

ORDINANCE NO. 2022-O-620

AN ORDINANCE OF THE CITY OF JONESTOWN, TEXAS, AMENDING DIVISION 2 DEPARTMENTS, DIVISION 7 BUILDING OFFICIAL, AND DIVISION 8 CODE ENFORCEMENT OFFICER OF CHAPTER 9 PERSONNEL, ARTICLE 9.02 CITY OFFICIALS AND DEPARTMENTS OF THE CITY OF JONESTOWN CODE OF ORDINANCES; CREATING THE DEPARTMENT OF DEVELOPMENT SERVICES; CREATING THE POSITION OF DEVELOPMENT SERVICES DIRECTOR; AMENDING PROVISIONS REGARDING THE BUILDING OFFICIAL AND CODE ENFORCEMENT OFFICER; PROVIDING FOR REPEALER; SEVERABILITY AND SAVINGS CLAUSES; AN OPEN MEETINGS CLAUSE AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Jonestown, Texas ("City") is an incorporated municipality duly organized, existing, and operating as a Type A General Law Municipality in the State of Texas; and

WHEREAS, the City of Jonestown seeks to create the development services department and create a director position to serve the department, and

WHEREAS, the City of Jonestown seeks to delegate authority in the director of development services to supervise and direct the code enforcement, building official and employees, and

WHEREAS, the City Council of the City of Jonestown, Texas has determined and finds it is in the public interest that the department of development services, and position of the director of development services and positions of the building official and code enforcement officer to serve under the director of development services are hereby created.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF JONESTOWN, THAT:

Section I. Preamble

All of the above premises are hereby found to be true and correct legislative and factual findings of the City of Jonestown, Texas and are hereby approved and incorporated into the body of this ordinance as if copied in their entirety.

Section II. Amendment

Chapter 9 Personnel, Article 9.02 City Officials and Departments, Division 2 Departments, Section 9.02.035 is hereby added; Division 7 Building Official Section 9.02.211 and Section 9.0.212 are hereby amended; Division 8 Code Enforcement Officer, Section 9.02.241, Section 9.02.242, and Section 9.02.243, of the City of Jonestown Code of Ordinances are hereby amended as follows:

Division 2. Departments

Sec. 9.02.035 Development Services Department

The development services department is hereby created. The development services department shall be headed by the development services director, and the department shall have such personnel, volunteers and contract providers as may be authorized in the annual budget of the city.

Division 7. Director of Development Services**Sec. 9.02.211 Office created**

The office of the director of development services of the city is created. The director of development services may also be referred to as the development director.

Sec. 9.02.212 Appointment; compensation; powers and duties

- (a) Appointment; qualifications. The city council/mayor shall appoint the development director. The qualifications of the development director shall be in accordance with qualifications that the city council deems necessary.
- (b) Compensation. The city council shall determine the compensation paid to the development director.
- (c) Duties generally. The development director is responsible for planning, organizing, directing, and overseeing the activities and operations of the Planning and Development Services Department; coordinating activities with other city departments, various advisory boards and committees and outside agencies; provide staff assistance to city manager and city council; and assists developers and the public in applying planning and zoning regulations and city ordinances to development projects, technical issues, and land use plans, and shall have such other duties that the council may assign.
- (d) Enforcement of building codes and land use regulations. The development director is authorized and directed to enforce all the provisions of chapters 3, 10 and 14 of the code, the building codes of the city, and as otherwise specifically authorized in the code.
- (e) Departmental staff and other employees. The development director shall supervise and have overall responsibility for employees assigned in the construction services, code compliance/enforcement and GIS functional areas. The development director may request and shall receive, so far as may be necessary in the discharge of duties, the assistance and cooperation of other officials of the city.
- (f) Reports and Records. The development director shall participate in the development and administration of the department budget; estimate funds needed for staffing, equipment, materials, supplies and projects, monitor and approve expenditures and perform other such duties as may be assigned. The development director shall place recommendations for amendments to the code in reports.
- (g) Cooperation of other officials. The development director may request and shall receive so far as may be necessary in the discharge of his duties, the assistance and cooperation of other officials of the city, including the building official and code enforcement officer.

Division 8. Code Enforcement Officer and Building Official**Sec. 9.02.241 Positions created**

The code enforcement officer and building official of the city shall work under the direction of the development services director.

Sec. 9.02.242 Appointment; qualifications

The city council/mayor may direct the city manager to contract employ and/or appoint the code enforcement officer and building official. The qualifications of the code enforcement officer shall be in accordance with state law and may be supplemented by further qualifications that the city council deems necessary.

Sec. 9.02.243 Powers and duties; compensation

- (a) The code enforcement officer shall conduct sanitary inspections in accordance with this code and enforce all the provisions of this code.
- (b) The code enforcement officer is authorized and directed to enforce all the provisions of this code, unless otherwise specified.
- (c) The city council shall determine the compensation paid to the code enforcement officer.
- (d) The building official shall process all building permit applications and plan reviews, inspect substandard buildings and residential and commercial construction plans, ensuring structural, electrical, plumbing, and mechanical compliance with adopted international building codes as well as city zoning, building, fire, and other applicable city, state and federal codes and standards, and shall have such other duties that the council may assign.
- (e) The building official is authorized and directed to enforce all the provisions of chapters 3, 10 and 14 of the code, the building codes of the city, and as otherwise specifically authorized in the code.

III. Repealer. All provisions of the Code of Ordinances of the City of Jonestown codified or uncodified, in conflict with the provisions of this Ordinance are hereby repealed, and all other provisions of the Code of Ordinances of the City of Jonestown codified or uncodified, not in conflict with the provisions of this Ordinance shall remain in full force and effect. The repeal of any Ordinance or part of Ordinances effectuated by the enactment of this Ordinance shall not be construed as abandoning any action now pending under or by virtue of such Ordinance or as discontinuing, abating, modifying or altering any penalty accruing or to accrue, or as affecting any rights of the municipality under any section or provisions at the time of passage of this Ordinance.

IV. Severability. It is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses, and phrases of this Ordinance are severable, and if any phrase, clause, sentence, or section of this Ordinance shall be declared unconstitutional or invalid by any court of competent jurisdiction, such unconstitutionality or invalidity shall not affect any other remaining phrase, clause, sentence, paragraph or section of this Ordinance.

V. Savings. The repeal of any ordinance or part of ordinances effectuated by the enactment of this ordinance shall not be construed as abandoning any action now pending under or by virtue of such ordinance or as discontinuing, abating, modifying or altering any penalty accruing or to accrue, or as affecting any rights of the City under any section or provisions of any ordinances at the time of passage of this ordinance.

VI. Notice and Meeting. It is hereby officially found and determined that the meeting at which this Ordinance was passed was open to the public and that public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act, Chapter 551 of the Texas Government Code.

VII. Effective Date. This ordinance shall become effective and be in full force ten days from the date of its passage.

PASSED AND ADOPTED on this the 14th day of July 2022.

CITY OF JONESTOWN



Paul Johnson, Mayor

ATTEST:



Belinda Gaytan, TRMC, CCCII

