

ORDINANCE NO. _____

AN ORDINANCE AMENDING CHAPTER 2 (ADMINISTRATION) OF THE CODE OF THE CITY OF FORT WORTH (2015), AS AMENDED, TO AMEND ARTICLE IV “DEPARTMENTS UNDER CONTROL OF CITY MANAGER” OF CHAPTER 2 “ADMINISTRATION” TO ADD DIVISION 21 TO PROVIDE FOR THE CREATION OF THE DEPARTMENT OF ENVIRONMENTAL SERVICES; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, Chapter VIII, Section 1 of the City Charter authorizes the City Council to establish by ordinance such departments, divisions, and offices as it deems necessary for the operation of the City’s business in addition to those departments required by the City Charter; and

WHEREAS, Chapter VIII, Section 1 of the City Charter authorizes the City Council to discontinue any department or office established by ordinance and to prescribe, combine, consolidate, distribute, or abolish the functions and duties of departments, divisions, or offices; and

WHEREAS, as part of the City’s approved FY2024 budget, the City Manager’s office presented to City Council the establishment of a new department, the Environmental Services Department, to emphasize the city’s “So Safe, So Clean, So Green” philosophy; and

WHEREAS, it is the recommendation of the City Manager that the City Council establish a new department, the Department of Environmental Services, which shall be responsible for matters involving environmental quality, consumer health, and solid waste; and

WHEREAS, the City Council now wishes to establish a new department, Department of Environmental Services under the control of the City Manager in Chapter 2, Administration.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FORT WORTH, TEXAS

SECTION 1.

Articles IV and Article V, Chapter 2 of the City Code of the City of Fort Worth (2015), as amended, shall be amended so that Article V begins with Section 2-177 “Reserved” and Section 2-176 shall be added to Article IV of Chapter 2.

SECTION 2.

Article IV, Chapter 2 of the Code of the City of Fort Worth (2015), as amended, is hereby amended to add Division 21 to establish and define the duties for a new department, the Department of Environmental Services, to read as follows:

DIVISION 21: DEPARTMENT OF ENVIRONMENTAL SERVICES

Section 2-174 CREATION AND ESTABLISHMENT OF DEPARTMENT OF ENVIRONMENTAL SERVICES

The Department of Environmental Services is hereby established. The department shall be under the supervision of the director of environmental services, who shall be subject to appointment and removal by the city manager. The salary of the director of environmental services shall be in accordance with the compensation plan of the city.

Section 2-175 APPOINTMENT OF EMPLOYEES

In accordance with established personnel procedures and as provided by the city budget, the director of environmental services shall have the power to appoint, employ and remove such employees and personnel according to authorized budgeted positions or authorized personnel overages for the efficient administration of the affairs of the department and to prescribe and fix their duties, scope of authority and qualifications.

Section 2-176 DUTIES

The director and his or her employees shall be responsible for investigating, monitoring, inspecting, and auditing matters and issues pertaining to environmental quality, consumer health, solid waste within the City of Fort Worth, and other matters assigned by the City Council or City Manager's Office.

SECTION 3.

This ordinance shall be cumulative of all provisions of ordinances and of the Code of the City of Fort Worth, Texas (2015), as amended, except where the provisions of this ordinance are in direct conflict with the provisions of such ordinances and such Code, in which event conflicting provisions of such ordinances and such Code are hereby repealed.

SECTION 4.

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, paragraph or section of this ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this ordinance, since the same

would have been enacted by the City Council without the incorporation in this ordinance of any such unconstitutional phrase, clause, sentence, paragraph or section.

SECTION 5.

This ordinance shall be in full force and effect following its adoption.

APPROVED AS TO FORM AND LEGALITY:

By: _____
Christopher Austria,
Senior Assistant City Attorney

Jannette S. Goodall,
City Secretary

ADOPTED: _____

EFFECTIVE: _____