

ORDINANCE NO. 2026-08

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WYLIE, TEXAS, AMENDING CERTAIN SECTIONS OF THE WYLIE CODE OF ORDINANCES, ORDINANCE NO. 2021-17, AS AMENDED, RELATING TO QUALIFICATIONS FOR MEMBERSHIP ON SPECIFIED BOARDS AND COMMISSIONS; ESTABLISHING RESIDENCY, VOTER REGISTRATION, AND EMPLOYMENT RESTRICTIONS; PROVIDING LIMITED EXCEPTIONS; PROVIDING FOR REPEALING, SAVINGS, AND SEVERABILITY CLAUSES; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Wylie, Texas (“City Council”), desires to ensure that members appointed to City boards and commissions meet consistent residency, voter registration, and independence standards in order to promote accountability, transparency, and public trust; and

WHEREAS, the City Council has determined that certain limited exceptions are necessary to ensure the availability of specialized expertise required for effective board and commission service; and

WHEREAS, the City Council finds that it is in the best interest of the citizens of Wylie to amend the Wylie Code of Ordinances to establish uniform eligibility requirements for membership on certain boards and commissions, as set forth herein.

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

SECTION 1. Findings Incorporated. The findings set forth above are incorporated herein as if fully set forth.

SECTION 2. Amendment of Chapter 90 (Planning), Article II (Planning and Zoning Commission), Section 90-21 (Appointments; vacancies; removal). Section 90-21 of the Wylie Code of Ordinances is amended by adding a new subsection (f) to read as follows:

Sec. 90-21. - Appointments; Vacancies; Removal.

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(f) Qualifications. Each commissioner shall:

- (1) Be a resident of the City of Wylie for not less than twelve (12) consecutive months immediately preceding appointment;
- (2) Be a qualified voter of the City of Wylie;
- (3) Not be an employee of the City of Wylie; and
- (4) Not be the spouse or domestic partner of an employee of the City of Wylie.

SECTION 3. Amendment of Chapter 2 (Administration), Article IX (Public Arts Program), Division 2 (Public Arts Advisory Board), Section 2-343 (Board members' qualifications). Section 2-343 of the Wylie Code of Ordinances is amended as follows:

Sec. 2-343. - Board members' qualifications.

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Each board member shall:

- (1) Be a resident of the City of Wylie for not less than twelve (12) consecutive months immediately preceding appointment;
- (2) Be a qualified voter of the City of Wylie;
- (3) Not be an employee of the City of Wylie; and
- (4) Not be the spouse or domestic partner of an employee of the City of Wylie.

Each board member shall have any other qualification as the City Council deems necessary and appropriate.

SECTION 4. Amendment of Chapter 58 (Historical Preservation), Article III (Historic Review Commission), Section 58-54 (Commission members' qualifications). Section 58-54 of the Wylie Code of Ordinances is amended as follows:

Sec. 58-54. - Commission members' qualifications.

- (a) Each member of the Historic Review Commission shall be a qualified voter and, except as provided in subsection (b), shall have been a resident of the City of Wylie for a minimum of twelve (12) consecutive months immediately preceding appointment.
- (b) The City residency requirement set forth in subsection (a) shall not apply to any member appointed who is:
 - (1) A member in good standing of the Downtown Merchants Association;
 - (2) A member in good standing of the Wylie Historic Society;
 - (3) A historian; or
 - (4) An owner, resident, or tenant of a designated landmark property.
- (c) No member of the Historic Review Commission shall be an employee of the City, nor the spouse or domestic partner of a City employee.
- (d) Each member shall possess such other qualifications as the City Council may determine to be necessary and appropriate.

SECTION 5. Amendment of Chapter 22 (Buildings and Building Regulations), Article II (Construction Code Board, Section 22-23 (Qualifications of members). Section 22-23 of the Wylie Code of Ordinances is amended as follows:

Section 22-23. - Qualifications of members.

- (a) The City Council shall endeavor, to the extent reasonably available, to appoint citizens of the City, and shall appoint members from the following designated categories:
 - (1) Two (2) members who are building contractors;
 - (2) Two (2) members who are plumbers;
 - (3) Two (2) members who are electricians, consisting of one (1) master electrician and one (1) journeyman electrician.
- (b) If qualified individuals from the designated trades listed in subsection (a)(1), (a)(2), or (a)(3) are not available for appointment, one (1) of the two (2) designated tradespersons in each category may be replaced with a citizen and qualified voter of the City. If no qualified individual from a designated trades category is available for appointment, such position may be filled by a qualified

voter tradesperson who either resides within the City's extraterritorial jurisdiction or conducts business within the City.

(c) Except as provided in subsection (d), each member and alternate member shall have been a resident of the City of Wylie for a minimum of twelve (12) consecutive months immediately preceding appointment.

(d) A tradesperson appointed to fill a designated trade position may reside within the City's extraterritorial jurisdiction or conduct business within the City of Wylie when necessary to fill such position.

(e) All members and alternate members shall be qualified voters.

(f) No member or alternate member shall be an employee of the City of Wylie.

(g) No member or alternate member shall be the spouse or domestic partner of an employee of the City of Wylie.

SECTION 6. Amendment of Chapter 18 (Animals), Article IV (Animal Shelter Advisory Board), Section 18-123 (Number of members; qualified appointment; terms). Section 18-123 of the Wylie Code of Ordinances is amended as follows:

Sec. 18-123. - Number of members; qualified appointment; terms.

(a) The Animal Services Advisory Board shall consist of seven (7) members, appointed by the City Council, as follows:

- (1) One (1) licensed veterinarian;
- (2) One (1) member of the City Council;
- (3) The Animal Services Manager of the City, whose duties include the daily operation of the Wylie Animal Shelter, who shall serve as a permanent member of the Board;
- (4) One (1) representative from an animal welfare organization; and
- (5) Three (3) residents of the City.

(b) Except for the Animal Services Manager, all Board members shall be appointed for terms of two (2) years. With the adoption of the ordinance from which this chapter is derived, the initial terms shall be as follows:

- (1) Licensed veterinarian: term expires June 2024;
- (2) Member of the City Council: term expires June 2025;
- (3) Animal welfare organization representative: term expires June 2023;
- (4) Resident one: term expires June 2024;
- (5) Resident two: term expires June 2025; and
- (6) Resident three: term expires June 2025.

(c) At the conclusion of the initial terms set forth in subsection (b), members shall serve staggered two-year terms. Except for the Animal Services Manager, no Board member shall serve more than three (3) consecutive terms or six (6) consecutive years, whichever is less; provided, however, that if a qualified replacement has not been appointed upon the expiration of a member's term, such member shall continue to serve in a holdover capacity until a qualified replacement is appointed.

(d) Qualifications.

- (1) Except as provided in subsection (d)(2), each member shall have been a resident of the City of Wylie for not less than twelve (12) consecutive months immediately preceding appointment.
- (2) The following members are exempt from the City residency requirement:
 - (a) The Animal Services Manager;
 - (b) A licensed veterinarian; and
 - (c) A representative from an animal welfare organization.
- (3) All members, except the Animal Services Manager, shall be qualified voters.
- (4) No member shall be an employee of the City of Wylie, except the Animal Services Manager.
- (5) No member shall be the spouse or domestic partner of an employee of the City of Wylie.

(e) In addition to the Board members, the City Manager may appoint a staff designee to serve as an ex-officio member of the Board, who shall have no right to vote on any matter before the Board.

SECTION 7. Amendment of Chapter 66 (Library), Article II (Public Library Department), Division 2 (Library Board), Section 66-41 (Membership; appointment; terms; absences). Section 66-41 of the Wylie Code of Ordinances is amended as follows:

Sec. 66-41. - Membership; appointment; terms; absences.

- (a) The membership and terms of office of the Library Board shall be as provided in Section 2(C) of Article VIII of the City Charter.
- (b) The City Council may remove a Board member, with or without cause, by the affirmative vote of a majority of the full membership of the City Council.
- (c) The Mayor, or the Mayor's designee, shall serve as an ex-officio member of the Board but shall not be entitled to vote.
- (d) No member shall serve on the Board for more than three (3) consecutive two-year terms or six (6) consecutive years, whichever is less, unless such service is extended by the affirmative vote of at least three-fourths of the full membership of the City Council.
- (e) Except for a Board member whose tenure has been extended by the City Council as provided in subsection (d), a member who has served three (3) consecutive two-year terms or six (6) consecutive years, whichever is less, may be reappointed to serve on the Board only after having been off the Board for a minimum period of one (1) year. Upon reappointment, such member shall again be eligible to serve up to three (3) consecutive terms or six (6) consecutive years, whichever is less. Nothing herein shall prohibit the appointment of such an individual to a different board or commission without a waiting period.
- (f) If any member is absent from three (3) consecutive meetings, the member's position shall be declared vacant, and the vacancy shall be filled by the City Council for the remainder of the unexpired term within thirty (30) days after the vacancy occurs.
- (g) Qualifications. Each Board member shall:

- (1) Have been a resident of the City of Wylie for not less than twelve (12) consecutive months immediately preceding appointment;
- (2) Be a qualified voter of the City of Wylie;
- (3) Not be an employee of the City of Wylie; and
- (4) Not be the spouse or domestic partner of an employee of the City of Wylie.

SECTION 8. Amendment of Chapter 78 (Parks and Recreation), Article II (Parks and Recreation Board), Section 78-23 (Compositions; appointment and terms of office; absences). Section 78-23 of the Wylie Code of Ordinances is amended as follows:

Sec. 78-23. - Composition; appointment and terms of office; absences.

(a) The membership and terms of office of the Parks and Recreation Board shall be as provided in Section 2(B) of Article VIII of the City Charter.

(b) No member shall serve on the Board for more than three (3) consecutive two-year terms or six (6) consecutive years, whichever is less, unless such service is extended by the affirmative vote of at least three-fourths of the full membership of the City Council.

(c) Except for a Board member whose tenure has been extended by the City Council as provided in subsection (b), a member who has served three (3) consecutive two-year terms or six (6) consecutive years, whichever is less, may be reappointed to serve on the Board only after having been off the Board for at least one (1) year. Upon reappointment, such member shall again be eligible to serve up to three (3) consecutive terms or six (6) consecutive years, whichever is less. Nothing herein shall prohibit the appointment of such an individual to a different board or commission without a waiting period.

(d) If any member is absent from three (3) consecutive meetings, the member's position shall be declared vacant, and the vacancy shall be filled by the City Council for the remainder of the unexpired term within thirty (30) days after the vacancy occurs.

(e) Qualifications. Each Board member shall:

- (1) Have been a resident of the City of Wylie for not less than twelve (12) consecutive months immediately preceding appointment;
- (2) Be a qualified voter of the City of Wylie;
- (3) Not be an employee of the City of Wylie; and
- (4) Not be the spouse or domestic partner of an employee of the City of Wylie.

SECTION 9. Amendment of Appendix B (Zoning), Article 8 (Development review Procedures), Section 8.4 (Zoning Board of Adjustment). Section 8.4, Subsection A-2 of the Wylie Code of Ordinances is amended by adding a new subsection (g) to read as follows:

Section 8.4 - Zoning Board of Adjustment.

...

2. Membership.

...

(g) Qualifications. Each member and alternate member shall:

- (1) Be a resident of the City of Wylie for not less than twelve (12) consecutive months immediately preceding appointment;
- (2) Be a qualified voter of the City of Wylie;
- (3) Not be an employee of the City of Wylie; and
- (4) Not be the spouse or domestic partner of an employee of the City of Wylie.

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SECTION 10. Amendment of Chapter 2 (Administration), Article III (Officers), Division 2 (Code of Conduct), Section 2-58 (Board of Review). Section 2-58, Subsection (b) of the Wylie Code of Ordinances is amended by amending subsection (b)(1) to read as follows:

Sec. - 2-58 Board of Review.

...

(b)(1) All members shall:

- (a) Reside within the city limits;
- (b) Have been a resident of the City of Wylie for not less than twelve (12) consecutive months immediately preceding appointment;
- (c) Be a qualified voter of the City of Wylie; and
- (d) Be at least eighteen (18) years of age.

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SECTION 11. Amendment of Chapter 2 (Administration), Article IV (Boards and Commissions). Article IV of the Wylie Code of Ordinances is amended by adding Section 2-63 to read as follows:

Sec. 2-63. – Eligibility Requirements for Members of City Boards and Commissions.

(a) Residency Requirement. Except as provided in subsection (a)(1), all members of City boards and commissions shall be residents of the City of Wylie.

(1) Exceptions to Residency Requirement. The following positions may be filled by individuals who are not residents of the City of Wylie:

(a) Animal Shelter Advisory Board:

The Animal Services Manager, a licensed veterinarian, and a representative from an animal welfare organization.

(b) Construction Code Board:

A tradesperson who resides within the City's extraterritorial jurisdiction (ETJ) or who conducts business within the City, when necessary to fill a specific trade classification.

(c) Historic Review Commission:

Individuals who are:

- (1) Member(s) in good standing with the Downtown Merchants Association;
- (2) Member(s) in good standing with the Wylie Historic Society;
- (3) A historian, or
- (4) An owner of, resident of, or tenant in a designated landmark property.

(b) Length of Residency. All members who are required to be City residents shall have resided within the City of Wylie for a minimum of twelve (12) consecutive months immediately preceding

appointment.

- (c) Voter Registration. All members shall be qualified voters.
- (d) Employment Restriction. No member shall be an employee of the City of Wylie.
- (e) Familial and Domestic Relationship Restriction. No member shall be the spouse or domestic partner of an employee of the City of Wylie.

SECTION 12. Repealing/Saving. All provisions of any Ordinance in conflict with this Ordinance are hereby repealed to the extent they are in conflict. Any remaining portions of said ordinances shall remain in full force and effect.

SECTION 13. Severability. Should any section, subsection, sentence, clause, or phrase of this Ordinance be declared unconstitutional and/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 Council hereby declares that it would have passed this Ordinance, and each section, subsection, clause, or phrase thereof, regardless of whether any one or more sections, subsections, sentences, clauses, or phrases are declared unconstitutional and/or invalid.

SECTION 14. Effective Date. This Ordinance shall take effect immediately upon adoption and shall apply to all appointments made on or after the effective date.

DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF WYLIE, TEXAS, on this 27th day of January, 2026.

Matthew Porter, Mayor

**ATTESTED TO AND
CORRECTLY RECORDED BY:**

Stephanie Storm, City Secretary