS**, Section 22.076 of the Texas Local Government Code provides that the City Council of the City of Santa Clara, Texas shall require a municipal Marshal to execute a bond payable to the municipality and conditioned that the officer will faithfully perform the official duties of the office; and

**WHEREAS**, Section 341.021 of the Texas Local Government Code prescribes specifically that the marshal of a Type A general-law municipality is the ex officio chief of police, and prescribes certain powers and duties of the municipal Marshal; and

**Whereas**, on November 9<sup>th</sup>, 2020 the City of Santa Clara Texas created the office of Municipal Marshal by Ordinance No. 2020-010; and

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SANTA CLARA, TEXAS:**

### **SECTION 1. RE-APPOINTMENT OF MUNICIPAL CHIEF MARSHAL.**

The City of Santa Clara, Texas hereby appoints Jerry Airola to serve as the Municipal Chief Marshal for the City of Santa Clara, Texas from the effective date of this Ordinance for a term and as prescribed by the Ordinance creating the Municipal Marshal's Office.

### **SECTION 2. CONFLICT.**

All Ordinances or parts of ordinances in conflict with the provisions of this Ordinance are hereby repealed.

**SECTION 3. SEVERABILITY.**

If any section, subsection, paragraph, clause, phrase, or provision of this ordinance or the application of any section, subsection, paragraph, clause, phrase, or provision to any person or circumstance is adjudged to be invalid, the invalidity shall not affect other section, subsection, paragraph, clause, phrase, or provision or applications thereof which can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are declared to be severable.

**SECTION 4. SAVINGS CLAUSE.**

This Ordinance shall remain in full force and effect, save and except as amended or repealed.

**SECTION 5. MEETING OPEN TO PUBLIC.**


It is hereby found and determined that the meeting at which this Ordinance is passed is open to the public as required by law and that the public notice of the time, place and purpose of said meeting was given as required.

**SECTION 6. EFFECTIVE DATE.**

This Ordinance shall be effective upon passage and approval.

**PASSED, APPROVED and ADOPTED ON the 24 day of October, 2022.**

**Ayes 5 Nays 0 Abstain 0**

  
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**Jeff Hunt, Mayor**

**ATTEST:**



  
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**Donna L. White, City Secretary**