

**AN ORDINANCE OF THE CITY OF KEMPNER, TEXAS ABOLISHING THE OFFICE OF CITY MARSHAL; ESTABLISHING THE OFFICE OF CHIEF OF POLICE; PROVIDING OPEN MEETINGS AND SEVERABILITY CLAUSES; AND PROVIDING FOR RELATED MATTERS.**

Whereas, the City of Kempner, Texas (herein the "City") is a type A general-law municipality with a population of less than 5,000;

Whereas, the office of City Marshal will be abolished, thereby establishing the office of Chief of Police;

Whereas, the City Council, after an open meeting, public comments and discussion, finds that the Office of City Marshal be abolished, to thereby establish the office of Chief of Police.

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF KEMPNER, TEXAS, THAT:**

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

**Section 2. Abolition of Office of City Marshal.** The City Council hereby abolishes the office of City Marshal for the City and confers the duties of the office to the Chief of Police appointed by the Mayor every two years with City Council approval effective May 25<sup>th</sup>, 2004.


**Section 3. Severability.** Should any section or part of this ordinance be held unconstitutional, illegal, or invalid, or the application to any person or circumstance for any reasons of such section or part shall in no way affect, impair or invalidate the remaining portion or portions, the same shall be and remain in full force and effect and to this end the provisions of this ordinance are declared to be severable.

**Section 4. Open Meetings.** It is hereby officially found and determined that the meeting at which this ordinance is 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, *Chapt. 551, Tex. Gov't. Code.*

PASSED AND APPROVED this the 27th day of April, 2004.

ATTEST:

CITY OF KEMPNER, TEXAS

  
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Frances Spinney, City Secretary

  
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Roger Fancher, Mayor