

ORDINANCE NO. _____

AN ORDINANCE AMENDING CHAPTER 22 “MOTOR VEHICLES AND TRAFFIC,” ARTICLE I “IN GENERAL,” SECTION 22-1 “DEFINITIONS” OF THE CODE OF THE CITY OF FORT WORTH (2015), AS AMENDED, TO CHANGE THE DEFINITION OF “AUTHORIZED EMERGENCY VEHICLE” TO INCLUDE VEHICLES ASSIGNED TO THE FORT WORTH POLICE DEPARTMENT’S ABANDONED VEHICLE ENFORCEMENT UNIT AND VEHICLES ASSIGNED TO THE EMERGENCY MANAGEMENT OFFICE; PROVIDING THAT THIS ORDINANCE IS CUMULATIVE OF ALL PRIOR ORDINANCES AND REPEAL CONFLICTING ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Section 541.201 of the Texas Transportation Code defines “authorized emergency vehicles” and authorizes the governing body of a municipality to further designate vehicles as “authorized emergency vehicles”; and

WHEREAS, the Fort Worth Police Department’s Abandoned Vehicle Enforcement Unit is a division comprised of non-sworn employees whose duties include identifying and removing abandoned motor vehicles located on City streets and highways; and

WHEREAS, the Emergency Management Office is a division comprised of non-sworn employees whose duties include coordinating city activities during emergencies; and

WHEREAS, the Abandoned Vehicle Enforcement Unit and the Emergency Management Office are unable to equip its vehicles with emergency lights similar to other emergency vehicles because these vehicles are not driven by police officers, nor are they designated as authorized emergency vehicles;

WHEREAS, Chapter 22, Article I, Section 22-1 of the Code of the City of Fort Worth (2015), as amended (“City Code”), defines “authorized emergency vehicles,” but the definition does not include the vehicles used by the Abandoned Vehicle Enforcement Unit or vehicles used by the Emergency Management Office; and

WHEREAS, designating these vehicles as “authorized emergency vehicles” will allow the respective departments to equip these vehicles with emergency lights and other safety equipment and will allow for these vehicles to be included as emergency vehicles for purposes of state laws designed to protect drivers of authorized emergency vehicles in the course of their duties.

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

SECTION 1.

That Chapter 22 “Motor Vehicles and Traffic,” Article I “In General,” Section 22-1, “Definitions,” of the City Code is hereby amended to change the definition of “authorized emergency vehicle” to include vehicles assigned to the Police Department’s Abandoned Vehicle Enforcement Unit and vehicles assigned to the Emergency Management Office as follows:

*“**AUTHORIZED EMERGENCY VEHICLE.** Vehicles of the fire department (fire patrol), police vehicles, vehicles used by City of Fort Worth employees for abandoned vehicle enforcement, vehicles used by City of Fort Worth employees for the emergency management office, public and private ambulances for which permits have been issued by the state board of health, emergency vehicles of municipal departments or public service corporations as are designated or authorized by the governing body of an incorporated city, and private vehicles operated by volunteer firefighters or certified emergency medical services volunteers while answering a fire alarm or responding to a medical emergency, and vehicles operated by blood banks or tissue banks, accredited or approved under the laws of this state or the United States, while making emergency deliveries of blood, drugs or medicines or organs.”*

SECTION 2.

That this ordinance shall be cumulative of all provisions of ordinances 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 3.

It is hereby declared to be the intention of the City Council that the phrases, clauses, sentences, paragraphs and sections 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 4.

All other provisions of Chapter 22 of the City Code shall remain in full force and effect, save and except as amended by this ordinance.

SECTION 5.

This ordinance shall take effect upon adoption as required by law, and it is so ordained.

APPROVED AS TO FORM AND LEGALITY:

ATTEST:

Assistant City Attorney

Mary Kayser, City Secretary

Date: _____

Adopted and Effective: _____