

**ORDINANCE APPOINTING CODE ENFORCEMENT OFFICER AS AGENT AND AMENDING  
ALL PRIOR ORDINANCES REFERRING TO THE OFFICE OF MARSHALL  
NO. 235**

**WHEREAS,** the City Council of Bevil Oaks, Texas ("City Council") has eliminated the position of Marshall for the City of Bevil Oaks ("City");

**WHEREAS,** a number of City Ordinances require action to be taken by the Marshall of the City of Bevil Oaks in relation to such activities as inspection, evaluation, enforcement recommendation and testifying on behalf of the City; and

**WHEREAS,** the City requires the use of a designated agent to perform such services as inspection, evaluation, enforcement recommendation and testifying on behalf of the City to efficiently enforce its Ordinances; and

**THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BEVIL OAKS, TEXAS:**

1. The City Council officially finds that a Code Enforcement Officer who is certified by the State of Texas to perform Civil Code Enforcement duties, should be used as an agent of the City to perform such duties including but not limited to inspection, evaluation, enforcement recommendation and testifying at civil and criminal hearings, trials or other enforcement actions behalf of the City.

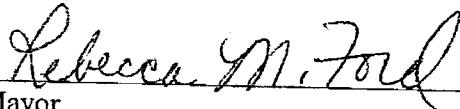
2. The City Council officially finds that any City Ordinance referring to the duties of Marshall is hereby AMENDED to permit the City's designated Code Enforcement Officer or his/her duly designated agent to perform all legal duties the Code Enforcement Officer is authorized by law, rule or regulation to perform.

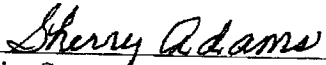
3. It is hereby declared to be the intention of the City Council that the phrases, clauses, sentences, paragraphs and sections of this Ordinance are severable, and if any phrase, clause, sentence, paragraph or section of this Ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this Ordinance, since the same would have been enacted by the City Council without the incorporation of this Ordinance of any such unconstitutional phrase, clause, sentence, paragraph or section.

4. This Ordinance shall be effective immediately upon its passage.

**PASSED AND APPROVED AND EFFECTIVE FROM this 21<sup>st</sup> day of June, 2012.**

**ATTEST:**

  
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Mayor,  
City of Bevil Oaks, Texas

  
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City Secretary  
City of Bevil Oaks