

ORDINANCE NO. _____

AN ORDINANCE AMENDING CHAPTER 10, "TRAFFIC CODE", OF THE CODE OF ORDINANCES OF THE CITY OF COLLEGE STATION, TEXAS, BY AMENDING CERTAIN SECTIONS AS SET OUT BELOW; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF COLLEGE STATION, TEXAS:

PART 1: That Chapter 10, "Traffic Code", of the Code of Ordinances of the City of College Station, Texas, be amended as set out in Exhibit "A", attached hereto and made a part of this ordinance for all purposes.

PART 2: That if any provisions of any section of this ordinance shall be held to be void or unconstitutional, such holding shall in no way effect the validity of the remaining provisions or sections of this ordinance, which shall remain in full force and effect.

PART 3: That this ordinance shall be effective on and after October 1, 2004.

PASSED, ADOPTED and APPROVED this _____ day of _____, 2004.

APPROVED:

RON SILVIA, Mayor

ATTEST:

Connie Hooks, City Secretary

APPROVED:



City Attorney

EXHIBIT "A"

That Chapter 10, "Traffic Code", of the Code of Ordinances of the City of College Station, Texas, is hereby amended, by adding Section 7, "City Marshal", as set out hereafter to read as follows:

SECTION 7: CITY MARSHAL**A. ESTABLISHMENT**

There is hereby created the position of City Marshal of the City of College Station, which position may be occupied by one or more persons as provided for by the annual city budget and approved by Council. The City Marshal(s) shall meet all qualifications necessary to be certified as peace officers by the Texas Commission on Law Enforcement Officers Standards and Education (TCLEOSE).

B. DUTIES

The City Marshal(s) shall report directly to the Municipal Court Administrator, who is authorized to hire, terminate, and otherwise supervise the City Marshal(s); provided, however, that, at the direction of either the Municipal Court Administrator or the Municipal Judge, the City Marshal(s) shall perform the following duties:

- (1) Execute warrants of arrest, subpoenas, and other legal process issuing out of the City's Municipal Court; and
- (2) Perform other duties as assigned by the Municipal Court Administrator or the Municipal Judge.

C. AUTHORITY

The City Marshal(s) shall serve as peace officers and have full police authority in the exercise of their assigned duties. However, they shall not be assigned the duties that are presently assigned to the Police Department of the City of College Station. The City Marshal(s) are not members of the City's Police Department but are paid law enforcement officers for the purpose of qualifying for survivor's assistance benefits under the provisions of Chapter 615 of the TEXAS GOVERNMENT CODE, as amended.

D. OATH

Each City Marshal shall be required to take an oath of office before entering upon the discharge of his or her duties. The oath shall be subscribed by the person taking it and shall be filed and preserved in the office of the City Secretary.