

CITY OF LAVON, COLLIN COUNTY TEXAS

ORDINANCE NO: 2012-08-05

**Amending the City of Lavon Code of Regulations Relating to
Creating the Operations Division**

**AN ORDINANCE OF THE CITY OF LAVON,
COLLIN COUNTY, TEXAS, AMENDING THE CITY
OF LAVON CODE OF REGULATIONS;
PROVIDING SEVERABILITY AND PROVIDING AN
EFFECTIVE DATE.**

WHEREAS, the City Council of the City of Lavon has previously adopted the City of Lavon Code of Regulations; and

WHEREAS, the City Council of the City of Lavon recognizes that the creation of the initial Code of Regulations is a monumental task and as such recognizes the need to approve each piece of the code as it is written; and

WHEREAS, the City Council has given due and diligent thought to this concern; and

WHEREAS, the City Council believes it is in the best interest for the City of Lavon, its citizens and visitors to amend the City of Lavon Code of Regulations relating to creating the Operations Division.

**NOW THEREFORE: BE IT ORDAINED BY THE CITY COUNCIL OF THE
CITY OF LAVON, COLLIN COUNTY, TEXAS:**

SECTION 1. Amending the City of Lavon Code of Regulations

1.1 The City Council of the City of Lavon does hereby adopt and approve the amendments to the City of Lavon Code of Regulations with the addition of Title 3 – Administration, Subtitle 4 – Departments of the City, Chapter 9 – Operations Division, Section 3.4.9.1 through 3.4.9.3, attached as “Attachment A”; and

1.2 These amendments to the City of Lavon Code of Regulations attached as “Attachment A” are hereby incorporated into this Ordinance and made a part thereof.

SECTION 2. Directing the City Secretary to Take Certain Actions

2.1 The City Council of the City of Lavon does hereby direct the City Secretary to make the changes in the City of Lavon Code of Regulations by:

2.1.1 Submitting to the City Manager for approval a change sheet to be inserted in the Code of Regulations; and

2.1.2 Making the Change in the Master Code of Regulations by inserting the approved change sheet; and

2.1.3 Recording the change information in the "Record of Amendments" appendix including the Ordinance authorizing the amendment; the date the Ordinance was approved; and the date the actual change was entered; and

2.1.4 Sending change sheets to each department of the City, to update their copy of the Code of Regulations; and

2.1.5 Cause the website to be updated to reflect the amendment; and

2.1.6 Ensure all future distributions of the Code of regulations include the amendments; and

2.1.7 Make available for purchase copies of the change sheet to interested parties.

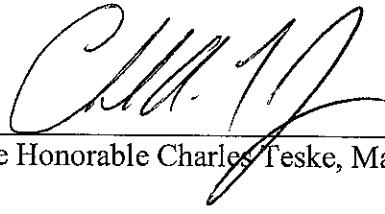
SECTION 3. Severability

3.1 It is hereby declared by the City Council of the City of Lavon that if any of the sections, paragraphs, sentences, clauses or phrases of this ordinance shall be declared unconstitutional or otherwise illegal by the valid judgment or decree of any court of competent jurisdiction, such event shall not effect any remaining the sections, paragraphs, sentences, clauses or phrases of this ordinance.

SECTION 4. Effective Date

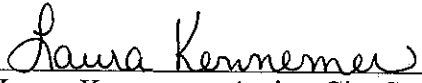
4.1 This ordinance shall be in full force and effect from and after its passage and it is so ordained.

Passed and Approved by the City Council of the City of Lavon, Collin County, Texas on this 21st day of August, 2012.



The Honorable Charles Teske, Mayor

Attest:



Laura Kennemer, Acting City Secretary

Primary Sponsor(s): Mayor Charles Teske

Additional Sponsors:

City of Lavon Code of Regulations

Title 3 – Administration

Subtitle 4 – Departments of the City

Chapter 9 – Operations Division

3.4.9.1 General

- A) The Operations Division shall consist of the Lavon Police Department, the Lavon Public Works Department, and the Chief of Operations Office.
- B) The Chief of Operations office shall be responsible for direct supervision of:
 - 1) the Chief of Police for the City of Lavon; and
 - 2) the Director of Public Works for the City of Lavon.
- C) The Chief of Operations shall work under the supervision and direction of the Mayor of the City of Lavon.

3.4.9.2 Conditions of the employment for the Chief of Operations

- A) The term of employment for the Chief of Operations shall be as designated in a contract between the City of Lavon and the Chief of Operations.
- B) Such term of office shall begin on the date designated in the Chief of Operations' Contract and shall continue uninterrupted until the termination date designated in the Chief of Operations' contract.
- C) The compensation for the Chief of Operations shall be as designated in the Chief of Operations' Contract, which compensation shall be reviewed annually by the City Council for increase.
- D) All contracts or amendments to contracts with the Chief of Operations shall be adopted by Ordinance and each contract shall be made law by incorporation into the adopting Ordinance.
 - 1) The City shall be obligated to or bound by any other condition set forth in the Chief of Operations' Contract or the adopting Ordinance.
 - 2) In the event of any conflict between the terms, conditions and provisions of the Chief of Operations' Contract and this Code of Regulations, the Applicable Laws and Authorities, City Ordinances, then, unless otherwise prohibited by law, the terms of the Chief of Operations' Contract shall take precedence over the contrary provisions of this Code of Regulations, the Applicable Laws and Authorities, City Ordinances during the term of the Chief of Operations' Contract.

3.4.9.3 Duties of Chief of Operations

- A) The Chief of Operations shall have the discretionary authority to supervise the Chief of Police for the City of Lavon.
- B) The Chief of Operations shall have the discretionary authority to supervise the Director of Public Works for the City of Lavon.

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- C) The Chief of Operations shall assist the Mayor in the administration of all day to day operations of the City government.
- D) The Chief of Operations shall have the discretionary authority to assist the Mayor in preparing a plan of administration, including an organization chart, which defines authority and responsibility for all non-statutory positions of the City.
- E) The Chief of Operations shall have the discretionary authority to advise the Mayor on administrative procedures to increase the effectiveness and efficiency of the city government according to current practices in local government.
- F) The Chief of Operations shall have the discretionary authority to attend, or appoint a representative to attend, as a non-voting staff member, all boards, commissions and committees of the City as appropriate.
- G) The Chief of Operations shall have the discretionary authority to represent the Mayor and City Council in matters involving legislative and intergovernmental affairs when authorized by the Mayor.
- H) The Chief of Operations shall have the discretionary authority to establish and maintain procedures to facilitate communications between citizens concerning matters related to the Operations Division.
- I) The Chief of Operations shall have the discretionary authority to establish and enforce administrative rules for the Operations Division.
- J) The Chief of Operations shall have the discretionary authority to promote the economic well-being and growth of the City through public and private sector cooperation.
- K) The Chief of Operations shall have the discretionary authority to provide the administrative direction and coordination of all employees of the Operations Division.
- L) The Chief of Operations shall have the discretionary authority to manage and direct the work of City employees in the Operation Division.
- M) The Chief of Operations shall have the discretionary authority to advise the Mayor and City Council as to the hiring or firing, advancement or promotion or other change of status of City employees in the Operation Division.
- N) The Chief of Operations shall have the discretionary authority to recommend salary and wage scales for city employees in the Operation Division.
- O) The Chief of Operations shall have the discretionary authority to recruit and evaluate applicants for city positions in the Operations Division.
- P) The Chief of Operations shall have the discretionary authority to administer the Operations Division budget as adopted by the City Council.
- Q) The Chief of Operations shall have the discretionary authority to seek out and apply for grants for the City.
- R) The Chief of Operations shall have the discretionary authority to solicit and accept donations on behalf of the City.

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S) The Chief of Operations shall have the discretionary authority to negotiate contracts and agreements for the City; with all such contracts or agreements being subject to the approval of the Council.

T) The Chief of Operations shall have the responsibility to devote all hours of work of the Chief of Operations to City functions and business.

U) The Chief of Operations shall have the responsibility to work closely with the Chief of Police and the Director of Public Works to assure that employees of the Operation Division receive adequate opportunities for training to maintain and improve their job-related knowledge and skills and act as the approving authority for requests by employees to attend conferences, meetings, training schools, and the like, if funds have been budgeted for these activities.

V) The Chief of Operations shall have the responsibility to keep the City Council regularly informed about the activities of the Chief of Operations' office by oral or written reports at regular and special meetings of the City Council.