



Ordinance 2024-05

AN ORDINANCE AMENDING SECTION 1.08.002, DEFINITIONS, AND SECTION 1.08.003, ADMINISTRATION, OF THE CITY OF LIBERTY CODE OF ORDINANCES; ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the City of Liberty is a Texas municipal corporation existing under the laws of the State of Texas; and

WHEREAS, Article 1.08, Issuance of Citations, of the Code of Ordinances of the City of Liberty provides procedural and substantive rules relating to the issuance of citations by non-peace officers to defendants accused of violating criminal ordinances of the City; and

WHEREAS, City staff recommends amending Article 1.08 of the Code of Ordinances to authorize additional individuals to issue citations; and

WHEREAS, these individuals include the Fire Marshal or any fire department employee that maintains a state certified fire inspector license to enforce fire code regulations for commercial buildings and the Water/Wastewater Manager or his designated representative to enforce grease trap regulations.

NOW THEREFORE, BE IT ORDAINED by the City Council of the City of Liberty, Liberty County, Texas:

SECTION 1. That section 1.08.002, Definitions, and section 1.08.003(b), Administration, of the Code of Ordinances of the City of Liberty, Texas shall be amended as follows:

**CHAPTER 1
GENERAL PROVISIONS**

ARTICLE 1.08 ISSUANCE OF CITATIONS

Sec. 1.08.002 Definitions

(a) General rules of construction. Words and phrases used in this article shall have the meanings set forth in this section. Terms that are not defined below, but are defined elsewhere in this code, shall be given the meanings set forth in the code. Words and phrases not defined in this code shall be given their common ordinary meaning unless the context clearly requires otherwise. When not inconsistent with the context, words used in the present tense shall include the future tense, words in the plural number shall include the singular number (and vice versa), and words in the masculine gender shall include the feminine gender (and vice versa). The word "shall" is always mandatory, while the word "may" is merely directory. Headings and captions are for reference purposes only.

(b) Specific definitions.

Animal control officer. The individual appointed by the chief of police to act in that capacity, or any officer of the city police department.

Building inspector. The person charged with enforcement of building codes of the city, sometimes referred to as the building official or plumbing inspector.

Citation. An ordinance violation notice and notice to appear before the city municipal court, as provided for in this article.

Code enforcement officer. The person charged with enforcement of the City Code of Ordinances, sometimes referred to as the health officer, code official, or neighborhood services administrator.

Fire official. The Fire Marshal or any fire department employee that maintains a state certified fire inspector license that is charged with enforcement of fire code regulations for commercial buildings.

Person. Any individual, association, firm, corporation, governmental agency, political subdivision, or legal entity of any kind.

Water/Wastewater official. The Water/Wastewater Manager or his designated representative that is charged with enforcement of grease trap regulations.

Sec. 1.08.003 Administration

(b) Authority to issue citations. Pursuant to this article, and the scope of their assigned duties, a citation may be issued by any of the following individuals so designated by the city council:

- (1) Animal control officer.
- (2) Code enforcement officer.
- (3) Building inspector.
- (4) Fire official.
- (5) Water/Wastewater official.

SECTION 2. That the provisions of this ordinance are severable and the invalidity of any word, phrase or part of this ordinance shall not affect the validity or effectiveness of the remainder of this ordinance.

SECTION 3. That all ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION 4. That it is hereby officially found and determined that the meetings at which this ordinance was introduced and passed were open to the public and that public notice of the time, place and purpose of said meetings were given as required by law.


SECTION 5. That the changes set forth in this ordinance will take effect immediately.

PASSED AND ADOPTED at a regular meeting of the City Council of the City of Liberty, this 9th day of April, 2024.



Mayor
City of Liberty, Texas

ATTEST:



City Secretary
City of Liberty, Texas

