

ORDINANCE NO. 2020-39

AN ORDINANCE OF THE CITY OF IOWA COLONY, TEXAS, **ESTABLISHING THE OFFICE OF FIRE MARSHAL OF THE CITY**; PROVIDING FOR QUALIFICATIONS, EMPLOYMENT, REMOVAL, AT WILL EMPLOYMENT, SUPERVISION, DUTIES, NONLIABILITY OF THE CITY AND ITS PERSONNEL, A SEVERANCE CLAUSE, AND AN EFFECTIVE DATE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF IOWA COLONY, TEXAS:

Sec. 1. Creation of office

The office of fire marshal of the City of Iowa Colony, Texas ("the city") is hereby created.

Sec. 2. Qualifications

The fire marshal shall have and maintain all certifications and other qualifications for his or her job, as required by all applicable law or governing authorities. In addition, the fire marshal shall be properly qualified for the duties of the office as determined by the city manager.

Sec. 3. Employment and Removal

The fire marshal shall be hired and removed as provided in the Home Rule Charter.

Sec. 4. At Will Employment

Regardless of any other provision, the fire marshal shall be employed at will. Furthermore, nothing shall impair the at will status of the fire marshal's employment except a writing signed by the city and the fire marshal and specifically, expressly, and clearly stating that it changes the at will status of the fire marshal's employment.

Sec. 5. Supervision

The Home Rule Charter provides that the fire marshal is under the supervision of the city manager.

Sec. 6. Duties

The fire marshal shall have all duties and authority:

- a. provided by law;
- b. generally exercised by fire marshals in Texas; or
- c. assigned by city ordinance or by the city manager.

Sec. 7. Deputies

The fire marshal may have such deputies as the city manager authorizes from time to time. All provisions of this ordinance shall also apply to deputy fire marshals.

Sec. 8. Nonliability of the City and Its Personnel and Representatives

Neither the city nor any officer, agent, employee, or representative of the city shall have any liability, except liability to the city, for any act or omission of such person concerning this ordinance or the subject matter hereof.

Section 9. Severance Clause

If any part of this ordinance, of whatever size, is ever declared invalid or unenforceable for any reason, the remainder of this order shall remain in full force and effect.


Section 10. Effective Date

This ordinance shall be effective immediately upon its passage and approval on the second reading.

PASSED AND APPROVED ON THE FIRST READING ON THE 16th DAY OF NOVEMBER, 2020.

PASSED AND APPROVED ON THE SECOND READING ON THE 21ST DAY OF DECEMBER, 2020.

CITY OF IOWA COLONY, TEXAS

By: 
MICHAEL BYRUM-BRATSEN,
MAYOR

ATTEST:


KAYLEN ROSSER, CITY SECRETARY

