

**An Ordinance of the City of Plano, Texas, amending Section 2-98(d), Additional Standards – Political Activity - Employees, of Article IV, Code of Conduct, of Chapter 2, Administration, of the Code of Ordinances of the City of Plano, Texas; adding a prohibition against Council Members using their position or title in endorsement of City Council candidates in city elections; and providing a repealer clause, a severability clause, a savings clause, and an effective date.**

**WHEREAS**, by Ordinance 2017-6-12 the City Council established the standards of conduct for officers and employees; and

**WHEREAS**, Section 2-98(d) of the City Code of Ordinances (the City Code) provides additional standards for political activity of employees; and

**WHEREAS**, it is in the best interests of the City of Plano to add a prohibition against Council Members using their position or title in endorsement of City Council candidates in city elections to City Code, Section 2-98(d); and

**WHEREAS**, upon full review and consideration of all matters related and attendant thereto, the City Council is of the opinion that City Code Section 2-98(d), Additional Standards – Political Activity, of Article IV, Code of Conduct, of Chapter 2, Administration, of the Code of Ordinances of the City of Plano, Texas should be further amended as provided herein.

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

**Section I.** Section 2-98(d), Additional Standards – Political Activity, of Article IV, Code of Conduct, of Chapter 2, Administration, of the Code of Ordinances of the City of Plano, Texas, is hereby amended and it shall read as follows:

“Sec. 2-98. Standards of conduct – Officers and employees.

(d). Additional Standards – Political Activity – City Council and Employees.

State law imposes limitations on the political activities of employees and officers. Additionally, employees are prohibited from using the influence or prestige of their position or title in an endorsement of or opposition to any candidate for elective office and/or engaging or participating in political activity or campaigns while in uniform and/or on duty. City Council Members are prohibited from using their position or title in endorsement of City Council candidates in city elections. Except as limited by state law, all employees and City Council Members are encouraged to participate in all local, state and national elections and in any political process as a private citizen.”

**Section II.** It is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses, and phrases of this Ordinance are severable, and if any phrase, clause, sentence, or section of this Ordinance shall be declared unconstitutional or invalid by any court of competent jurisdiction, such unconstitutionality or invalidity shall not affect any other remaining phrase, clause, sentence, paragraph or section of this Ordinance.

**Section III.** All provisions of the Code of Ordinances of the City of Plano, codified or uncoded, in conflict with the provisions of this Ordinance are hereby repealed, and all other provisions of the Code of Ordinances of the City of Plano, codified or uncoded, not in conflict with the provisions of this Ordinance shall remain in full force and effect.

**Section IV.** The repeal of any Ordinance or part of Ordinances effectuated by the enactment of this Ordinance shall not be construed as abandoning any action now pending under or by virtue of such Ordinance or as discontinuing, abating, modifying or altering any penalty accruing or to accrue, or as affecting any rights of the municipality under any section or provisions at the time of passage of this ordinance.

**Section V.** This Ordinance shall become effective immediately upon its passage.

**DULY PASSED AND APPROVED** this the 9<sup>th</sup> day of August, 2021.

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John B. Muns, MAYOR

ATTEST:

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Lisa C. Henderson, CITY SECRETARY

APPROVED AS TO FORM:

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Paige Mims, CITY ATTORNEY