

**ORDINANCE NO. 17-036**

**AN ORDINANCE OF THE CITY OF UNIVERSITY PARK, TEXAS, AMENDING THE CODE OF ORDINANCES OF THE CITY OF UNIVERSITY PARK BY AMENDING ARTICLE 5.05, DIVISION 2, “FIREMEN’S RELIEF AND RETIREMENT FUND” TO PROVIDE FOR PAYROLL DEDUCTIONS AND PAYMENTS BY CITY; PROVIDING FOR THE REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF UNIVERSITY PARK, TEXAS:**

**SECTION 1.** That Chapter 5, Article 5.05, of the Code of Ordinances, City of University Park, Texas, is hereby amended by amending Division 2 “Firemen’s Relief and Retirement Fund” in part by amending Sections 5.05.032 and 5.05.033 to read as follows:

**“Division 2. Firemen’s Relief and Retirement Fund**

...

**Sec. 5.05.032 Pay Deduction Authorized**

The finance director shall cause a percentage, not to exceed 10%, of the monthly compensation of each member of the fire department who participates in the Firemen’s Relief and Retirement Fund (the “Fund”) to be deducted from such compensation and paid over to the Fund. The percentage to be deducted shall be set by official action of the city council.

**Sec. 5.05.033 Payments by city**

The finance director shall pay over to the Fund, by the last day of each month, an amount, set by official action of the city council, of the monthly compensation of each member of the fire department who participates in the Fund for the preceding month. There is hereby appropriated from the general fund of the city an amount necessary to make this payment.”

...”

**SECTION 2.** In no event shall the percentage or amount to be set by the city council under either of these sections conflict with the provisions of the City ordinances giving effect to House Bill 3056 (2017) of the Texas Legislature.

**SECTION 3.** The provisions of this ordinance are severable and should any such provision be declared unconstitutional or unenforceable, such declaration shall not affect any of the remaining provisions hereof or the Code of Ordinances as amended hereby.

**SECTION 4.** This ordinance shall take effect immediately from and after its passage, as the law and Charter in such cases provide.

**DULY PASSED** by the City Council of the City of University Park, Texas, on this 5th day of December 2017.

**APPROVED:**

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**OLIN B. LANE, MAYOR**

**APPROVED AS TO FORM:**

**ATTEST:**

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**CITY ATTORNEY**  
**(rld/11-08-17/93156)**

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**CHRISTINE GREEN, CITY SECRETARY**