

**ORDINANCE NO. 5310**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF DENISON, TEXAS AMENDING CHAPTER 2 "ADMINISTRATION", ARTICLE II "AUTHORITIES, BOARDS, COMMITTEES, COMMISSIONS", DIVISION 1 "GENERALLY", SECTION 2-46 "RESIDENCY REQUIREMENTS FOR CERTAIN APPOINTEES" TO ENSURE APPLICABILITY OF RESIDENCY REQUIREMENTS TO ALL AUTHORITIES, BOARDS, COMMITTEES AND COMMISSIONS; PROVIDING FOR SAVINGS, REPEALING AND SEVERABILITY CLAUSES; PROVIDING A PENALTY CLAUSE; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS ORDINANCE IS ADOPTED TO BE OPEN TO THE PUBLIC AS REQUIRED BY LAW; PROVIDING FOR PUBLICATION AND AN EFFECTIVE DATE.**

**WHEREAS**, the City of Denison, Texas (hereinafter referred to as "City") is a Home Rule Municipality acting under its Charter adopted by the electorate pursuant to Article XI, Section 5 of the Texas Constitution and Chapter 9 of the Texas Local Government Code; and

**WHEREAS**, the City Council of the City (the "City Council") determines that it continues to be important for the composition of its various City boards, committees and commissions to reflect inclusion of residents whenever possible, to serve on these diverse groups; and

**WHEREAS**, the City Council has investigated and determined that is in the best interest of the City to adopt amendments to the City's Code of Ordinances to clarify and/or change the residency requirements for certain applicants of the various Boards, Committees and Commissions; as provided below.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DENISON, THAT:**

**SECTION 1: Findings Incorporated.** The findings set forth above are incorporated into the body of this Ordinance as if fully set forth herein.

**SECTION 2: Amendment to Section 2-46: DENISON CITY CODE AMENDMENTS.**

CHAPTER 2 – ADMINISTRATION, Article II, "Authorities, Boards, Committees, Commissions", Division 1 "Generally", Section 2-46, "Residency Requirements for Certain Appointees" PROVISIONS of the Denison City Code is hereby amended by making certain additions and deletions to Section 2-46.

The amendments are identified in **EXHIBIT A** and said exhibit is attached hereto and made a part hereof, and in all other respects, said Code, Chapters, Articles, Divisions, and Sections shall remain in full force and effect.

**SECTION 3: Severability.** It is hereby declared to be the intention of the City Council that the phrases, clauses, sentences, paragraphs and sections of this ordinance are severable, and if any phrase, clause, sentence, paragraph or section of this ordinance shall be declared

unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this ordinance, since the same would have been enacted by the City Council without the incorporation of this ordinance of any such unconstitutional phrase, clause, sentence, paragraph or section.

**SECTION 4: Savings/Repealing Clause.** All provisions of any ordinance in conflict with this Ordinance are hereby repealed to the extent they are in conflict; but such repeal shall not abate any pending prosecution for violation of the repealed ordinance, nor shall the repeal prevent a prosecution from being commenced for any violation if occurring prior to the repeal of the ordinance. Any remaining portions of said ordinances shall remain in full force and effect.

**SECTION 5: Penalty.** A violation of this Ordinance is an offense punishable in accordance with Section 1-12 (General Penalty; Continuing Violations) of the Denison Code of Ordinances.

**SECTION 6: 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 a public notice of the time, place, and purpose of said meeting was given, all as required by Article 551.041, Texas Government Code.

**SECTION 7: Publication and Effective Date.** This Ordinance shall become effective upon its passage and publication as required by law.

**AND IT IS SO ORDERED.**

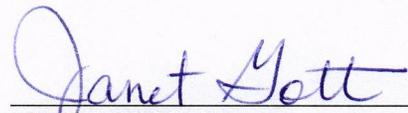
On motion by Mayor Pro Tem Crawley, seconded by Council Member Thorne, the above and foregoing ordinance was passed and approved on this the 18<sup>th</sup> day of September 2023, by the following vote:

Ayes: Hander, Courtright, Thorne, Gott, Massey,  
Crawley and Thomas

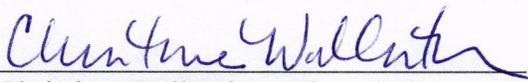
Abstentions:

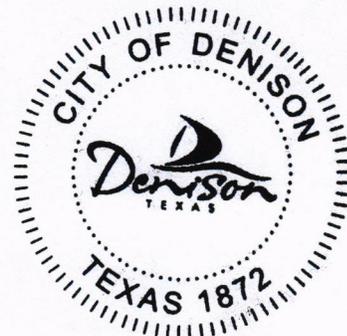
Nays:

At regular meeting September 18, 2023.

  
\_\_\_\_\_  
JANET GOTT, Mayor

ATTEST:

  
\_\_\_\_\_  
Christine Wallentine, City Clerk



**EXHIBIT A**

*To Ordinance No. 5310*

DENISON CITY CODE

Amending

Chapter 2 "Administration", Article II "Authorities, Boards, Committees, Commissions", Division 1  
"Generally", Section 2-46, "Residency Requirements for Certain Appointees"

*Repeal and replace the numbered list of Boards, Committees and Commissions to now read as follows:*

- (1) Animal Services Advisory Committee
- (2) Building Appeals Board (except as otherwise provided by Ordinance No. 5081, establishing residential preferences for members but allowing Grayson County residents to serve)
- (3) Cemetery Advisory Board (except as provided in Ordinance No. 5299, which provides for the place held by a member of a philanthropic, non-profit organization active within the City to reside outside of city limits.)
- (4) Civil Service Commission (as provided by Tex. Loc. Gov't Code, Section 143.06(c)(3)(requiring a three-year residency preceding appointment)
- (5) Community Development Steering Committee
- (6) Convention and Visitor's Bureau Advisory Board (except as otherwise provided by Ord. No. 4967, allowing appointment and service of at large members within the City's ETJ and owner, general manager, or senior manager of a business within the City)
- (7) Denison Historic Preservation Board (except as provided by Ordinance 4937, requiring at least two members to be business or property owners within the district and for ex-officio members)
- (8) Denison Main Street, Inc. (Subject to its Bylaws)
- (9) Denison Public Library Advisory Board
- (10) Denison Sister Cities, Inc. Board (Subject to its Bylaws, also requiring residence in the City limits)
- (11) Firemen's Relief and Retirement Fund Board (Subject to its Plan Document)
- (12) Main Street Advisory Board (Subject to its Bylaws)
- (13) Parks and Recreation Commission
- (14) Planning and Zoning Commission
- (15) TIRZ No. 1 (subject to Ordinance No. 4673, requiring a County Commissioner to be a member)
- (16) TIRZ No. 2 (subject to Ordinance No. 4706, requiring a County Commissioner to be a member)

- (17) TIRZ No. 3 (subject to Ordinance No. 4844, requiring a County Commissioner to be a member)
- (18) TIRZ No. 4 (subject to Ordinance No. 5091, requiring a County Commissioner to be a member)
- (19) TIRZ No. 5 (subject to Ordinance No. 5092, requiring a County Commissioner to be a member)
- (20) Youth Advisory Commission (except as otherwise provided by Ordinance No. 4953)
- (21) Zoning Board of Adjustments and Appeals