

ORDINANCE NO. 4348 _____

AN ORDINANCE OF THE CITY OF MESQUITE, TEXAS, AMENDING CHAPTER 2 OF THE CODE OF THE CITY OF MESQUITE, TEXAS, AS AMENDED, BY ADDING NEW SECTIONS 2-110 THROUGH 2-112 THEREBY CREATING A CITY MARSHAL POSITION; PROVIDING A REPEALER CLAUSE; AND PROVIDING A SEVERABILITY CLAUSE.

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

SECTION 1. That Chapter 2 of the Code of the City of Mesquite, Texas, as amended, is hereby amended by adding new Sections 2-110 through 2-112 to read as follows, in all other respects said Code and Chapter to remain in full force and effect:

Sec. 2-110. City Marshal – creation.

There is hereby created the position of City Marshal.

Sec. 2-111. City Marshal Division.

- (a) The Director of Finance shall employ one or more part-time City Marshals in the City Marshal Division of the Department of Finance. A City Marshal employed under this section shall be commissioned, appointed and designated as a peace officer under Article 2.12(3), “Who are Peace Officers,” of the Texas Code of Criminal Procedure.
- (b) A City Marshal shall:
 - (1) Serve process issued by a City Court, including Class “C” misdemeanor warrants, subpoenas and summons;
 - (2) Transport prisoners being held on City of Mesquite warrants between city and county courts, booking and detention facilities;
 - (3) Serve as bailiffs of the Municipal Court;
 - (4) Provide building security for the Municipal Court; and
 - (5) Perform other duties as assigned by the Director of Finance.

Sec. 2-112. Status of City Marshal.

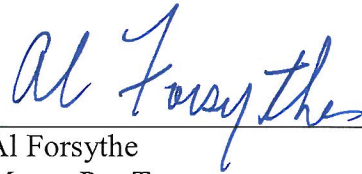
- (a) A City Marshal is a part-time employee of the Finance Department and is not an employee or member of the Mesquite Police Department. As a part-time employee of the Finance Department, a City Marshal is not entitled to the pension or civil service benefits of a Mesquite Police Officer.

- (b) Pursuant to Chapter 1, "Policies and Procedures," and Chapter 6, "Probationary Periods," of the City of Mesquite General Government Policies and Procedures, a part-time City Marshal is an "at will" employee and may be terminated without cause or appeal.

SECTION 2. That all ordinances or portions thereof in conflict with the provisions of this ordinance, to the extent of such conflict, are hereby repealed. To the extent that such ordinances or portions thereof are not in conflict herewith, the same shall remain in full force and effect.


SECTION 3. That should any word, sentence, clause, paragraph or provisions of this ordinance be held to be invalid or unconstitutional, the validity of the remaining provisions of this ordinance shall not be affected and shall remain in full force and effect.

DULY PASSED AND APPROVED by the City Council of the City of Mesquite, Texas, on the 15th of December, 2014.



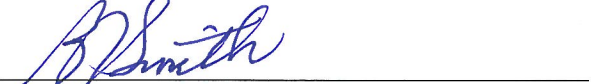
Al Forsythe
Mayor Pro Tem

ATTEST:



Sonja Land
City Secretary

APPROVED:



B. J. Smith
City Attorney