

**CITY OF HEATH  
ORDINANCE NO. 250408B**

**AN ORDINANCE OF THE CITY OF HEATH, TEXAS, AMENDING SECTION 31.77 OF CHAPTER 31 “RECORDS MANAGEMENT PROGRAM” OF THE CODE OF HEATH TO AUTHORIZE ELECTRONIC STORAGE OF MUNICIPAL RECORDS; PROVIDING FOR THE INCORPORATION OF PREMISES; PROVIDING FOR AMENDMENT; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A REPEALER CLAUSE; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the City Council of the City of Heath, Texas is committed to improving the efficiency and accessibility of municipal records; and

**WHEREAS**, advances in technology have made the electronic storage of records a more secure, efficient, and cost-effective method for storing and retrieving municipal records; and

**WHEREAS**, the City previously established a Records Management Program in Chapter 31 of the Code of Heath, which authorizes microfilming of municipal records but does not authorize the electronic storage of municipal records; and

**WHEREAS**, the City Council desires to amend Chapter 31 to provide for the storage of municipal records electronically in accordance with the rules adopted by the Texas State Library and Archives Commission.

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

**Section 1. Incorporation of Premises.** That all the above premises are true and correct and are hereby incorporated in the body of this Ordinance as if fully set forth herein.

**Section 2. Amendment.** That Section 31.17 of Chapter 31 “Records Management Program” in the Code of Heath is hereby amended to read entirely as follows (with deletions shown as ~~strikethrough~~ text and additions shown as underlined text):

“Section 31.17 MICROGRAPHICS AND ELECTRONIC STORAGE

(A) Unless a ~~micrographics~~ program in a department is specifically exempted by order of the municipality, all microfilming or electronic storage of municipal records will be centralized and under the direct supervision of the Records Management Officer.

(B) The records management plan will establish policies and procedures for the microfilming or electronic storage of municipal records, including policies to ensure that all microfilming or electronic storage is done in accordance with standards and procedures for the microfilming or electronic storage of local government records established in rules of the Texas State Library and Archives Commission.

(C) The plan will also establish criteria for determining the eligibility of records for microfilming and electronic storage and protocols for ensuring that a ~~microfilming~~ program that

is exempted from the centralized operations is, nevertheless, subject to periodic review by the Records Management Officer as to cost-effectiveness, administrative efficiency and compliance with commission rules.”

**Section 3. Severability Clause.** That if any word, section, article, phrase, paragraph, sentence, clause or portion of this Ordinance is held to be invalid or unconstitutional by a court of competent jurisdiction, such holding shall not affect, for any reason, the validity of the remaining portions of this Ordinance, and the remaining portions shall remain in full force and effect.

**Section 4. Repealer Clause.** That this Ordinance shall be cumulative of all other ordinances of the City of Heath and shall not repeal any of the provisions of such ordinances except for those instances where there are direct conflicts with the provisions of this Ordinance or parts thereof in force at the time this Ordinance shall take effect, and that are inconsistent with this Ordinance, are hereby repealed to the extent that they are inconsistent with this Ordinance.

**Section 5. Effective Date.** That this Ordinance shall become effective after passage and approval, and it is so ordained.

**PASSED AND APPROVED** by the City Council of the City of Heath, Texas, this 8<sup>th</sup> day of April, 2025.

  
Jeremiah McClure, Mayor

ATTEST:

  
Norma Duncan, City Secretary

