

ORDINANCE NO. O-09022019-3

AN ORDINANCE OF THE ELKHART CITY COUNCIL OF THE CITY OF ELKHART, TEXAS, ESTABLISHING RULES OF CONDUCT FOR PERSONS ENTERING THE PUBLIC AREA OF CITY HALL.

PREAMBLE

WHEREAS, the City Council of the City of Elkhart wishes to establish rules of conduct for visitors entering the public area of City Hall;

WHEREAS, the City Council of the City of Elkhart has determined that such rules of conduct will be beneficial for City staff and visitors alike;

WHEREAS, the purpose of establishing said rules of conduct for the public area within City Hall to ensure that visitors to City Hall conduct themselves in a way that allows the business of the City to be conducted; to ensure that members of the public are attended to in a fair and respectful matter while also ensuring members of City staff are treated in a fair and respectful manner, free from abusive, distracting and/or intimidating behavior.

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

SECTION 1. RECITALS INCORPORATED.

The facts and recitals contained in the Preamble of this Ordinance are hereby found and declared to be true and correct.

SECTION 2. FINDINGS

A) That the City Council, after discussion of the proposal to establish rules of conduct for the public area of City Hall, hereby finds that the behaviors, as defined below, within the public area of City Hall, are prohibited:

- 1) Inappropriate behavior or conduct related to the treatment of City staff or other visitors to City Hall
- 2) Utterance or publication of any threat to City staff or other visitors to City Hall
- 3) Threatening, intimidating, obstructing, and/or harassing behavior to City staff or other visitors to City Hall
- 4) Bullying or otherwise mistreating a member of City staff or other visitors to City Hall
- 5) Engaging in aggressive, hostile, or violent behavior, such as intimidation of others or attempting to instill fear in City staff or other visitors to City Hall
- 6) Engaging in belligerent speech, excessive arguing or swearing towards City staff or other visitors to City Hall
- 7) Throwing objects, including payments, at City staff

8) Other behavior determined to be unacceptable by City staff

B) That any person found to be in violation of these rules shall be prohibited from entering City Hall, and that any future business to be conducted between the violator and the City shall be conducted electronically or by U.S. Mail.

SECTION 3. SEVERABILITY CAUSE.

Should any section, subsection, sentence, clause or phrase of this Ordinance be declared unconstitutional or invalid by a court of competent jurisdiction, it is expressly provided that any and all remaining portions of this Ordinance shall remain in full force and effect. The City hereby declares that it would have passed this Ordinance, and each section, subsection, clause, or phrase thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional or invalid.

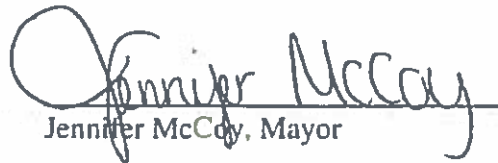
SECTION 4. OPEN MEETINGS.

It is hereby found, determined, and declared that sufficient written notice of the date, hour, place and subject of the meeting of the City Council at which this Ordinance was adopted was posted at a place convenient and readily accessible at all times to the general public at the City Hall of the City for the time required by law preceding its meeting, as required by Chapter 551 of the Texas Government Code, and that this meeting has been open to the public as required by law at all times during which this Ordinance and the subject matter hereof has been discussed, considered and formally acted upon. The City Council further ratifies, approves and confirms such written notice and the contents and posting thereof.


SECTION 5. EFFECTIVE DATE.

This Ordinance shall take effect immediately upon its adoption and publication in accordance with and as provided by law.

PASSED AND APPROVED ON this 3 day of September, 2019.


Jennifer McCoy, Mayor

ATTEST:


Ami Ashworth,
City Secretary


Reviewed by Judith Cantrell,
City Administrator