

ORDINANCE NO. _____

AN ORDINANCE ADJUSTING THE TOTAL NUMBER OF AUTHORIZED CIVIL SERVICE POSITIONS IN THE FIRE DEPARTMENT BY FOURTEEN EFFECTIVE OCTOBER 1, 2019 BY ADDING EIGHT POSITIONS IN THE CLASSIFICATION OF FIREFIGHTER, ADDING THREE POSITIONS IN THE CLASSIFICATION OF ENGINEER, ADDING TWO POSITIONS IN THE CLASSIFICATION OF LIEUTENANT, AND ADDING ONE POSITION IN THE CLASSIFICATION OF CAPTAIN; PROVIDING A STATEMENT OF PURPOSE AND INTENT; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL PRIOR ORDINANCES AND REPEAL CONFLICTING ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Section 143.021(a), Texas Local Government Code provides that a municipality’s governing body shall by ordinance (i) establish the classifications of fire fighters and (ii) prescribe the number of positions in each classification; and

WHEREAS, on September 26, 2017, the City Council adopted Ordinance 22943-09-2017, which established the Fire Department’s sworn personnel staffing levels effective October 1, 2017, as follows:

Assistant Chief	3
Deputy Chief	6
Battalion Chief	27
Captain	87
Lieutenant	126
Engineer	208
Firefighter	468
TOTAL	925; and

WHEREAS, the recently adopted Fiscal Year 2020 Budget included funding to add personnel to staff Fire Station 43, which is to be located in far west Fort Worth and scheduled to open early in the fiscal year;

WHEREAS, fourteen additional positions at various classifications (ranks) are needed to ensure a full complement of trained firefighting personnel are available for assignment to Fire Station 43; and

WHEREAS, the adopted Fiscal Year 2019-2020 budget included funding for these additional positions; and

WHEREAS, the City Council wishes to implement the staffing changes associated with the adopted budget and revise the Fire Department’s staffing levels from those set by Ordinance No. 22943-09-2017 to implement the following staffing effective October 1, 2019:

Assistant Chiefs	3
Deputy Chiefs	6
Battalion Chiefs	27
Captain	88
Lieutenant	128
Engineer	211
Firefighter	<u>476</u>
TOTAL	939

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

SECTION 1.

Following the formal adoption of this ordinance, the following positions shall be the only civil service positions in each classification (rank) authorized in the City of Fort Worth Fire Department effective October 1, 2019 until modified by subsequent ordinance:

Assistant Chiefs	3
Deputy Chiefs	6
Battalion Chiefs	27
Captain	88
Lieutenant	128
Engineer	211
Firefighter	<u>476</u>
TOTAL	939

SECTION 2.

The “Mayor and Council Communication” memorandum, which is presented contemporaneously with this ordinance, is hereby expressly incorporated herein by reference for further clarification and explanation of the purpose and intent of the City Council in its adoption of this ordinance as well as the Department in its implementation.

SECTION 3.

This ordinance shall be cumulative of all provisions of previous 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 prior fire staffing ordinances for the Fire Department and such Code, in which event conflicting provisions of such ordinances and such code provisions are hereby repealed and this ordinance shall be controlling.

SECTION 4.

It is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses and phrases of these ordinances 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 take effect and be in full force and effect on October 1, 2019, and it is so ordained.

APPROVED AS TO FORM AND LEGALITY:

ATTEST:

Denis C. McElroy, Asst. City Attorney

Mary J. Kayser, City Secretary

ADOPTED: _____

EFFECTIVE: October 1, 2019