

**STATE OF TEXAS**

**COUNTY OF HIDALGO**

**ORDINANCE # 2000-02**

**AN ORDINANCE OF THE CITY OF PENITAS  
DISPENSING WITH THE OFFICE OF MARSHAL AND  
CONFERRING THE DUTIES OF SAID OFFICE UPON A  
CITY CHIEF OF POLICE TO BE APPOINTED BY AND  
TO SERVE AT THE WILL AND PLEASURE OF THE  
CITY COUNCIL; PROVIDING THAT SUCH CITY  
CHIEF OF POLICE SHALL BE A PEACE OFFICER  
UNDER THE LAWS OF THE STATE OF TEXAS; AND  
PRESCRIBING QUALIFICATIONS.**

**WHEREAS**, Section 22.076 Local Government Code authorizes the governing body of any city or town operating under the general laws having less than five thousand (5,000) inhabitants by ordinance to dispense with the office of marshal, and at the same time by such ordinance to confer the duties of said office upon a city police officer to be appointed as the city council shall direct; and

**WHEREAS**, the City of Penitas is operating under the general laws of the state of Texas, and said City had a population of less than five thousand (5,000) inhabitants;

Now therefore,

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF  
PENITAS;**

**Section 1.** The office of Marshal in the City of Penitas is hereby abolished and dispensed with.

**Section 2.** There is hereby created the position of City Chief of Police, to be appointed by the City Council, Such City Chief of Police shall

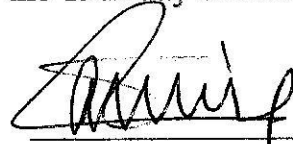
have no term of office, but shall serve at the will and pleasure of City Council.

**Section 3.** Such Chief of Police shall be a peace officer as defined in Article 2.12, Code of Criminal Procedure of Texas, with all the powers and duties conferred upon peace officers under the laws of the State of Texas.

**Section 4.** Such Chief of Police shall hold a certificate as a qualified law enforcement officer from the Texas Commission on Law Enforcement Officer Standards and Education as provided in Chapter 415 Government Code, unless serving under a temporary or probationary appointment as provided in said Act. He may reside within or without the Corporate limits of said City, as the City Council may authorize and direct.

**Section 5.** All ordinances and parts of said ordinances or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the Ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are declared to be severable.

PASSED AND APPROVED, the 19th day of January, 2000.



MAYOR SERVANDO RAMIREZ

ATTEST:

  
EDNA CRUZ; CITY SECRETARY