

ORDINANCE NO. 24-2019

AN ORDINANCE OF THE CITY OF SEAGOVILLE, TEXAS, AMENDING THE CODE OF ORDINANCES BY AMENDING TITLE 1, "GENERAL ORDINANCES", CHAPTER 3, "ADMINISTRATION AND PERSONNEL", ARTICLE 3.04, "BOARDS AND COMMISSIONS", DIVISION 1, "GENERALLY" BY ADDING SECTION 3.04.001, "CRIMINAL HISTORY CHECKS OF BOARD AND COMMISSION APPLICANTS"; PROVIDING FOR A SAVINGS CLAUSE; PROVIDING FOR RESOLUTION OF CONFLICTS WITH PRIOR ORDINANCES; PROVIDING FOR A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Seagoville finds it necessary and in the public interest to require all applicants for City boards, commissions, and committees to consent to criminal background checks at the time applications are submitted to the City for consideration.

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

SECTION 1. That all of the above premises are found to be true and correct and are incorporated into the body of this ordinance as if copied in their entirety.

SECTION 2. That Title 1 of the Code of Ordinances "General Ordinances", Chapter 3 "Administration and Personnel", Article 3.04 "Boards and Commissions", Division 1 "Generally" is hereby amended to add a new Section 3.04.001 "Criminal Background Checks of Board and Commission Applicants" to read as follows:

Sec. 3.04.001 Criminal History Checks of Board and Commission Applicant.

- (a) Any person making application for appointment to a position on any board, commission, agency, or committee to which the city council has the final authority to make such appointment shall consent to a criminal history check prior to consideration of the person's application.
- (b) Failure to consent to a criminal history check as required by this section shall be grounds for disqualification for consideration for appointment by the city council.
- (c) The City shall cause a criminal history check to be conducted on each applicant for appointment to a position described in subsection (a) of this section. If upon review of a criminal history check an applicant is found to have been finally convicted of any of the following offenses from which the applicant has not been pardoned or otherwise released from the resulting disabilities, the applicant shall not be considered for appointment:
 - (1) a felony;

- (2) a class A misdemeanor;
- (3) a misdemeanor classified as an offense against a person;
- (4) a misdemeanor classified as an offense against public administration or official misconduct;
- (5) a misdemeanor classified as an offense against public order or decency;
- (6) a misdemeanor violation of any law intended to control the possession or distribution of any controlled substance; or
- (7) any offense involving moral turpitude.

(d) The provisions of this section are administrative in nature and not subject to criminal penalties.

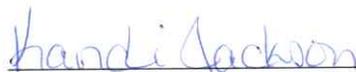
SECTION 3. If any section, paragraph, subdivision, clause, phrase or provision of this ordinance shall be judged invalid or unconstitutional, the same shall not affect the validity of this ordinance as a whole or any portion thereof other than the portion so decided to be invalid or unconstitutional.

SECTION 4. In the event of an irreconcilable conflict between the provisions of another previously adopted ordinance of the City of Seagoville and the provisions of this Ordinance, the provisions of this Ordinance shall be controlling.

SECTION 5. This ordinance shall take effect from and after its passage and the publication of the caption of said ordinance as the law and the City Charter in such cases provides.

DULY PASSED BY THE CITY COUNCIL OF THE CITY OF SEAGOVILLE, TEXAS, ON THE 1ST OF APRIL, 2019.

ATTEST:


Kandi Jackson, City Secretary

APPROVED:


Dennis K. Childress, Mayor

APPROVED AS TO FORM:


Victoria W. Thomas, City Attorney
(TM106845 032019)

