

CITY OF KRUM, TEXAS

ORDINANCE NO. 2024-794

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF KRUM, TEXAS AMENDING THE CITY'S CODE OF ORDINANCES CHAPTER 1, "GENERAL PROVISIONS," ARTICLE 1.07, "BOARDS, COMMISSIONS AND COMMITTEES," DIVISION 2, "PLANNING AND ZONING COMMISSION," SUBSECTION 1.07.031, "ESTABLISHED; MEMBERSHIP," AND SUBSECTION 1.07.032, "OFFICERS; MEETINGS" AMENDING REGULATIONS FOR THE NUMBER OF MEMBERS, UPDATING EX OFFICIO MEMBERSHIP, AND AMENDING REQUIRED MEETINGS; AMENDING CHAPTER 1, "GENERAL PROVISIONS," ARTICLE 1.11, "LIBRARY" SUBSECTION 1.11.003, "PUBLIC LIBRARY ADVISORY BOARD" AMENDING THE TERMS OF THE BOARD MEMBERS AND OFFICERS OF THE BOARD; AMENDING CHAPTER 1, "GENERAL PROVISIONS," ARTICLE 1.12, "PARKS AND RECREATION," DIVISION 2, "PARK BOARD," SUBSECTION 1.12.042, "COMPOSITION; APPOINTMENT AND TERM OF MEMBERS," SUBSECTION 1.12.044, "ELECTION OF OFFICERS," AND SUBSECTION 1.12.045, "DUTIES OF OFFICERS" AMENDING THE COMPOSITION OF THE BOARD, AMENDING THE TERM OF SAID MEMBERS, AND AMENDING OFFICERS AND DUTIES OF THE BOARD; PROVIDING A CUMULATIVE REPEALER CLAUSE; PROVIDING SEVERABILITY; PROVIDING FOR SAVINGS; PROVIDING FOR ENGROSSMENT AND ENROLLMENT; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Krum, Texas, is a Home Rule Municipality located in Denton County, Texas, created in accordance with provisions of the Texas Local Government Code the Texas Constitution and operating pursuant to the enabling legislation of the State of Texas; and

WHEREAS, the City of Krum, Texas is a Home Rule municipality empowered under the Texas Local Government Code, Section 51.001, to adopt an ordinance or rule that is for the good government of the City; and

WHEREAS, the City of Krum, Texas has established a Planning and Zoning Commission, a Public Library Advisory Board; and a Park Board; and

WHEREAS, the City Council of the City of Krum, Texas has determined that it would be advantageous and in the best interest of the public to adopt this ordinance amending sections of Chapter 1, General Provisions, of the Code of Ordinances of the City of Krum.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF KRUM, 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 interest of the City of Krum, Texas, and to better facilitate the appointing of Board, Commission, and Committee members; determining how meetings are regulated; and establishing officers of said Boards, Commissions, and/or Committees.

SECTION 3
AMENDMENTS

3.01 That the City of Krum Code of Ordinances, Chapter 1, "General Provisions," Article 1.07, "Boards, Commissions and Committees," Division 2, "Planning and Zoning Commission," Subsection 1.07.031, "Established; Membership," is hereby amended as follows:

"§ 1.07.031 Established; Membership.

- (a) There is hereby established a City Planning and Zoning Commission in and for the city consisting of five (5) regular members, two (2) alternate members and ex officio members.
- (b) Such City Planning and Zoning Commission shall consist of five (5) regular voting members and up to two (2) alternate members who may serve in the absence of a regular voting member. Such members are to be appointed by the City Council.
- (c) The members of the commission shall be resident citizens and qualified voters in and of the city, and shall be selected for their outstanding and unselfish interests in civic affairs.
- (d) The Development Services Director and the City Attorney shall be members ex officio of the City Planning and Zoning Commission. They shall have no vote thereon.
- (e) Places one (1), three (3), five (5) and alternate #1 shall be appointed in odd-numbered years and places two (2), four (4) and alternate #2 shall be appointed in even-numbered years. Members shall be appointed each year in October to serve a two-year term. Any member may be reappointed for a succeeding term.
- (f) Vacancies shall be filled by appointment for the unexpired term only.
- (g) Any member may be removed at any time by the council for any reason."

3.02 That the City of Krum Code of Ordinances, Chapter 1, "General Provisions," Article 1.07, "Boards, Commissions and Committees," Division 2, "Planning and Zoning Commission," Subsection 1.07.032, "Officers; Meetings," is hereby amended as follows:

"§ 1.07.032 Officers; Meetings.

- (a) The City Planning and Zoning Commission shall elect annually a Chairperson, Vice-Chairperson and such other officers as may be deemed necessary for the conduct of their business.
- (b) It shall adopt rules for the practical and efficient transaction of business, and shall keep a record of its resolutions, transactions, findings and determinations, which shall be a public record.
- (c) At least two (2) meetings per year shall be held, and additional meetings may be held from time to time as needed for business of the Commission and upon the call of the Chairperson."

3.03 That the City of Krum Code of Ordinances, Chapter 1, "General Provisions," Article 1.11, "Library" Subsection 1.11.003, "Public Library Advisory Board," is hereby amended as follows:

"§ 1.11.003 Public Library Advisory Board.

- (a) Creation. There is hereby created a Public Library Advisory Board to be known as the Krum Public Library Advisory Board (KPLAB). The board serves in an advisory capacity only, is specifically prohibited from providing direction to any city employee, purporting to obligate the city to any agreement or contract, and from purporting to take any action at all other than providing recommendations to the City Council.
- (b) Membership. The KPLAB shall consist of seven (7) members.
 - (1) Six (6) at-large members shall be citizens of the city or a resident of the county who resides within the Krum Independent School District and will serve for a term of two (2) years;
 - (2) One (1) member shall be a member of the City Council and shall be assigned Place 1 of the Board;
 - (3) The members will serve without compensation.
- (c) Appointment. The at-large members shall be appointed and approved by the City Council.
- (d) Voting. All board members, including the chair, shall each carry one (1) vote.
- (e) Attendance. The Krum Public Library Advisory Board may recommend to the City Council the replacement of any at-large member who missed three (3) consecutive meetings or is consistently absent.
- (f) Meetings.

- (1) The Board shall meet not less than four (4) times per calendar year. A quorum will be established by the presence of at least four (4) members, including the chair. In the absence of the chair and/or vice-chair, the members shall select from the members present a chair to conduct the meeting. All meetings are to be conducted in accordance with the Texas Open Meetings Act.
 - (2) The KPLAB shall elect from its members a Chairperson and a Vice-Chairperson. It shall be the duty of the Chairperson to preside at all meetings of the board and the duty of the Vice-Chairperson to preside at any meeting should the Chairperson be absent or if the chair is no longer able to serve, to assume the responsibilities of the chair until a new chair is appointed or elected.
 - (3) It shall be the duty of the City Secretary or his/her designee to maintain a record of all proceedings of the meetings.
 - (4) The Chairperson or Vice-Chairperson shall serve a term of one (1) year or until their successors have been fully qualified and duly appointed or elected. Any officer may be subsequently reappointed or re-elected.
- (g) Duties. The Krum Public Library Advisory Board may provide nonbonding advisory recommendations to the city council concerning:
- (1) The city's public library program;
 - (2) The development of adequate public library facilities for the residents of the city;
 - (3) Public library services;
 - (4) The acceptance of conditional gifts to the city public library.
- (h) Donations. The Board may accept unconditional donations, gifts, and bequests from individuals, firms or companies for the use of the library system. Monetary contributions shall be deposited to the city in accordance with established city policies and procedures, and shall be subject to regular city audit and budgetary procedures."

3.04 That the City of Krum Code of Ordinances, Chapter 1, "General Provisions," Article 1.12, "Parks and Recreation," Division 2, "Park Board," Subsection 1.12.042, "Composition; Appointment and Term of Members," is hereby amended as follows:

"§ 1.12.042 Composition; appointment and term of members.

- (a) The Park Board shall consist of seven (7) members including one (1) member from the City Council and one (1) member to be the Parks Superintendent from the Public Works Department. The members shall reside within the boundaries of the Krum Independent School District except for the member representing the Public Works Department.

(b) Members shall be appointed by the City Council for two (2) year terms. Members shall be appointed to numbered places on the Board. Places 1, 3, 5, and 7 shall be appointed in October of odd numbered years and Places 2, 4, and 6 shall be appointed in October of even numbered years.

(c) Members shall serve without compensation.”

3.05 That the City of Krum Code of Ordinances, Chapter 1, “General Provisions,” Article 1.12, “Parks and Recreation,” Division 2, “Park Board,” Subsection 1.12.044, “Election of Officers,” is hereby amended as follows:

“§ 1.12.044 Election of Officers.

The Park Board shall elect annually in October a Chairperson and Vice-Chairperson. The City Secretary shall serve as the Secretary of the Board.”

3.06 That the City of Krum Code of Ordinances, Chapter 1, “General Provisions,” Article 1.12, “Parks and Recreation,” Division 2, “Park Board,” Subsection 1.12.045, “Duties of Officers,” is hereby amended as follows:

(a) Chairperson. The Chairperson of the Board shall preside over all meetings.

(b) Vice-Chairperson. The Vice-Chairperson shall perform the duties of the Chairperson should the Chairperson be absent or if the chair is no longer able to serve, to assume the responsibilities of the chair until a new chair is appointed or elected.

(c) City Secretary. The City Secretary or his/her designee shall maintain a record of all proceedings of the meetings.

(d) Board Liaison. The Board Liaison shall be the Public Work Director or his/her designee and shall assist the Board with implementing decisions of said Board.”

3.07 All other articles, chapters, sections, paragraphs, sentences, phrases and words are not amended but are hereby ratified and affirmed.

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 Krum, Texas are expressly saved as to any and all violations of the provisions of the City's Code of Ordinances or of any other ordinance affecting Boards, Commissions and Committees, which have been 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
SEVERABILITY

The provisions of this Ordinance are severable. However, in the event this Ordinance or any procedure provided in this Ordinance becomes unlawful, or is declared or determined by a judicial, administrative or legislative authority exercising its jurisdiction to be excessive, unenforceable, void, illegal or otherwise inapplicable, in whole or in part, the remaining and lawful provisions shall be of full force and effect and the City shall promptly promulgate new revised provisions in compliance with the authority's decision or enactment.

SECTION 7
ENGROSSMENT AND ENROLLMENT

The City Secretary is hereby directed to engross and enroll this Ordinance by copying the exact Caption and Effective Date clause in the minutes of the City Council and by filing this Ordinance in the Ordinance records of the City of Krum, Texas.

SECTION 8
EFFECTIVE DATE

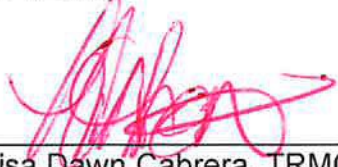
This Ordinance shall become effective from and after its date of passage in accordance with law.

AND IT IS SO ORDAINED.

**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF KRUM, TEXAS THIS
2ND DAY OF JANUARY, 2024.**


Rhonda Harrison
Mayor

ATTEST:



Lisa Dawn Cabrera, TRMC, CMC
City Secretary



APPROVED AS TO FORM:



Lance Vanzant
City Attorney