

## ORDINANCE 2449

AN ORDINANCE OF THE CITY OF MESQUITE, TEXAS AMENDING ARTICLE II, SECTION 2-62 OF THE CODE OF THE CITY OF MESQUITE BY DELETING CERTAIN PRESENT LANGUAGE AND ADDING CERTAIN LANGUAGE THEREBY CLARIFYING THE RULES APPLICABLE FOR APPEALS IN DISCIPLINARY ACTIONS; BY PROVIDING A SEVERABILITY CLAUSE; BY PROVIDING FOR A PENALTY NOT TO EXCEED TWO HUNDRED (\$200.00) DOLLARS FOR EACH OFFENSE; AND DECLARING AN EMERGENCY:

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

SECTION 1. Article II, Section 2-62 of the Code of the City of Mesquite is hereby amended as follows, in all other respects to remain in full force and effect:

Sec. 2-62. Penalty.

The failure of any officer or employee to comply with or who violates one or more of the foregoing standards of conduct, which apply to him, shall constitute grounds for expulsion, reprimand, removal from office, or discharge, whichever is applicable. In the case of an employee of the city, not a member of the fire department or police department subject to Tex. Rev. Civ. Stat. Ann. art. 1269m, disciplinary action and appeals therefrom shall be in conformance with procedures established by city charter and personnel rules and regulations, and in actions involving members of the fire department or police department covered under Tex. Rev. Civ. Stat. Ann. art. 1269m, appeals shall be in conformance with the procedures established by Tex. Rev. Civ. Stat. Ann. art. 1269m. In the case of a city councilman, the matter shall be decided by a majority of the remainder of the councilmen. In the case of members of boards or commissions or officers removable by the council, the matters shall be decided by the city council. The decision of these bodies shall be final in the absence of bias, prejudice, or fraud.

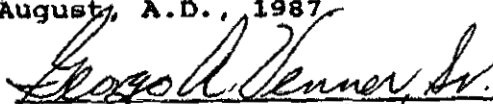
SECTION 2. That should any paragraph, sentence, subdivision, clause, phrase, section or provision of this ordinance be adjudged or held to be unconstitutional, illegal, or invalid, the same shall not affect the validity of this ordinance as a whole or any part or provision hereof other than the part so decided to be unconstitutional, illegal, or invalid and shall not affect the validity of the remainder of Article 2-62, or any other provision of the Code of the City of Mesquite.

SECTION 3. That any person, firm, or corporation violating any of the provisions or terms of this ordinance shall be deemed to be guilty of a Class C Misdemeanor and upon conviction in the Municipal Court shall be punished by a fine not to exceed Two


Hundred (\$200.00) Dollars for each offense.

**SECTION 4.** The fact that the present ordinances of the City of Mesquite do not adequately protect the safety of the inhabitants of the City creates an urgency and emergency and in the preservation of the public health, safety and welfare requires that this ordinance shall become effective immediately from and after its passage and the publication of caption, as the law in such cases provides.

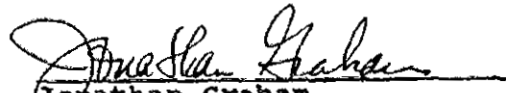
DULY PASSED AND APPROVED by the City Council of the City of Mesquite, Texas on the 3rd day of August, A.D., 1987

  
George A. Venner, Sr.  
Mayor

ATTEST:

  
Lynn Frugel  
City Secretary

APPROVED:

  
Jonathan Graham  
City Attorney