

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CARROLLTON, TEXAS, AMENDING ARTICLE III, CHAPTER 30, CITY COUNCIL, BY ADDING A NEW SECTION 30.02, TO BE ENTITLED “PUBLIC MEETING RULES OF DECORUM,” A NEW SECTION 30.03, TO BE ENTITLED “CITIZEN PARTICIPATION DURING COUNCIL MEETINGS,” AND A NEW SECTION 30.04, TO BE ENTITLED “FAILURE TO FOLLOW RULES OF DECORUM OR DISRUPTION OF PUBLIC MEETING,” TO THE CODE OF ORDINANCES OF THE CITY OF CARROLLTON; REPEALING ALL CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY, SAVINGS, AND REPEALER CLAUSES; AND PROVIDING FOR AN EFFECTIVE DATE ON AND AFTER ITS ADOPTION.

WHEREAS, the City of Carrollton, Texas (“City”) is a Home Rule municipality possessing the full power of local self-government pursuant to Article 11, Section 5 of the Texas Constitution, Section 51.072 of Texas Local Government Code and its Home Rule Charter; and

WHEREAS, the City Council of the City (“City Council”) recognizes the need from time to time to amend the City of Carrollton Code of Ordinances to update language to reflect both changes in the law and also to clarify language in the interest of the general welfare of citizens and good government; and

WHEREAS, the City Council recognizes that a City Council meeting is a limited public forum to discuss the topic at hand as well as matters of public concern; and

WHEREAS, the City Council is desirous that citizens be allowed to address the Council on items of city business or affairs that are in the scope of the authority and legislative functions of the City Council, when posted on the agenda at regular Council meetings; and

WHEREAS, the City Council is desirous that citizens with business before the Council relative to items posted on the agenda be heard and the business of the City be carried out efficiently; and

WHEREAS, there is a significant government interest in conducting orderly and efficient meetings; and

WHEREAS, a City Council meeting is a public arena that carries with it an expectation of decorum and civility and language outside the scope of the limited public forum or that causes an immediate breach of the peace is inappropriate; and

WHEREAS, the City Council acknowledges the balance between the interests of citizens to comment upon matters of public concern and the City Council’s interest in promoting efficiency and decorum of meetings; and

WHEREAS, the amendments should be consistent with the Texas Open Meetings Act, the City Charter, and current City of Carrollton policies.

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

SECTION 1.

All of the above premises are found to be true and correct legislative and factual findings of the City Council, and they are hereby approved, ratified, and incorporated into the body of this Ordinance as if copied in their entirety.

SECTION 2.

Title III, "Administration," Chapter 30, "City Council," of the Code of Ordinances, City of Carrollton, Texas, is hereby amended by adding three new sections, to be numbered 30.02, to be entitled "Public Meeting Rules of Decorum," 30.03, to be entitled "Citizen Participation During Council Meetings," and 30.04, to be entitled "Failure to Follow Rules of Decorum or Disruption of Public Meeting," which said sections shall read as follows:

"§ 30.02 Public Meeting Rules of Decorum

Citizens attending and/or speaking at meetings will adhere to the following rules of decorum:

1. No person will engage in disorderly or boisterous conduct, including, but not limited to, stamping of feet, whistling, booing, or making any loud, threatening, profane, abusive, defamatory, personal, or impertinent utterance, that disturbs, disrupts, or otherwise impedes the orderly conduct of the meeting;
2. No person will speak for longer than their allocated time, in accordance with the process set forth in section 30.03;
3. No person will engage in behavior that may interfere with the rights of other participants; and
4. Display of signs, placards, banners, or the presence of similar items that impede or impair the rights of other would-be participants will not be permitted.

§ 30.03 Citizen Participation During Council Meetings.

- (A) Citizen Comment. In accordance with Texas Government Code § 551.007, as amended, citizens desiring to address the council on matters on the agenda shall fill out a speaker request form, provided by the city, prior to the beginning of the meeting. The form shall contain the citizen's name, address, phone number, and agenda item they wish to address. Citizens' comments will be limited to the amount of time allocated by the mayor for each citizen and must be limited to items on the posted agenda. In situations where a large number of citizens representing a group

speaking on the same topic have signed up to speak, the mayor may ask the group to consider designating a spokesperson to present the group's comments to the council. Citizens shall observe the rules of decorum and courtesy and speak only upon recognition by the mayor. Citizens not following rules of decorum set forth in section 30.02 and/or disrupting the meeting will lose their remaining time to speak, may be subject to removal, and may forfeit their right to attend a future meeting as set forth in section 30.04.

- (B) Public Forum. During posted public forum sessions, citizens may address the city council on city-related topics not posted on the agenda; provided, however, citizens topics are limited to items of city business or affairs that are in the scope of the authority and legislative functions of the city council. Citizens' comments will be limited to the amount of time allocated by the mayor for each citizen. The rules of decorum set forth in section 30.02 apply to citizens regarding non-agenda items. If a public forum is posted, this item shall appear on the regular meeting agenda upon conclusion of all other business before the city council.

Responses by the city council and staff to comments during the public forum shall be in accordance with the Texas Open Meetings Act requirements. If a citizen raises a subject, a response may only consist of a single statement of specific factual information or a single recitation of an existing policy. The city council will not discuss or take action relative to any item not on the posted agenda. The mayor and council members shall strictly comply with the requirements of the Texas Open Meetings Act and shall not enter into discussions with citizens speaking during public forum.

The agenda item for the public forum may be suspended by the mayor should citizens become disruptive, not follow rules of decorum and civility, or speak in such a manner that prevents the meeting from being conducted in an orderly and efficient manner.

Citizens who do not follow rules of decorum set forth in section 30.02 and/or disrupt the meeting will lose their remaining time to speak, are subject to removal, and may forfeit their right to attend a future meeting as set forth in section 30.04.

- (C) Public Hearings. Citizens wishing to speak during a posted public hearing shall complete a speaker request form. Comments during a public hearing must be germane to the matter being considered. Citizens' comments will be limited to the amount of time allocated by the mayor for each citizen. Public hearings may be required by other laws, and are therefore held in accordance with federal, state, or local laws or policies, as applicable. Citizens who do not follow the rules of decorum set forth in section 30.02 and/or disrupt the meeting will lose their remaining time to speak, are subject to removal, and may forfeit their right to attend a future meeting as set forth in section 30.04.

§ 30.04 Failure to Follow Rules of Decorum or Disruption of Public Meeting.

In the event a citizen disrupts the meeting or fails to comply with the rules of decorum set forth in section 30.02, the mayor has the right to remove a citizen or temporarily adjourn a meeting. In addition, the consequences below will apply to a citizen when the rules of decorum are not followed, or the citizen disrupts a meeting:

Citizen disruption / failure to follow rules	Council action	Authorized Actor
First time	Verbal Warning	Mayor
Second time, same meeting	Microphone is turned off. Speaking time is lost.	Mayor
Third time, does not have to be the same meeting	Microphone is turned off. Speaking time is lost. Warning notice of potential forfeiture of right to attend meeting for thirty (30) days for additional disruptions or failure to follow rules is mailed to the citizen.	Mayor and City Secretary
Fourth time, does not have to be the same meeting.	Microphone is turned off. Speaking time is lost. Notice of forfeiture of right to attend meeting for thirty (30) days is mailed to the citizen.	Mayor and City Secretary
Fifth time, does not have to be not the same meeting	Microphone is turned off. Speaking time is lost. Notice of forfeiture of right to attend meeting for ninety (90) days is mailed to the citizen.	Mayor and City Secretary
Sixth time, does not have to be not the same meeting	Microphone is turned off. Speaking time is lost. Notice of forfeiture of right to attend meeting for 180 days is mailed to the citizen.	Mayor and City Secretary
Seventh time, does not have to be not the same meeting	Microphone is turned off. Speaking time is lost. Notice of forfeiture of right to attend meeting for one (1) year is mailed to the citizen.	Mayor and City Secretary

The above consequences will be applied to a citizen who disrupts the meeting but is not speaking. The same incremental steps will be applied, except for the loss of speaking time and turning off the microphone. The notice of forfeiture will include language in accordance with Texas Penal Code § 30.05, as amended, notifying the recipient of the consequences for failure to comply with the forfeiture period.

The city council reserves the right to implement additional action after the seventh (7th) time a meeting is disrupted, or a citizen fails to follow rules of decorum, after a citizen returns from a one-year forfeiture period.”

SECTION 3.

This Ordinance shall be cumulative of all other ordinances of the City, and shall not repeal any of the provisions of those ordinances except in those instances where the provisions of those ordinances are in direct conflict with the provisions of this Ordinance; provided, however, that any complaint, notice, action, cause of action, or claim which prior to the effective date of this Ordinance has been initiated or has arisen under or pursuant to such other ordinance(s) shall continue to be governed by the provisions of that ordinance or those ordinances, and for that purpose that ordinance or those ordinances shall be deemed to remain and shall continue in full force and effect.

SECTION 4.

If any section, subsection, sentence, paragraph, clause, phrase, or provision in this Ordinance, or application thereof to any person or circumstance, shall be adjudged invalid or held unconstitutional by a court of competent jurisdiction, such holding shall not affect the validity of the remaining portions of this 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 5.

Any and all ordinances adopted by the City Council prior to this date, that conflict with the terms of this Ordinance, are hereby repealed to the extent that such ordinance conflicts with the terms set forth herein.

SECTION 6.

This Ordinance shall become and be effective on and after its adoption.

PASSED, ADOPTED AND APPROVED the 9th day of September, 2025, at a regular meeting of the City Council of the City of Carrollton, Texas.

ATTEST:

CITY OF CARROLLTON:

Chloe Sawatzky, City Secretary

Steve Babick, Mayor

APPROVED AS TO FORM:

Meredith Ladd, City Attorney