

ORDINANCE NO. O-2020-005

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MAGNOLIA, TEXAS, AMENDING CHAPTER 2 “ADMINISTRATION” OF THE CODE OF ORDINANCES OF THE CITY OF MAGNOLIA, TEXAS; PROVIDING A SEVERABILITY CLAUSE; AND MAKING OTHER PROVISION RELATED THERETO.

* * * * *

WHEREAS, the City Council of the City of Magnolia, Texas has studied the present provisions of Chapter 2 “Administration” of the Code of Ordinances of the City of Magnolia; and

WHEREAS, the City Council is continually reviewing the provisions of the Code of Ordinances relating to circumstances which generally impact the health, safety and well-being of residents, citizens and inhabitants; and

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MAGNOLIA, TEXAS:

Section 1. Findings. The foregoing recitals are hereby found to be true and correct and are hereby adopted as findings of fact and conclusions of law by the City Council and made a part hereof for all purposes.

Section 2. Amendments. Article III, Division 1 “Generally”, of Chapter 2 of the City of Magnolia Code of Ordinances is hereby amended by amending Section 2-54 as shown in attached Exhibit “A” and incorporated herein for all purposes.

Section 3. Amendments. Article III, Division 2 “City Secretary”, of Chapter 2 of the City of Magnolia Code of Ordinances is hereby amended by amending Section 2.72 as shown in the attached Exhibit “A” and incorporated herein for all purposes.

Section 4. Repealing Clause. All ordinances and parts of ordinances in conflict with the provisions of this ordinance are hereby repealed; provided, however, that such repeal shall be only to the extent of such inconsistency and in all other respects this ordinance shall be cumulative of other ordinances regulating and governing the subject matter covered by this ordinance.

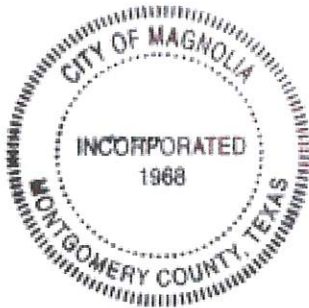
Section 5. Severability. It is hereby declared to be the intention of the City Council that the phrases, clauses, sentences, paragraphs and sections of this ordinance be severable, and if any phrase, clause, sentence, paragraph or section of this Ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such

unconstitutionality shall not affect any of the remaining phrases, clauses, sentences or sections of this ordinance, and the remainder of this Ordinance shall be enforced as written.

Section 6. Compliance Clause and Effective Date. The City Council finds, determines and declares that a sufficient written notice was posted and this Ordinance was passed in accordance with the Open Meetings Act. The City Secretary is instructed to publish this Ordinance in the Official Newspaper of the City of Magnolia in the manner provided and for the time required by Section 52.011(a) of the Local Government Code, at which time this Ordinance takes effect.

PASSED, APPROVED and ADOPTED by the City Council of the City of Magnolia, Montgomery County, Texas on this the 11th day of February 2020.

CITY OF MAGNOLIA, TEXAS





Todd Kana, Mayor

ATTEST:



Lynne George, CPM, JRMCM
City Secretary

EXHIBIT "A"

CHAPTER 2

ADMINISTRATOIN

ARTICLE III. CITY OFFICIALS

DIVISION 1 - GENERALLY

Sec. 2-54. Other municipal officers.

- (a) Pursuant to V.T.C.A., Local Government Code § 22.071, the named officers in Section 22.071(a) and the following officers, as authorized by city council, are to serve at the will of city council as provided for by V.T.C.A., Local Government Code § 22.077:
- (1) City administrator;
 - (2) City secretary;
 - (3) City treasurer;
 - (4) Assessor and collector;
 - (5) Municipal attorney;
 - (6) Marshal;
 - (7) Municipal engineer;
 - (8) [Reserved];
 - (9) [Reserved];
 - (10) [Reserved].
- (b) The requirements for a bond in the case of any city officer are waived unless required by law or by city ordinance. The officers shall perform those duties required of them as prescribed by the Local Government Code, statute, city ordinance, custom, practice and procedure.

DIVISION 2. – CITY SECRETARY

Sec. 2-72. – Appointment of city secretary; secretary duties.

The office of city secretary shall be appointive. ~~At the first regular meeting held after the general city election held on the first Saturday in April of each even-numbered year, or as soon thereafter as practicable, and after the members of the city council elected at said election in the even-numbered year have qualified and been installed in office, the city council shall by majority vote appoint a city secretary to serve for a term of two years, and until his successor shall have been duly appointed and qualified. The secretary, at the beginning of each term of office, shall take and subscribe to the official oath of office, and shall post bond in such sum as the city council shall direct, the premium on said bond to be paid by the city. The secretary shall perform all of the statutory duties prescribed by law, and as hereafter amended, and such other duties as may be prescribed from time to time by the city council.~~