

AN ORDINANCE OF THE TOWN OF PROSPER, TEXAS, AMENDING ORDINANCE NO. 2026-11 BY AMENDING SUBSECTIONS (8) AND (10) AND ADDING SUBSECTION (11) TO SECTION 1.02.129, "CODE OF CONDUCT FOR TOWN COUNCILMEMBERS," CONTAINED IN DIVISION 5, "RULES OF CONDUCT," OF ARTICLE 1.02, "TOWN COUNCIL," OF CHAPTER 1, "GENERAL PROVISIONS," OF THE CODE OF ORDINANCES OF THE TOWN OF PROSPER, TEXAS; AMENDNG SUSECTIONS (7) AND (9) AND ADDING SUBSECTION (10) TO SUBSECTION (b), "CONDUCT OF MEMBERS," TO SECTION 1.04.003, "CODE OF CONDUCT FOR TOWN BOARD, COMMISSION AND COMMITTEE MEMBERS," CONTAINED IN DIVISION 1, "GENERALLY," OF ARTICLE 1.04, "BOARDS, COMMISSIONS AND COMMITTEES," OF CHAPTER 1, "GENERAL PROVISIONS," OF THE CODE OF ORDINANCES OF THE TOWN OF PROSPER, TEXAS, BY CLARIFYING THE PROVISIONS OF SAID CODES OF CONDUCT; PROVIDING FOR REPEALING, SAVINGS AND SEVERABILITY CLAUSES; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, on or about March 10, 2026, the Town of Prosper, Texas ("Town"), clarified provisions in its Code of Conduct for both Town councilmembers as well as board, commission and committee members, among others; and

WHEREAS, in an effort to further clarify said provisions, the Town Council deems it advisable to slightly revise the wording in said Codes of Conduct so there is no ambiguity regarding same.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF PROSPER, TEXAS, THAT:

SECTION 1

The findings set forth above are incorporated into the body of this Ordinance as if fully set forth herein.

SECTION 2

From and after the effective date of this Ordinance, Subsections (8) and (10) and a new Subsection (11) in Section 1.02.129, "Code of Conduct for Town Councilmembers," Division 5, "Rules of Conduct," of Article 1.02, "Town Council," of Chapter 1, "General Provisions," of the Code of Ordinances of the Town of Prosper, Texas, are hereby amended to read as follows:

"ARTICLE 1.02 TOWN COUNCIL

* * *

§ 1.02.129. Code of Conduct for Town Councilmembers.

All Members of the Town Council:

* * *

- (8) shall cease speaking immediately if called to order by the presiding officer and shall not continue speaking until the question of order is determined. If ruled to be in order, the Town Councilmember shall be permitted to proceed. If ruled not to be in order, the Town Councilmember shall remain silent or make additional remarks in compliance with the ruling of the presiding officer;

* * *

- (10) may be subject to removal from the meeting if they fail to comply with the ruling of the presiding officer.
- (11) Any ruling of the presiding officer may be subject to an immediate appeal by a member of the Town Council. Such appeal shall be made by motion and must be seconded.”

SECTION 3

From and after the effective date of this Ordinance, Subsections (7) and (9) and a new Subsection (10) in Subsection (b), “Conduct of Members,” of Section 1.04.003, “Code of Conduct for Town Board, Commission and Committee Members,” of Division 1, “Generally,” of Article 1.04, “Boards, Commissions and Committees,” of Chapter 1, “General Provisions,” of the Code of Ordinances of the Town of Prosper, Texas, are hereby amended to read as follows:

“ARTICLE 1.04 BOARDS, COMMISSIONS AND COMMITTEES

* * *

Sec. 1.04.003 Code of Conduct for Town Board, Commission and Committee Members.

* * *

(b) Conduct of Members. All Members:

- (7) shall cease speaking immediately if called to order by the presiding officer and shall not continue speaking until the question of order is determined. If ruled to be in order, the Member shall be permitted to proceed. If ruled not to be in order, the Member shall remain silent or make additional remarks in compliance with the ruling of the presiding officer;

* * *

- (10) may be subject to removal from the meeting if they fail to comply with the ruling of the presiding officer.
- (11) Any ruling of the presiding officer may be subject to an immediate appeal by a Member. Such appeal shall be made by motion and must be seconded.”

SECTION 5

All provisions of any ordinance in conflict with this Ordinance are hereby repealed to the extent they are in conflict. Any remaining portion of conflicting ordinances shall remain in full force and effect.

SECTION 6

If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason, held to be unconstitutional or invalid by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The Town of Prosper 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.

SECTION 7

This Ordinance shall become effective after its passage.

DULY PASSED AND APPROVED BY THE TOWN COUNCIL OF THE TOWN OF PROSPER, TEXAS, ON THIS 24TH DAY OF MARCH, 2026.

APPROVED:

David F. Bristol, Mayor

ATTEST:

Michelle Lewis Sirianni, Town Secretary

APPROVED AS TO FORM AND LEGALITY:

Terrence S. Welch, Town Attorney