

TOWN OF COPPER CANYON, TEXAS

ORDINANCE NO. 23-003

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF COPPER CANYON, TEXAS, AMENDING THE CODE OF ORDINANCES BY AMENDING CHAPTER 9 ‘PERSONNEL’, BY ADDING NEW ARTICLE 9.01 “OFFICERS AND EMPLOYEES, DIVISION 1 ‘TOWN ADMINISTRATOR’, AND PROVIDING SECTION 9.01.001 “OFFICE ESTABLISHED; APPOINTMENT; EMPLOYMENT AGREEMENT; SECTION 9.01.002 “REMOVAL”, SECTION 9.01.003 “COMPENSATION, BOND” AND SECTION 9.01.004 “POWERS AND DUTIES”; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A REPEALING CLAUSE; AND PROVIDING FOR SAID ORDINANCE TO TAKE EFFECT FROM AND AFTER ITS PASSAGE.

WHEREAS, the Town Council of the Town of Copper Canyon, Texas (“Town Council”), desires to amend their Code of Ordinances.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF COPPER CANYON, TEXAS, THAT:

SECTION 1: That the Code of Ordinances of the Town of Copper Canyon, Texas, be and in the same is hereby amending Chapter 9, “Personnel”, by adding Article 1 “Officers and Employees”, Division 1 “Town Administrator” which shall read as follows:

“CHAPTER 9. PERSONNEL

ARTICLE 9.01 OFFICERS AND EMPLOYEES

DIVISION 1. TOWN ADMINISTRATOR

Sec. 9.01.001. Office established; appointment; employment agreement.

The office of town administrator is hereby established. The town administrator shall be appointed by a majority of the town council and serve at the pleasure of the town council and may work under an employment agreement (“the Agreement”) approved by the Town Council.

Sec. 9.01.002. Removal

The Town Administrator shall be deemed a town officer and subject to discharge pursuant to the Texas Local Government Code governing discharge of town officers and the provisions of any agreement authorized by the Town Council.

Sec. 9.01.003. Compensation; bond.

The Town Administrator shall receive such compensation approved by the Town Council, with or without an agreement. The Town Administrator shall furnish such surety bond as may be required by the Town Council by ordinance or resolution, the premium of which shall be paid by the town.

Sec. 9.01.004. Powers and duties.

The Town Administrator shall be the head of the administrative branch of the town. The Town Administrator shall be responsible and report to the Mayor and to the Town Council for proper administration of all affairs of the town under the jurisdiction of the town administrator and shall have the power and shall be required to do the following:

- 1) Appoint, and offer employment with the advice and consent of the town council. In the event a position in the department becomes vacant within the fiscal year, the position may be filled, provided the salary and benefit packages for additional personnel shall not exceed the current fiscal year budget appropriation unless otherwise authorized by the town council. The town administrator may, when necessary for welfare of the town, remove any officer or employee of the town, except for the town secretary, town attorney, and as otherwise provided by state law or the ordinances of the town;
- 2) Prepare and submit to the council, as requested, a complete report of finances and activities for the town;
- 3) Keep the council advised of the financial condition and future needs of the town and make such recommendations as advisable;
- 4) Perform such other duties, as may be required by the Code of Ordinances or the Town Council, not inconsistent with the code, this division or state and federal law; and
- 5) As a result of being responsible for all purchases made in the name of the town, the Town Administrator shall have the authority to obligate the town and sign all contracts without first obtaining the approval of the Town Council for all budgeted expenditures not to exceed \$15,000.00. All other expenditures, including those not included in the budget of the applicable fiscal year, must be first approved by the Town Council.”

SECTION 2. That all provisions of the Code of Ordinances of the Town of Copper Canyon, Texas, in conflict with the provisions of this ordinance be, and the same are hereby, repealed, and all other provisions not in conflict with the provisions of this ordinance shall remain in full force and effect.

SECTION 3. That should any word, phrase, paragraph, section or phrase of this ordinance or of the Code of Ordinances, as amended hereby, be 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 thereof

other than the part so decided to be unconstitutional, illegal or invalid, and shall not affect the validity of the Code of Ordinances as a whole.

SECTION 4. That this ordinance shall take effect immediately from and after its passage and the publication of the caption, as the law and charter in such cases provide.

DULY PASSED by the Town Council of the Town of Copper Canyon, Texas, this the _____ day of _____, 2023.

TOWN OF COPPER CANYON, TEXAS

Ron Robertson, Mayor

ATTEST:

Sheila B. Morales, TRMC
Town Secretary

APPROVED AS TO FORM:

Robert Hager, Town Attorney