

**ORDINANCE NO. 20-09-03-27**

**AN ORDINANCE OF THE CITY OF CORINTH, TEXAS, AMENDING CHAPTER 35, "MUNICIPAL COURT OF RECORD", OF TITLE III, "ADMINISTRATION", OF THE CODE OF ORDINANCES OF THE CITY OF CORINTH TO ADD A NEW SECTION, SECTION 35.09 TO BE ENTITLED, "OFFICE OF CITY MARSHAL", TO CREATE THE OFFICE OF CITY MARSHAL; PROVIDING FOR THE INCORPORATION OF PREMISES; PROVIDING FOR AN AMENDMENT; PROVIDING A CUMULATIVE REPEALER CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the City of Corinth, Texas is a home rule municipality located in Denton County, Texas created in accordance with the provisions of Chapter 9 of the Local Government Code and operating pursuant to its Charter and the laws of the state of Texas; and

**WHEREAS**, the City is authorized to adopt regulations for the peace and welfare of the City and the order and security of its residents; and

**WHEREAS**, the City desires to establish an Office of City Marshal; and

**WHEREAS**, the Office of City Marshal shall serve in the Corinth Municipal Court; and

**WHEREAS**, the Office of City Marshal and the Corinth Police Department shall be separate and distinct law enforcement agencies; and

**WHEREAS**, the City Council finds that the creation of the Office of the City Marshal will reasonably promote the health, safety, and welfare of the public.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CORINTH, TEXAS:**

**SECTION 1**  
**INCORPORATION OF PREMISES**

The above and foregoing recitals are found to be true and correct and are incorporated into the body of this Ordinance for all purposes.

**SECTION 2**  
**AMENDMENTS**

That Chapter 35, "Municipal Court of Record", of Title III, "Administration" of the Code of Ordinances of the City of Corinth, Texas is hereby amended to add a new section, Section 35.09 to be entitled, "Office of City Marshal", to be and read in its entirety as follows, and all other subparagraphs and subsections of Chapter 35 not specifically amended hereby shall remain in full force and effect without amendment:

**"§ 35.09 – OFFICE OF CITY MARSHAL.**

(A) There is hereby created the office of city marshal, to be filled by qualified persons, appointed by the city manager or his designee. The city marshal and all persons serving in the capacity

as city marshal or deputies thereof shall meet all qualifications necessary to be certified as peace officers by the State of Texas.

- (B) The office of the city marshal, acting under the direction of the city manager or his designee, shall perform the following duties:
- (1) Execute warrants of arrest, subpoenas, summons, and other legal process issued by a judge of the municipal court;
  - (2) Execute other warrants of arrest, subpoenas, summons, and other legal process as determined by the municipal court clerk;
  - (3) Serve as bailiff of the municipal court when necessary; and
  - (4) Perform such other duties as may be in the authority of certified peace officers or as may be determined by the city manager or his designee.
- (C) The city marshal and deputies shall serve as peace officers of the city and have full police authority in the exercise of their assigned duties.
- (D) The office of city marshal is not a part of the police department of the city; however, the city marshal and deputies are eligible for membership in the Texas Municipal Retirement System. The office of city marshal shall be responsible for carrying the commission of all marshals and deputies through the Texas Commission on Law Enforcement Officer Standards and Education, or any successor agency of the State of Texas.
- (E) The city marshal and deputies shall be required to take an oath of office before entering upon the discharge of duties, the oath shall be subscribed by the person taking it and shall be filed and preserved in the office of the city secretary."

**SECTION 3**  
**CUMULATIVE REPEALER**

That all provisions of the ordinances of the City of Corinth in conflict with the provisions of this ordinance be and the same are hereby repealed and any provisions not so in conflict shall remain in force and effect.

**SECTION 4**  
**SEVERABILITY**

That should any sentence, paragraph, subdivision, clause, phrase or section of this ordinance be adjudged or held to be unconstitutional, illegal or invalid, the same shall not affect the validity of this ordinance as a whole, or any part or provision hereof other than the part so decided to be invalid, illegal or unconstitutional, and shall not affect the validity of the Code of Ordinances as a whole.

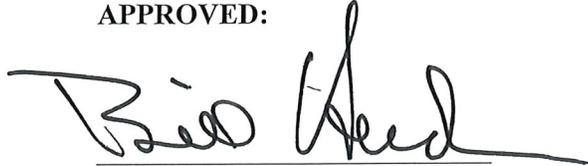
**SECTION 5**  
**EFFECTIVE DATE**

This Ordinance shall take effect immediately upon its passage and approval in accordance with state law and City Charter.

DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF  
CORINTH, TEXAS, this 3rd day of ~~August~~, 2020.

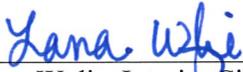
September

APPROVED:



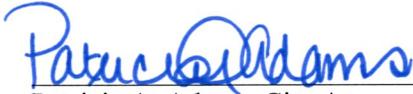
Bill Heidemann, Mayor

ATTEST:



Lana Wylie, Interim City Secretary

APPROVED AS TO FORM AND LEGALITY:



Patricia A. Adams, City Attorney

