



# City of Rowlett

## Official Copy

4000 Main Street  
Rowlett, TX 75088  
www.rowlett.com

Ordinance: ORD-029-20

**AN ORDINANCE OF THE CITY OF ROWLETT, TEXAS, AMENDING THE CODE OF ORDINANCES OF THE CITY OF ROWLETT, TEXAS, BY AMENDING ARTICLE IV, "OFFICERS AND EMPLOYEES," OF CHAPTER 2, "ADMINISTRATION," OF DIVISION 2, "CODE OF ETHICS FOR CERTAIN OFFICERS," BY AMENDING SECTIONS 2-461, 2-463 AND 2-466 TO REVISE PROVISIONS OF THE CITY'S CODE OF ETHICS; PROVIDING A REPEALING CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.**

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

**SECTION 1:** That the Code of Ordinances, City of Rowlett, Texas, be and is hereby amended by amending Article IV, "Officers and Employees," of Chapter 2, "Administration," of Division 2, "Code of Ethics for Certain Officers," by replacing the designated sections, subsections or definitions and amending the content of Section 2-461 and Section 2-463, such that the amended parts of said Sections shall henceforth read in their entirety as follows:

**"CHAPTER 2. ADMINISTRATION**

...

**ARTICLE IV. OFFICERS AND EMPLOYEES**

...

**DIVISION 2. CODE OF ETHICS FOR CERTAIN OFFICERS**

**Sec. 2-461. Definitions.**

...

*Officer* means any member of the city council, planning & zoning commission, board of adjustment, and any appointive board, committee, authority, or commission set up by ordinance, resolution, the Charter or state law on a permanent basis, except any members of a board, commission, authority or committee that function in an advisory or study capacity.

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**Sec. 2-463. Unethical activity.**

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...

(14) Knowingly disclose confidential information obtained in an executive session unless and until the information becomes public.

(15) Fail to maintain professionalism and common courtesy when commenting on City matters and official business.

(16) Make derogatory comments against individuals, businesses or entities, including but not limited to social media contexts in official capacity.

(17) Violate the City of Rowlett Communications Policy, as amended.”

**SECTION 2:** That the Code of Ordinances, City of Rowlett, Texas, be and is hereby amended by amending Article IV, “Officers and Employees,” of Chapter 2, “Administration,” of Division 2, “Code of Ethics for Certain Officers,” by repealing and replacing Section 2-466, such that Section 2-466 shall henceforth read in its entirety as follows:

**“CHAPTER 2. ADMINISTRATION**

...

**ARTICLE IV. OFFICERS AND EMPLOYEES**

...

**DIVISION 2. CODE OF ETHICS FOR CERTAIN OFFICERS**

...

**Sec. 2-466. Violation of code of ethics; appeal.**

(a) All complaints and allegations of violations of this code of ethics against an officer of the City shall be made in writing promptly following the conduct complained of, and shall be made on a form provided by the City, sworn to before a notary public, and filed of record with the City Secretary’s office. The complaint shall describe in detail the act or acts complained of and the specific section(s) of the code alleged to have been violated. A general complaint lacking in detail shall not be sufficient to invoke the investigative procedures contained herein; and anonymous complaints shall not be considered. A complaint may be considered only against an officer while such person holds his/her position or office.



(b) The City Secretary shall provide a copy of the complaint to the affected officer and to the City Council. The Council shall consider the complaint and may conduct an investigation, appoint personnel to investigate, and/or appoint a committee comprised of no more than three members of the council to investigate and submit a report to the council as a whole for consideration. The person subject to the complaint should be encouraged to answer the allegations in the complaint in writing to be submitted to the party(s) conducting the investigation.

(c) The Council shall consider the merits of the complaint and any submitted reports, and shall make a determination as to the truth of the allegations and the disciplinary action, if any, to be imposed.

(d) Should the council sustain the allegations in a complaint, it may, by majority vote of those present at a meeting called for such purpose, take the following actions:

- (1) Issue a statement finding the complaint to be without merit, brought for the purpose of harassment, or brought in bad faith;
- (2) Issue a letter of admonition or reprimand;
- (3) Remove from office the offending officer, other than a member of the council, for serious or repeated violations;
- (4) Issue a censure if the council finds that serious or repeated violations have been committed intentionally by a member of the council.

(e) Deliberations and decisions of the council on complaints pertaining to another councilmember shall be conducted without the participation of the subject member.

(f) The decision of the council on a complaint shall be final and binding, and no appeal may be taken therefrom.”

**SECTION 3:** That all ordinances of the City of Rowlett in conflict with the provisions of this ordinance be and the same are hereby repealed and all other ordinances of the City of Rowlett not in conflict with the provisions of this ordinance shall remain in full force and effect.

**SECTION 4:** That an offense committed before the effective date of this ordinance is governed by the prior law and the provisions of the Code of Ordinances and ordinances of the City, as amended, in effect when the offense was committed and the former law is continued in effect for this purpose.

**SECTION 5:** If any section, paragraph, sentence, subdivision, clause, phrase or provision of this ordinance be adjudged or held to be unconstitutional, illegal, or invalid, the same shall not affect the validity of this ordinance as a whole or any part or provision hereof other than the part so decided to be unconstitutional, illegal, or invalid and shall not affect the validity of the remainder of this ordinance

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or any other provision of the ordinances of the City of Rowlett.

**SECTION 6:** That this ordinance shall take effect immediately from and after its passage and the publication of the caption as the law and Charter in such cases provides.

At a meeting of the City Council on December 15, 2020 this Resolution be adopted. The motion carried by the following vote:

**Ayes: 7** Mayor Dana-Bashian, Mayor Pro Tem Grubisich, Deputy Mayor Pro Tem Bell, Councilmember Margolis, Councilmember Sherrill, Councilmember Laning and Councilmember Brown

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Approved by *Tammy Sue Bassler*  
Mayor

Date December 15, 2020

Approved to form by *David M. Berman*  
City Attorney

Date December 15, 2020

Certified by *Saura Hallmark*  
City Secretary

Date December 15, 2020



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