

TAYLOR, TEXAS

CITY CHARTER

Prepared in the office of:

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CHARTER

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ARTICLE 1. INCORPORATION; NAME

Section 1.1. Incorporation; Name.

The inhabitants of the City of Taylor, in Williamson, County, Texas, ("the City") or ("City") within the corporate limits as now established, or as hereafter established in the manner prescribed by this Charter or by law shall be and shall continue to be a municipal body politic and corporate in perpetuity under the name the "City of Taylor, Texas."

Section 1.2. Boundaries.

The boundaries and limits of the City shall be those as established and described in ordinances duly passed by the City Council of the City in accordance with State law. The City Clerk shall at all times keep a correct and complete description and official map on file, with annexations or disannexations.

Section 1.3. Additional Territory.

The City Council may, by ordinance, annex additional territory in compliance with State law.

Section 1.4. Platting of Territory.

All property within the City limits or within its extraterritorial jurisdiction shall be platted in compliance with State law and ordinances adopted by the City.

ARTICLE 2. POWERS

Section 2.1. Generally.

By the legal adoption of this Charter, the City shall be made and constituted a body politic and corporate, and shall possess all powers not inconsistent with this Charter and the Constitution and laws of the State of Texas. The City may use a corporate seal; may sue and be sued; may contract and be contracted with; may cooperate with the government of the State of Texas or the Federal government or any agency thereof, or any political subdivision of the State of Texas; may own or acquire property within or without its boundaries for any municipal purpose in fee simple or in any lesser interest or estate, by purchase, gift, devise, lease or condemnation or may sell, lease, hold, manage, improve and control such property now owned or which it may be hereafter acquired; may construct, own, lease, operate and regulate public utilities, may assess, levy and collect taxes for general and special purposes on all lawful subjects of taxation; may borrow money on the faith and credit of the City by the issuance and sale of bonds, warrants or notes of the City; may appropriate the money of the City for all lawful purposes; may regulate and control the use, for whatever purpose, of the streets and other

public places; may enact regulations and pass such ordinances as may be expedient for the protection and maintenance of good government, health, morals, comfort, safety and welfare of its inhabitants. The enumerated powers in this Section shall not act as a limitation to the powers granted to the City and the City shall exercise all powers granted to it by this Charter, the Constitution, the laws of the State of Texas, and any other power and authority applicable to the City.

Section 2.2. Powers Conferred on Cities and Towns.

All the powers conferred upon cities and towns by the Constitution and laws of the State of Texas, except as may hereinafter be denied or limited, are hereby conferred upon the City as fully and completely as if such powers were herein separately enumerated.

Section 2.3. Powers Conferred Upon Home Rule Cities.

The City shall have all powers and authority conferred upon home rule cities by Article XI, Section 5 of the Constitution of the State of Texas and by laws enacted by the Legislature of the State of Texas.

Section 2.4. Power of Local Self Government.

It is contemplated and intended by the adoption of this Charter to confer, and is hereby conferred, upon the City, the full power of local self government and the enumeration of and reference to the powers hereinabove made, or that hereinafter may be made, shall never be construed to preclude, by implication or otherwise, the City from exercising any and all powers incident to the full enjoyment of local self government, provided that such powers shall not be inhibited by the Constitution of the State of Texas.

ARTICLE 3. FORM OF GOVERNMENT

Section 3.1. Generally.

All legal powers of the corporation, except as herein denied or limited, shall be vested in a Council of five (5) members elected as hereinafter provided, which Council shall be known and designated "The City Council of the City of Taylor."

Section 3.2. Council-Manager Government.

The municipal government provided by this Charter shall be known as the "Council-Manager" government. Pursuant to its provisions and subject only to the limitations imposed by the State Constitution, by the statutory laws of Texas, and by this Charter, all powers of the City shall be vested in an elective Council, hereinafter referred to as the "Council", which shall enact local legislation, adopt budgets, determine policies,

appoint the City Attorney and Municipal Court Judge, and the Council shall also appoint the City Manager, who shall execute the laws and administer the government of the City.

ARTICLE 4. ELECTIVE OFFICERS

Section 4.1. Generally

The Council members shall be elected for terms of three (3) years under a mixed 4-1 system under which four (4) of the Councilmembers are to be elected from the particular single-member district established by the consent decree of April 30, 1985 in which they reside, and one (1) Councilmember to be elected at large by the qualified voters of the entire City. A Mayor may be elected by and from the five (5) total elected Councilmembers. All elections for Councilmembers will be by plurality vote.

Section 4.2. Qualifications.

Candidates must reside within the district to which they seek election, and must continuously reside within the district during the Councilmember's term of office. Each Councilmember shall be a resident and a qualified voter of the City; shall not be indebted to the City; nor hold any other elective or appointed public office of emolument. Councilmembers shall not have a conflict of interest with the City as determined under the laws of the State of Texas. Any Councilmember who shall cease to possess any of the qualifications herein required shall immediately forfeit and vacate such office.

Section 4.3. Term of Office.

Each elected Councilmember shall serve a three (3) year term or until the Councilmember's successor is duly elected and qualified.

Section 4.4. Vacancies.

Vacancies in the Council shall be filled by a special election for the remainder of the unexpired term.

Section 4.5. Compensation.

Each Councilmember shall receive compensation for attendance at City Council meetings established by ordinance provided Council members shall not receive compensation for more than two (2) meetings in any one month. Councilmembers shall be entitled to reimbursement of necessary expenses incurred in the performance of their official duties when approved by the Council.

ARTICLE 5. APPOINTIVE OFFICERS

Section 5.1. Generally.

The City Council shall appoint, by a majority vote of all elected members thereof, a City Manager, a City Attorney, and Judge of the Municipal Court, any of whom may be removed by a like majority vote of said Council at the pleasure of the City Council.

Section 5.2. Boards and Commissions, Removal.

The City Council shall appoint the members of the Zoning Board of Adjustment, the Planning and Zoning Commission and such other boards or commissions as may be required by State law or this Charter. The City Council may, upon the affirmative vote of a majority of the full membership of the Council, remove members of its appointive boards and commissions.

ARTICLE 6. ELECTIONS

Section 6.1. Generally.

All elections shall be held for the City Council on the first Saturday in May of every year or on such other date as the laws of the State of Texas may provide.

Section 6.2. Calling Election; Notice.

The City Council shall in the manner and within the time provided by law order elections stating in the order the date on which the election shall be held, the offices to be filled and the places at which voting shall take place and naming the presiding judge or judges who are to hold such election. The City Clerk shall give notice of the election in compliance with the Election Code and other applicable State laws.

Section 6.3. Application of State Law.

Except wherein otherwise provided herein, the general election laws of the State of Texas, insofar as applicable, shall control all elections held by the City.

Section 6.4. Polling Places.

The polling place for the election of City Councilmembers will be at a convenient location within each respective district. For all other elections the City Council may from time to time, create and designate such polling places within the City as may be deemed proper.

Section 6.5. Qualified Voters.

A qualified voter under the laws of the State of Texas residing in one of the four City districts is entitled to vote for the City Council candidate from the district in which the voter resides and for the Commissioner running for election at large and in any City election held in the City of Taylor.

ARTICLE 7. THE CITY COUNCIL

Section 7.1. Generally

The governing body of the City shall consist of a five (5) member City Council under which four (4) of the Councilmembers are elected from the particular single-member district in which they reside, and one (1) City Councilmember is elected at large by the qualified voters of the City. A Mayor shall be elected by the five (5) total elected Councilmembers, from among its members each of whom serve at the pleasure of the City Council. The Mayor shall preside at meetings of the City Council, be recognized as head of the City government for all ceremonial purposes and by the governor for purposes of military law, but shall have no administrative duties. The Mayor Pro Tem shall act as Mayor during the absence or disability of the Mayor. The City Council shall meet regularly at least once every month at such times and places as the Council may prescribe by rule. Special meetings may be held on the call of the Mayor or of the City Council. The City Council shall see that all ordinances necessary and proper for carrying out the powers and duties herein specified are passed, and that they are enforced by the City Manager. The City Council shall promote the welfare of the City and its inhabitants in any way deemed proper subject only to limitations imposed by the Constitution, State law, and by this Charter.

Section 7.2. Selection of City Manager.

The City Council shall appoint a City Manager who shall be the chief administrative officer of the City by a majority vote of its total membership. The appointment shall be for any term, condition, and compensation deemed acceptable by the Council. The City Manager shall be appointed primarily on the basis of executive and administrative qualifications.

Section 7.3. Quorum.

The majority of all the elected Councilmembers shall be necessary to constitute a quorum.

Section 7.4. Appointment of City Attorney and Municipal Judge.

The City Council shall appoint a Municipal Judge and City Attorney and shall provide compensation deemed proper for the officers.

Section 7.5. Creation of Other Offices.

The City Council shall be entitled to create other offices deem reasonable, necessary or proper and prescribe and define the duties and salaries of the offices created.

Section 7.6. Combining Offices.

The City Council shall the have power to combine the duties of any two or more offices of the City and provide that one person shall perform all the duties devolving from the combined offices.

ARTICLE 8. ORDINANCES

Section 8.1. Enactment.

Each proposed ordinance shall first be introduced in written form and shall not contain more than one subject clearly stated in the title or ordinance caption, except general appropriation ordinances may contain various subjects and accounts for which money is to be appropriated. Each proposed non-emergency ordinance shall be adopted by the City Council in any City Council meeting subsequent to the meeting in which the proposed non-emergency ordinance was introduced. Proposed emergency ordinances may be adopted by the City Council in the same meeting in which the proposed emergency ordinance is introduced, provided the proposed emergency ordinance receives a unanimous vote of all Councilmembers present when a vote regarding passage of the emergency ordinance is taken. An emergency ordinance is an ordinance deemed by the City Council necessary for the immediate preservation of public peace, property, health, safety, or necessary to maintain the usual daily operation of the City. Emergency ordinances shall state within the ordinance the emergency requiring immediate adoption by the City Council without introduction in a prior City Council meeting.

Section 8.2. Style of Ordinances.

The style of all ordinances of the City shall be "Be it ordained by the City Council of the City of Taylor", but such enacting clause may be omitted when published in book form purporting to be published by the City.

Section 8.3. Publication.

Ordinances or their captions shall be published when required by State law.

Section 8.4. Effective Date of Ordinances.

Every ordinance shall become effective when adopted unless the law or ordinance provides otherwise.

Section 8.5. Recording.

Every ordinance or resolution, upon its becoming effective, shall be recorded in a book kept for that purpose and shall be signed by the Mayor and attested by the City Clerk.

ARTICLE 9. CITY MANAGER

Section 9.1. Generally.

The City Manager shall be the chief administrative officer of the City, responsible to the City Council for the administration of all City affairs placed in the manager's charge by or under this Charter and the City Council. Employees of the City shall be employed by the City Manager subject to the approval of the City Council and may be removed by the City Manager by approval of the City Council.

Section 9.2. Removal.

The City Manager may be suspended by a resolution, approved by a majority of the total membership of the Council, which shall set forth the reasons for the suspension and removal. A copy of the resolution shall be provided immediately to the City Manager. The City Manager shall have fifteen (15) days in which to reply thereto in writing, and, upon request, shall be afforded a public hearing, which shall occur not later than fifteen (15) days after a hearing is requested. After the public hearing, if one is requested, and after consideration, the City Council by a majority of its total membership, may adopt a final resolution for removal. The City Manager shall continue to receive full salary until the effective date of a final resolution for removal.

Section 9.3. Acting City Manager.

In the event of a vacancy in the office of the City Manager, the City Council shall designate an interim City Manager to exercise the powers and perform the duties of City Manager. In the event of the City Manager's temporary absence or disability, the City Manager shall designate a City employee to exercise the powers and perform the duties of the City Manager by letter filed with the City Clerk. The Council may revoke such designation at any time and appoint another person to serve as acting City Manager.

ARTICLE 10. CONTRACTS

Section 10.1. Generally.

The City shall comply with State law regarding any contract in which the City is a party.

Section 10.2. Conflicts of Interest.

Councilmembers, the City Manager, City officers, and City employees shall disclose any conflict of interest regarding any contract or matter with the City in compliance with the laws of the State of Texas and ordinance adopted by the City.

Section 10.3. Audit of Accounts.

The accounts of the City shall be audited annually by an independent certified public accountant obtained by the City Council for such audit.

ARTICLE 11. BONDS, WARRANTS, AND OTHER EVIDENCE OF INDEBTEDNESS

Section 11.1. Generally.

The City shall have authority to issue bonds, warrants, and other evidence of indebtedness in compliance with the laws of the State of Texas.

ARTICLE 12. FINANCES

Section 12.1. Budget.

The City Manager shall prepare and submit to the City Council an annual budget on the basis of estimates of income and expenses of the various departments of the City. The departmental estimates shall show the income and expenses of the various departments for the preceding fiscal year and shall indicate where increases and diminutions are recommended for the ensuing year. Due notice shall be made of the time when the budget is to be discussed by the City Council and printed copies of the budget as recommended by the City Manager shall be available to any citizen for inspection at least fifteen (15) days before the date of the public hearing at which the budget will be discussed. The public hearing shall be an open meeting and adequate time shall be given to hearing oral or written protests and objections, if any, to any item or items in or omitted from the budget. The City shall also comply with the laws of the State of Texas concerning the budget and finances of the City and when in conflict with this Section the provisions of State law shall control.

Section 12.2. Accounts.

The City's accounts shall be kept in manner to show fully at all times the financial condition of the City and shall be open to the public for inspection. The City Council shall see that accounts are kept in the most appropriate fashion to show completely each month the state of the City finances.

Section 12.3. Monthly Reports.

The City Manager shall prepare and submit to the City Council a written monthly financial report in a form satisfactory with the City Council. The report, after having been reviewed by the City Council, shall remain on file with the City for at least one (1) calendar month to allow inspection by any interested citizen desiring to do so.

ARTICLE 13. TAXATION

Section 13.1. Generally.

The City shall have power to levy and collect taxes for all lawful purposes and to secure the payment of taxes and penalties pursuant to the laws of the State of Texas.

Section 13.2. Power to Levy and Collect Taxes.

The City Council shall have power and authority to provide ordinances, rules, regulations, and procedures necessary for the assessment, levy and prompt collection of all taxes assessed and imposed pursuant to and consistent with this Charter, the Constitution and laws of the State of Texas.

Section 13.3. General Fund and Interest and Sinking Fund.

All money arising from the collection of taxes by the City shall be divided into two (2) funds and be designated as "General Fund," and an "Interest and Sinking Fund." It shall be unlawful to use any money derived from the collection of taxes assessed and collected for any special fund for any purpose other than the purpose for the tax was levied, assessed and collected.

Section 13.4. Taxes Constitute Lien.

A lien shall exist on all real and personal property in favor of the City to secure the payment of all taxes, ad valorem or otherwise. The lien shall exist from January 1 in each year until the taxes are fully paid. The lien shall be superior and prior to all other liens or claims, except when prohibited by law, and no gift, sale, assignment, transfer of any kind, or judicial writ shall defeat the lien. The City may pursue, or cause to be pursued, real and personal property for execution, seizure and sale to satisfy and pay taxes owed to the City.

ARTICLE 14. FRANCHISE

Section 14.1. Generally.

The City, for consideration or fee, may grant a franchise by ordinance having terms, authority, conditions and powers deemed reasonable, necessary or proper by the City Council.

Section 14.2. Term.

No franchise shall ever be granted by the City for a term greater than twenty (20) years.

Section 14.3. Bond.

The City may require bonds for any franchise granted by the City, when law does not prohibit a bond, insuring performance by the franchisee of the franchise agreement with the City.

ARTICLE 15. DIRECT LEGISLATION

Section 15.1. Passage of Direct Legislation.

Upon petition of at least ten percent (10%) of the number of qualified voters residing in the City, according to the most recent official list of qualified voters for the City, an ordinance for direct legislation may be submitted to the City Council for enactment. If the City Council fails to act within thirty (30) days from the date the ordinance for direct legislation is submitted for action or if the City Council passes the ordinance for direct legislation amended in form from the ordinance for direct legislation originally submitted, the City Council shall call an election on the next regular uniform election date. On the next regular uniform election date, ballots shall be prepared presenting to the qualified voters the ordinance for direct legislation rejected by the City Council or the ordinance submitted for direct legislation and the ordinance for direct legislation as amended by the City Council. The ordinance for direct legislation rejected by the City Council shall allow the voters to either approve or disapprove the ordinance for direct legislation. If the ordinance for direct legislation was amended by the City Council, the ballot shall show the ordinance for direct legislation and the ordinance for direct legislation as amended by the City Council and shall allow the voters to approve either the ordinance for direct legislation or the ordinance for direct legislation as amended by the City Council and shall also allow the voters to reject both of them. In no event shall an ordinance for direct legislation be considered adopted unless during the election a majority of the votes cast in the election shall be in favor of the proposition and at least ten percent (10%) of the number of qualified voters residing in the City, according to the most recent official list of qualified voters for the City, shall have voted in favor of the proposition.

Section 15.2. Referendum On Approved Ordinances.

Any ordinance passed by the City Council shall be subject within thirty (30) days after its passage to protest by a petition of at least ten percent (10%) of the number of qualified voters residing in the City according to the most recent official list of qualified voters for the City asking that the ordinance be submitted to a referendum vote of the people. The ordinance shall remain in effect after its passage unless set aside by a referendum vote passed in the manner hereinafter set out. The referendum election, if demanded, shall be held on the next regular uniform election date at which the ordinance will be submitted. The ordinance shall not be considered repealed unless a majority of the votes cast in the referendum election are cast against the ordinance and at least ten percent (10%) of the number of qualified voters residing in the City, according to the most recent official list of qualified voters for the City, voted against the ordinance.

ARTICLE 16. MUNICIPAL COURT

Section 16.1. Established.

There is hereby established and organized in the City of Taylor a court to be known as the "Municipal Court of the City of Taylor", with the jurisdiction, powers, and duties given and prescribed by the laws of the State of Texas.

Section 16.2. Procedure.

The Code of Criminal Procedure and laws of the State of Texas shall govern the rules of pleading, practice and procedure in the Municipal Court.

Section 16.3. Municipal Court Judge.

The Municipal Court shall be presided over by a magistrate to be known as Municipal Court Judge of the City of Taylor. The Municipal Court Judge shall be appointed by and serve at the discretion the City Council. The Municipal Court Judge shall receive the compensation determined from time to time by the City Council.

Section 16.4. Alternate Municipal Court Judges.

The City Council shall be entitled to appoint alternate Municipal Court Judges for any cause when deemed reasonable, necessary, or proper by ordinance setting forth the terms and conditions of service.

Section 16.5. Fines and Costs.

The City Council shall provide by ordinance the amount of fine and cost to be imposed upon and assessed against those convicted of offenses in the Municipal Court

Section 16.6. Prior Ordinances Retained.

Until otherwise provided, all ordinances and laws now in force and effect with reference to the Municipal Court, not in conflict herewith, are hereby retained in full force and effect.

ARTICLE 17. MISCELLANEOUS PROVISIONS

Section 17.1. Property of City.

All real estate, personal property and rights of whatever character owned or controlled by the City at the date of the adoption of this Charter shall vest in, inure, remain and be the property of the City.

Section 17.2. Resolutions, Ordinances, etc., Carried Forward.

All laws, ordinances, and resolutions in force at the time of the adoption of this Charter, except where otherwise provided, shall continue in force until amended or repealed.

Section 17.3. Prior Contracts and Obligations.

The City hereby assumes all valid contracts and obligations of the City in force and effect at the time of adoption of this Charter.

Section 17.4. Advisory Boards.

The City Council shall be entitled to appoint advisory boards by ordinances which shall establish the matters for which the advisory boards shall advise and consult with the City Council and which shall establish the terms and conditions under which the advisory boards shall serve.

Section 17.5. Oath of Office.

Every elected officer of the City shall, before entering upon the duties of his office, take and subscribe to the oath prescribed by the Constitution of the State of Texas.

Section 17.6. Amendments of Charter.

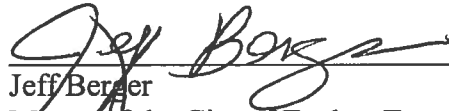
This Charter, after its adoption, may be amended in accordance with the provisions of the laws of the State of Texas.

THE STATE OF TEXAS
COUNTY OF WILLIAMSON

I, Jeff Berger, Mayor of the City of Taylor, Texas, do hereby certify that the Charter of the City of Taylor, Texas, was amended by a majority vote of the qualified voters of the City of Taylor, Texas, at an election held for that purpose on the 5th day of May, 2001.

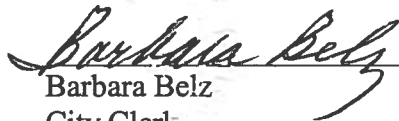
I further certify that after the election the City Commission of the City of Taylor, Texas, did canvass the election results May 8, 2001, and declared the Charter of the City of Taylor, Texas, amended according to the propositions.

Witness my hand this the 8 day of May, 2001.



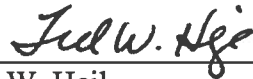
Jeff Berger
Mayor of the City of Taylor, Texas

ATTESTED BY:



Barbara Belz
City Clerk

APPROVED BY:



Ted W. Hejl
City Attorney
City of Taylor, Texas