

**ORDINANCE 2023-1170**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NEW BRAUNFELS, TEXAS, ESTABLISHING THE CLASSIFICATION OF EMPLOYEES WITHIN THE NEW BRAUNFELS FIRE AND POLICE DEPARTMENTS AND AUTHORIZING THE NUMBER OF EMPLOYEES IN EACH CLASSIFICATION; PROVIDING FOR SEVERABILITY; REPEALING ORDINANCES AND PROVISIONS IN CONFLICT; AND ESTABLISHING AN EFFECTIVE DATE.**

**WHEREAS**, the City of New Braunfels has adopted Civil Service, Chapter 143 of the Texas Local Government Code for its Police and Fire Department employees; and

**WHEREAS**, pursuant to Chapter 143, the City Council shall establish the classifications of employees and prescribe the number of positions in each classification pursuant to Section 143.021(a) of the Texas Local Government Code; and

**WHEREAS**, the City Council has approved the number of employees listed below in the appropriate classifications in the Police and Fire Department as a part of the annual budget process; and

**WHEREAS**, this ordinance modifies the authorized number of positions in each rank consistent with the FY 2023-24 Adopted Budget, including new positions and reclassifications.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF NEW BRAUNFELS, TEXAS, THAT**

I.

The Civil Service classifications and number of positions in each classification in the Fire Department shall be approved and effective as indicated below:

<b><u>Classification</u></b>	<b><u>Effective</u> <u>10/01/2022</u></b>	<b><u>Effective</u> <u>10/01/2023</u></b>
<b>1. Assistant Fire Chief</b>	<b>2</b>	<b>2</b>
<b>2. Battalion Chief/ Division Chief</b>	<b>4</b>	<b>5</b>
<b>3. Captain</b>	<b>9</b>	<b>9</b>
<b>4. Lieutenant</b>	<b>22</b>	<b>22</b>
<b>5. Engineer</b>	<b>40</b>	<b>40</b>
<b>6. Firefighter</b>	<b>69</b>	<b>78</b>
<b>Totals</b>	<b>146</b>	<b>156</b>

The classification of Assistant Fire Chief is the rank/classification immediately below the Fire Chief/Department Head. As such, those positions are established by the City Council and will remain positions to which the Department Head may appoint the occupants, in accordance with §143.014 of the Texas Local Government Code. The Fire Chief/Department Head position is not included in the positions listed above.

**II.**

The civil service classifications and number of positions in each classification in the Police Department shall be approved as follows:

<b><u>Classification</u></b>	<b><u>Effective 10/01/2022</u></b>	<b><u>Effective 10/01/2023</u></b>
<b>1. Assistant Police Chief</b>	<b>1</b>	<b>1</b>
<b>2. Captain</b>	<b>3</b>	<b>3</b>
<b>3. Lieutenant</b>	<b>5</b>	<b>5</b>
<b>4. Sergeant</b>	<b>19</b>	<b>19</b>
<b>5. Detective</b>	<b>16</b>	<b>16</b>
<b>6. Police Officer</b>	<b>110</b>	<b>119</b>
<b>Totals</b>	<b>154</b>	<b>163</b>

The classification of Assistant Police Chief is the rank/classification immediately below the Police Chief/Department Head. As such, that position is established by the City Council and will remain a position to which the Department Head may appoint the occupant, in accordance with §143.014 of the Texas Local Government Code. The Police Chief/Department Head position is not included in the positions listed above.

**III.**

**Severability:** If any provision, section, clause, sentence, or phrase of this ordinance is for any reason held to be unconstitutional, void, invalid, or un-enforced, the validity of the remainder of this ordinance or its application shall not be affected, it being the intent of the City Council in adopting this ordinance that no portion, provision, or regulation contained herein shall become inoperative or fail by way of reasons of any unconstitutionality or invalidity of any other portion, provision, or regulation.

**IV.**

**Repealer:** All ordinances and resolutions, or parts thereof, which are in conflict or inconsistent with any provision of this Ordinance are hereby repealed to the extent of such conflict, and the provisions of this Ordinance shall be and remain controlling as to the matters ordained herein.

**V.**

It is hereby officially found and determined that the meeting at which this ordinance was passed was open to the public as required by law.

**VI.**

This ordinance shall take effect upon the second and final reading, signatures required by City Charter, and filing with the City Secretary's Office.

PASSED AND APPROVED: First reading this 11<sup>th</sup> day of September, 2023.

PASSED AND APPROVED: Second reading this 25<sup>th</sup> day of September, 2023.

CITY OF NEW BRAUNFELS, TEXAS

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Neal Linnartz, Mayor

ATTEST:

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Gayle Wilkinson, City Secretary

APPROVED AS TO FORM:

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Valeria M. Acevedo, City Attorney