

ORDINANCE NO. 2024-37

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CELINA, TEXAS, AMENDING THE CELINA CODE OF ORDINANCES, CHAPTER 1 “GENERAL PROVISIONS”, ARTICLE 1.03 “CITY COUNCIL”, DIVISION 2 “MEETINGS”, BY REPEALING SECTION 1.03.031 “TYPES OF MEETINGS; TIME AND PLACE” AND AMENDING SECTION 1.03.035 “CITIZEN PARTICIPATION”; PROVIDING FOR INCORPORATION OF PREMISES; PROVIDING FINDINGS; PROVIDING A CUMULATIVE REPEALER CLAUSE; PROVIDING FOR SAVINGS; PROVIDING FOR PENALTY; PROVIDING FOR SEVERABILITY; FINDING AND DETERMINING COMPLIANCE WITH THE TEXAS OPEN MEETINGS ACT; AND PROVIDING FOR AN IMMEDIATE EFFECTIVE DATE.

WHEREAS, the City of Celina (the “City”) is a home rule municipality located in Collin County and Denton County, Texas created in accordance with the provisions of the Texas Local Government Code, the Texas Constitution and operating pursuant to the enabling legislation of the state of Texas; and

WHEREAS, Texas Local Government Code Section 51.001(1) provides that the governing body of a municipality may adopt, publish, amend, or repeal an ordinance, rule or police regulations that is for the good government, peace or order of the municipality and is necessary or proper for carrying out a power granted by law to the municipality or to an office or department of the municipality; and

WHEREAS, the City Council of the City (the “City Council”) has previously adopted Chapter 1 “General Provisions”, Article 1.03 “City Council” governing rules and procedures for City Council meetings; and

WHEREAS, in order to best administer City meetings, the City Council has found and determined it to be necessary to repeal Section 1.03.031 “Types of meetings; time and place” and Section 1.03.035 “Citizen participation” to update the regulations provided there.

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

SECTION 1
INCORPORATION OF PREMISES

The above and foregoing premises are true and correct and are incorporated herein and made a part hereof for all purposes.

SECTION 2
FINDINGS

After due deliberations the City Council has concluded that the adoption of this Ordinance is in the best interests of the City of Celina, Texas, and of the public health, safety and welfare.

SECTION 3
AMENDMENTS

The Celina Code of Ordinances, Chapter 1 “General Provisions”, Article 1.03 “City Council”, Division 2 “Meetings” is hereby amended as follows:

(a) Section 1.03.031 “Types of meetings; time and place” is hereby repealed in its entirety.

(b) Section 1.03.035 “Citizen participation”, is hereby amended to read as follows:

“(a) During an open forum section of a meeting, all speakers shall complete a public comment card and submit it to the city secretary prior to speaking. All speakers are limited to a maximum of three minutes each, except as may be extended by the Mayor. A speaker who wishes to present comments on behalf of another absent person, whether present or absent, will not be granted additional time for the other person.

(b) For action items listed on the agenda:

(1) The applicant for the item requested, if applicable, shall have the opportunity to present comments, testimony, or arguments. The applicant shall have a total of ten minutes for a presentation when recognized by the Mayor or presiding officer.

(2) Any person wishing to speak about an action item on the agenda shall complete a public comment card prior to the matter being reached and present it to the city secretary. Upon being recognized by the Mayor, the person may speak or present evidence relevant to the matter being heard. Such person shall come to the podium and announce their name and address for the record. No person may speak without first being recognized by the Mayor. All persons wishing to speak on the matter, who are not the applicant, shall be limited to three minutes each, except as may be extended by the Mayor. A person who wishes to present comments on behalf of another person, whether present or absent, will not be granted additional time for the other person.

(c) Generally, citizens may not participate in the discussions of the council at workshop sessions on items for which no action will be taken.”

SECTION 4
CUMULATIVE REPEALER CLAUSE

This Ordinance shall be cumulative of all other Ordinances 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. Ordinances, 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. Provided however, that any complaint, action, claim or lawsuit which has been initiated or has arisen under or pursuant to such other Ordinances on the date of adoption of this Ordinance shall continue to be governed by the provisions of such Ordinance and for that purpose the Ordinance shall remain in full force and effect.

SECTION 5
SAVINGS CLAUSE

All rights and remedies of the City of Celina, Texas are expressly saved as to any and all violations of the provisions of any other ordinance affecting traffic and vehicles within the City of Celina, which have secured at the time of the effective date of this Ordinance; and, as to such accrued violations and all pending litigation, both civil and criminal, whether pending in court or not, under such ordinances same shall not be affected by this Ordinance but may be prosecuted until final disposition by the court.

SECTION 6
PENALTY CLAUSE

Any person violating any of the provisions of this Ordinance shall be deemed guilty of a Class C misdemeanor upon conviction and shall be fined in accordance with Section 1.01.009 of the City's Code of Ordinances.

SECTION 7
SEVERABILITY

If any section, article, paragraph, sentence, clause, phrase or word in this Ordinance, or application thereof to any person or circumstance, is held invalid or unconstitutional by a Court of competent jurisdiction, such holding shall not affect the validity of the remaining portions of the Ordinance, and the City Council hereby declares it would have passed such remaining portions of the Ordinance despite such invalidity, which remaining portions shall remain in full force and effect.

SECTION 8
OPEN MEETINGS


That it is hereby found and determined that the meeting at which this Ordinance was passed was open to the public as required by law, and that public notice of the time, place and purpose of said meeting was given, all as required by Chapter 551 of the Texas Government Code

SECTION 9
EFFECTIVE DATE

This Ordinance shall be in full force and effect from and after its date of passage and publication as required by law.

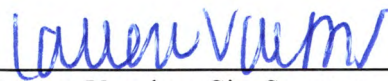
DULY PASSED AND APPROVED by the City Council of the City of Celina, Texas, on this 9th day of July 2024.

CITY OF CELINA



Ryan Tubbs, Mayor

ATTEST:



Lauren Vaughns, City Secretary

