



# Home Rule Charter

## City of Richland Hills, Texas

Adopted: August 11, 1986

Amended: May 3, 1993  
May 9, 1995  
November 5, 2013  
May 6, 2023

## **PREAMBLE**

Good government can only be defined as that which is wholly and justly participated in by the people who are under its jurisdiction. For that purpose the people of Richland Hills, Texas, in exercising their rights of self-government, do ordain and adopt the provisions set forth in the ensuing Charter of this City as a step of progress by the people of Richland Hills.

CHARTER OF THE  
CITY OF RICHLAND HILLS, TEXAS

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# RICHLAND HILLS CHARTER CHART 2023

## ARTICLE I. – CORPORATE NAME

### Sec. 1.01. – Corporate Name.

All the Citizens of the City of Richland Hills, Tarrant County, Texas, as the boundaries and limits of said City are herein established, shall be a body politic, incorporated under and to be known by the name and style of the City of "Richland Hills" with such powers, rights and duties as are herein provided

## ARTICLE II. – BOUNDARIES AND LIMITS

### Sec. 2.01. – Boundaries and Limits.

The boundaries and limits of the City of Richland Hills, until changed in the manner herein provided, shall be the same as have heretofore been established and now exist on the Official City Map on file with the City Secretary.

## ARTICLE III. – FORM OF GOVERNMENT

### Sec. 3.01. – Form of Government.

The municipal government provided by this Charter shall be known as the "Council-Manager Government" pursuant to its provisions and subject only to the limitations imposed by the State Constitution and Statutes, all powers of the City shall be exercised in the manner prescribed by this Charter, or if the manner be not prescribed then in such manner as may be prescribed by Ordinance.

## ARTICLE IV. – ENUMERATED POWERS

### Sec. 4.01. – Enumerated powers.

The enumeration of particular powers by this Charter shall not be held or deemed to be exclusive, but, in addition to the powers enumerated therein or implied thereby, or appropriate to the exercise of such powers, it is intended that the City shall have, and may exercise, all powers of local self-government, and all powers enumerated in the Constitution and laws of the State of Texas. All powers of the City, whether expressed or implied, shall be exercised in the manner prescribed herein, or when not prescribed herein, then in the manner provided by the laws of Texas relating to cities and towns. The City shall have the power to cooperate with the Federal Government and its agencies, with the State Government and its agencies, and with any political subdivision, or agency thereof.

## ARTICLE V. – CITY COUNCIL

### Sec. 5.01. – City Council.

- A. The governing body of the City shall consist of a City Council composed of a Mayor and six (6) Councilmembers.
- B. The Mayor and Councilmembers shall be elected from the City at large. The other members of Council shall be elected to the office at large, but by specific place, which shall be designated as Places One, Two, Three, Four, Five and Six.
- C. The Mayor and members of the City Council shall be elected for terms of three (3) years and shall hold office until their respective successors have been elected and qualified. Two (2) members shall be elected at the regular election held annually on the first Saturday in May, except every third year where the Mayor and two councilmembers shall be elected, unless the Council designates an alternative date allowed by State law at least six (6) months prior to the regular election. In order to affect a transition to three (3) year terms upon the adoption of the Charter, elections shall be held as follows:
  - a. The Mayor and Place 2 and Place 4 shall fulfill their two-year terms and be elected to three (3) year terms upon expiration of the current term in 2024.
  - b. Place 1 shall be elected to three (3) year terms upon the expiration of the current two-year term in 2025.
  - c. The current terms of Place 3 and Place 5 shall be extended one (1) year to expire in 2026, at which time Place 3 and Place 5 shall be elected to a three (3) year term.
  - d. If approved, Place 6 shall be elected or appointed to serve for a two-year term to expire in 2025, at which time Place 6 shall be elected to a three (3) year term.

### Sec. 5.02. – Qualifications.

Each of the six Councilmembers and Mayor shall, on the date of the election, be at least twenty-one (21) years of age, a citizen of the United States of America and a registered, qualified voter of the State of Texas; shall reside and shall have resided for at least one year preceding the election for which they are a candidate, within the corporate limits of Richland Hills; and shall not be disqualified by reason of any provision of any other section of this Charter. A person who does not possess each of the above qualifications at the time of his/her filing as a candidate shall not be eligible to be elected to the Council. A member of the Council ceasing to possess any of the qualifications specified in this section or any other section of this Charter, or convicted of a felony while in office, shall immediately vacate his/her office. No Councilmember shall hold any other public office except that of Notary Public, a member of the National Guard or any Military Reserve, or a retired member of the Armed Services.

### Sec. 5.03. – Election.

The regular municipal elections of the City of Richland Hills shall be held on the May uniform election day of each year or as otherwise provided by state law and shall be conducted in accordance with State law. Elections shall be governed in compliance with the Texas Election Code, as amended.

**Sec. 5.04. – Election Judges and Other Election Officials.**

The election judges, and other election officials for conducting all City elections, shall be appointed by the City Council or as provided by the Texas Election Code. The election judges shall conduct the elections, determine, record and report the results as provided by the election laws of Texas.

**Sec. 5.05. – Judge of Election.**

The City Council shall be the judge of the election and qualification of its own members and of the Mayor, subject to the courts in the case of contest. The City Council shall, as soon as practical after the election, in compliance with the Texas Election Code, as amended, canvass the returns and declare the results of such election. If such election results in a candidate not receiving a majority of votes cast for that office, the City shall order a runoff election to be held in compliance with the Texas Election Code, as amended. In the event one of the candidates of the first election withdraws or dies, a second election shall not be held for that office, and the other candidate for such office shall be declared elected, and shall be seated.

**Sec. 5.06. - Vacancies.**

In the event of a vacancy from any cause in the office of Mayor or Councilmember with three-year terms, and an unexpired term greater than 12 months, the City Council shall order a special election called for the purpose of filling the vacancy within one hundred and twenty (120) days after such vacancy or vacancies. However, if a vacancy occurs in the office of Mayor or Councilmember with an unexpired term of 12 months or less, the City Council may call a special election to fill the vacancy or may, by majority vote of the Council present, appoint a person to fill such vacancy until the expiration of the office to be filled, if permitted by the Texas Constitution.

In the event of a vacancy from any cause in the office of Mayor or Councilmember with two-year terms, the City Council may call a special election to fill the vacancy or may, by majority vote of Council present, appoint a person to fill such vacancy until the expiration of the office to be filled, if permitted by the Texas Constitution.

**Sec. 5.07. – City Council Meetings.**

The City Council shall meet a minimum of one (1) time per month and more as needed.

**Sec. 5.08. – Absence of Mayor and Councilmembers.**

- A. If the Mayor or a Councilmember has four (4) unexcused absences from a regular city council meeting in a term, the Mayor or Councilmember may be removed from office by a vote of majority of the City Council. If removed, the City Council shall declare the office vacant and proceed to fill the office as in the case of other vacancies.
  
- B. At each regular meeting from which the Mayor or a Councilmember is absent, the City Council shall determine whether the absence is excused.



**Sec. 5.09. – Limitations on Successive Terms**

- A. A council member who has served as a council member, regardless of place, for three (3) consecutive terms, shall not again be eligible to become a candidate for or to serve as a council member until the next general election after the third consecutive term has expired. This shall not prevent a council member from becoming a candidate for mayor upon expiration of the third consecutive term as a council member.
- B. A mayor who has served as mayor for three (3) consecutive terms as mayor shall not again be eligible to become a candidate for or to serve as mayor until the next general election after the third consecutive term has expired. This shall not prevent a mayor from becoming a candidate for council member upon expiration of the third consecutive term as mayor.

A person who has served eighteen (18) consecutive years on the council, in any combination of years spent as mayor or council member, shall not again be eligible to become a candidate for or to serve as mayor or council member until the next general election after the expiration of the term completing the eighteen (18) year period.

**Sec. 5.10. – Compensation.**

The City Councilmembers and Mayor each shall be allowed, for incidental expenses, the sum of Ten Dollars (\$10.00) per meeting and such designated actual expenses supported in writing which shall have been presented to the City Council and received approval.

**ARTICLE VI. – POWERS AND DUTIES OF OFFICERS**

**Sec. 6.01. – Powers of the Council.**

All powers and authority which are expressly or explicitly conferred on or possessed by the City shall be vested in and exercised by the City Council, provided however, that the Council shall have no power to exercise those powers which are expressly conferred upon other City officers by this Charter.

**Sec. 6.02. – Duties of Mayor-Mayor Pro Tem.**

(a) The Mayor of the City of Richland Hills:

- (1) Shall preside over the meetings of the City Council and perform such other duties consistent with the office as may be imposed upon the Mayor by this Charter and the ordinances and resolutions passed pursuant thereto.
- (2) May participate in the discussion of all matters coming before the Council and shall be entitled to vote on all matters, but shall have no veto power.
- (3) Shall sign all contracts and conveyances made or entered into by the City that require Council approval and all bonds issued under the provisions of this Charter.
- (4) Shall be the chief executive officer of the City.
- (5) May, in time of danger or emergency, in accordance with the Texas Disaster Act of 1975, V.T.C.A., Government Code Ch. 418, take command of the police and other departments and govern the City by proclamation and maintain order and enforce all laws. The Mayor's actions may not be continued or renewed for a period in excess of seven (7) days except by or with the consent of the City Council.

(b) The Mayor Pro Tem shall be elected from among the members of the six (6) Councilmembers; shall be elected at the first regular meeting following the general City election, and shall, in the absence or disability of the Mayor, perform all the Mayor's duties.

### **Sec. 6.03. – Powers and Duties of City Council.**

The powers and duties herein conferred upon the City Council shall include but shall not be limited to the following:

- (1) To appoint and remove the City Manager, City Secretary, City Attorney, Municipal Judge and relief Municipal Judges, and other such employees required by State law to be appointed by the City Council.
- (2) To adopt the budget of the City.
- (3) To authorize the issuance of:
  - A. Bonds by a bond ordinance;
  - B. Certificates of obligation subject to notice, petition, and election provisions provided within V.T.C.A., Local Government Code § 271.041, the Certificate of Obligation Act.
- (4) To inquire into the conduct of any office, department, or agency of the City and direct the City Manager to make investigation as to municipal affairs.
- (5) To appoint commissions, boards, committees, task forces, and/or appointed groups to assist the Council in performance of its duties and responsibilities, such powers subject to the restrictions of the Charter and the laws of the State of Texas.
- (6) To adopt plats.
- (7) To adopt and modify the official map of the City.
- (8) To provide for the establishment and designations of fire limits and to prescribe the kind and character of buildings or structures or improvements to be erected therein, and provide for the condemnation of dangerous structures or buildings or dilapidated buildings, calculated to increase the fire hazard, and the manner of their removal or destruction.
- (9) To fix the salaries and compensation for the appointed City officers.
- (10) To provide for sanitary sewer and water system.
- (11) All other powers and authority, including determination of all matters of policy, which are expressly or by implication conferred on or possessed by the City, shall be vested in and exercised by the Council; provided, however, that the Council shall have no authority to exercise those powers that are expressly conferred upon other City officers by this Charter.

### **Sec. 6.04. – Appointment or Removal by City Council.**

Neither the Council nor any of its members shall direct or request the appointment of any person to, or their removal from, office by the City Manager or by any of their subordinates, or in any manner take part in the appointment or removal of officers and employees in the administrative service of the City. Except for the purpose of inquiry, the Council and its members shall deal with the administrative service solely through the City Manager and neither the Council nor any member thereof shall give orders to any subordinates of the City Manager, either publicly or privately. Any Councilmember violating the provisions of this Section shall be guilty of a Class C misdemeanor and fined not in excess of \$200.00, and, if so convicted, shall cease to be a Councilmember.

## ARTICLE VII. - ADMINISTRATION

### **Sec. 7.01. – City Manager.**

(a) **Appointments and qualifications.** The Council shall appoint a City Manager who shall be the chief administrative officer of the City, and shall be responsible to the Council for the administration of all the affairs of the City. The City Manager shall be chosen by the Council solely on the basis of their executive and administrative training, education, experience, ability, and character, and need not, when appointed, be a resident of the City. No member of the City Council shall, during the time for which they are elected and for two (2) years thereafter, be appointed City Manager.

(b) **Term and salary.** The City Manager shall be appointed by the affirmative vote of five (5) members of the City Council, and may be removed at the will and pleasure of the Council by the affirmative vote of five (5) members of the Council. The action of the Council in suspending or removing the City Manager shall be final; it being the intention of this Charter to vest all authority and fix all responsibility of such suspension or removal in the Council. In case of absence or disability to the City Manager, the Council may designate some qualified person, other than an elected officer of the City, to perform the duties of the office during such absence or disability. The City Manager shall receive such compensation as may be fixed by the Council.

(c) **Powers and duties of the City Manager.** The powers herein conferred upon the City Manager shall include but shall not be limited to the following:

(1) Appoint and remove any officer or employee of the City except those officers and employees whose appointment or election is otherwise provided for by law or this Charter.

(2) Direct and supervise the administration of all departments, offices and agencies of the City, except as otherwise provided by law or this Charter.

(3) See that all State laws and City ordinances are effectively enforced.

(4) Prepare and submit the annual budget and a five (5) year capital improvement program to the Council as prescribed in Article XII of the Charter.

(5) Submit to the Council monthly a report thereof on the finances and administrative activities of the City and a complete report at the end of each fiscal year.

(6) Attend all meetings of the Council, except when excused by the Council.

(7) Provide each department head with a financial report of his department monthly.

(8) Provide for an employee grievance system as approved by the Council.

(9) Perform such other duties as may be prescribed by this Charter or required of him by the Council, not inconsistent with provisions of this Charter.

### **Sec. 7.02. – Appointment and Removal of City Secretary.**

The City Council shall appoint or remove the City Secretary with approval of a majority of the Council. The City Secretary shall give notice of Council meetings, shall keep the minutes of the proceedings of such meetings, shall authenticate by his/her signature and record in full, in a book kept and indexed for that purpose, all ordinances and resolutions, and shall perform such other duties as the City Council shall assign to him/her and those elsewhere provided for in this Charter, and shall keep and affix the City seal to all official documents.

### **Sec. 7.03. - Appointment and Removal of City Attorney.**

- (a) The City Attorney shall be appointed by a majority vote of the City Council. The City Council may remove the City Attorney at any time upon the affirmative vote of a majority of all its members.
- (b) The City Attorney shall:
  - 1. Serve as the legal advisor to the Council and City Manager;
  - 2. Represent the City in litigation and legal proceedings as directed by the Council and City Manager;
  - 3. Review and provide opinions as requested by Council or the City Manager on contracts, legal instruments, and ordinances of the City; and
  - 4. Perform other duties prescribed by this Charter, by ordinance, or as directed by the Council or City Manager.
- (c) The Council may contract with an attorney or with a firm of attorneys who may designate one (1) member of said firm, with Council approval, to serve as City Attorney.
- (d) Compensation shall be fixed by contract with the approval of Council or by appointment subject to the approval of Council.
- (e) Council shall have the right to retain separate counsel at any time that it may deem necessary and appropriate.

## **ARTICLE VII(A). – MUNICIPAL COURT**

### **Sec. 7(A).01. – Municipal Court of Record.**

There shall be a court known as the Richland Hills Municipal Court of Record, with such jurisdiction, powers and duties as are given and prescribed by the laws of the State of Texas for municipal courts of record. The City Council shall be empowered to create by ordinance additional municipal courts of record if it finds that such additional courts are necessary to dispose properly of the cases arising in the City.

(1) *Judge of the Municipal Court of Record.* The Municipal Court of Record shall be presided over by a Magistrate who shall be known as the Municipal Judge. The Municipal Judge shall be a competent and duly licensed attorney in good standing who practices law in Tarrant County, Texas. The Municipal Judge may not serve as such while holding any other office or employment with the City of Richland Hills, Texas. The Municipal Judge shall be appointed by the City Council for a two-year term.

(2) *Vacancies: Temporary replacement; removal.*

A. If a vacancy occurs in the office of Municipal Judge of the Richland Hills Municipal Court of Record, the City Council shall appoint a qualified person to fill the office for the remainder of the unexpired term.

B. The City Council may appoint persons as Associate Judges. An Associate Judge must meet the qualifications prescribed for the Municipal Judge. The Municipal Judge may assign a relief judge to act for the Municipal Judge if they are temporarily unable to act for any reason. An Associate Judge has all the powers and duties of the office while so acting.

C. The Municipal Judge may be removed after written notice and an opportunity to be heard before the Council.

(3) *Clerk of the Municipal Court of Record.* There shall be a Clerk of the Municipal Court of Record who shall be appointed by the City Manager, and who shall be known as the municipal clerk. The clerk shall have the power to administer oaths and affidavits, make certificates, affix the seal of the court thereto, and otherwise perform any and all acts necessary in issuing process of the Richland Hills Municipal Court of Record and conducting

business thereof. The municipal clerk shall also perform such duties as are specified to be performed by the municipal clerk under the general laws of the State of Texas governing municipal courts or, more specifically, municipal courts of record. The municipal clerk shall perform any other duties as specified by the City Manager. With the consent of the City Manager, the clerk may appoint one or more deputy clerks to act for the clerk. The City Manager shall provide the courts with other municipal court personnel that the City Manager determines necessary for the proper operation of the court. Those persons shall perform their duties under the direction and control of the clerk or the Municipal Judge to whom assigned.

(4) *Procedure in the Municipal Court of Record.* All complaints, prosecutions, the service of process, commitment of those convicted of offenses, the collection and payment of fines, the attendance and service of witnesses and juries, punishment for contempt, bail, and taking of bonds shall be governed by the Code of Criminal Procedure and the general laws of the State of Texas applicable to municipal courts or, more specifically, to municipal courts of record.

**State Law reference—** Municipal court of record, V.T.C.A., Government Code § 30.481, *et seq.*

## ARTICLE VIII. – PUBLIC UTILITIES

### Sec. 8.01. – City Ownership and Operation Thereof.

(a) *General.* The City shall have power to build, construct, purchase, own, lease, maintain, and operate, within or without the City limits, light and power systems, water systems, sewer systems or sanitary disposal equipment and appliances, natural gas systems, park and swimming pools, fertilizer plants, and any other public service or utility; power to mortgage and encumber such system or systems in the manner provided in Article Chapter 552 of the Texas Local Government Code, as amended, and any other laws of the State of Texas applicable thereto; and all the powers which the City might exercise in connection with such public utilities and public services under Chapter 552 of the Texas Local Government Code, and any amendment thereto, now or hereafter in effect, as well as under any other general laws of the State of Texas pertinent or applicable thereto, including the power to demand and receive compensation for service furnished for private purposes, or otherwise, and with full and complete power and right of eminent domain proper and necessary to efficiently carry out said objects.

(b) *Power to contract for public utilities.* The City is authorized to enter into contracts or leases with individuals, corporations, partnerships, or other municipal corporations, for furnishing in whole or in part any public utility or portions of public utility systems that might be needed by the City or the citizens of the City. The consideration for such contracts or leases may in the discretion of the City Council be paid by the City or prorated to the individual users of the utility covered by such contract or lease; or to permit individuals, corporations, partnerships, or other municipal corporations to furnish in whole or in part any public utility or portion of any public utility direct to the citizens of the City on such terms as the City may direct.

(c) *Right to purchase commodities or services essential to the city or its citizens.* The City shall have the power to purchase electricity, gas, oil, or any other article, commodity, or service essential to a proper conduct of all the affairs of the City, and of its inhabitants on such terms as the City Council may deem proper, for sale and distribution to the inhabitants of the City or adjacent territory.

**State Law reference—** Power to franchise, Texas Local Government Code, Chapter 51.

**Sec. 8.02. – Regulation of Public Utilities.**

(a) The City Council shall have the power by ordinance, after notice to the utility and hearing before the Council, to fix and regulate charges, fares, or rates of compensation to be charged by any person, firm, or corporation enjoying a franchise in the City, or engaged in furnishing a public utility service in the City, including cable television and shall in determining, finding, and regulating such charges, fares, or rates of compensation, base the same upon the fair value of the property of such person, firm, or corporation devoted to furnishing service to such City or the inhabitants thereof. The City Council may prescribe the character, quality, and efficiency of service to be rendered, and shall have the power to regulate and require the extension of adequate lines or service of such public utility within such City by such person, firm, or corporation, taking into consideration the cost to the utility, and from time to time may alter or change such rules, regulations, and compensation, provided that, in adopting such regulations and in fixing or changing such compensation, or determining the reasonableness thereof, no stock or bonds authorized or issued by any corporation enjoying such franchise shall be considered unless on proof that the same have been actually issued by the corporation for money paid and used for the development of the corporate property, labor done or property actually received in accordance with the laws and Constitution of this State applicable thereto. In order to ascertain all facts necessary for a proper understanding of what is or should be a reasonable rate of regulation, the City Council shall have full power to inspect the books of any such utility serving the inhabitants of the City and compel production of records and the attendance of witnesses for such purpose.

(b) Any company, corporation, or person engaged in furnishing to the inhabitants of the City any light, power, gas, telephone, transit, cable television, or other public utility services, may be required at any time by ordinance or resolution of the City Council to file with the City Council written reports pertaining to operations and business within the City, and such report shall contain such data, facts, and information as may be required by such ordinance or resolution, under the same standards and rules of the State Public Utility Commission and other rules not inconsistent therewith.

In addition to the foregoing powers, the City shall have all the powers and privileges provided for by Chapter 51 of the Texas Local Government Code, as amended, in regulating public utilities.

**State Law reference—** Authority to regulate electric utilities, V.T.C.A., Utilities Code § 33.001, *et seq.*

**ARTICLE IX. – CONTRACTS**

**Sec. 9.01. - General.**

All contracts that the City has at the time of the adoption of this Charter shall remain in full force and effect. This provision shall include, but not be limited to, all bonded indebtedness, franchises, contracts for professional services, contracts for improvements, lease contracts, or any other agreement binding upon the City of Richland Hills, Texas, immediately prior to the adoption of this Charter.

**Sec. 9.02. – Goods, Materials, Services or Supplies.**

(a) The City Council may, by ordinance, give the City Manager general authority to contract for expenditures without further approval of the City Council for all budgeted items not exceeding limits set by the City Council within the ordinance.

(b) All contracts for expenditures or purchases involving more than the set limits must be expressly approved in advance by the City Council.

(c) All contracts or purchases involving more than the limits set by Council shall be awarded by the City Council in accordance with state law.

**State Law reference—** Purchases and contracts, V.T.C.A., Local Government Code § 252.001, *et seq.*

**Sec. 9.03. – Franchises and Special Privileges.**

(a) The right to control, easement, use, and ownership and title to the streets, highways, public thoroughfares, and property of the City, its avenues, parks, bridges, and all other public places and property, are hereby declared to be inalienable. No franchise on any City property shall be granted except by ordinance duly passed by five-sevenths (5/7) affirmative votes of the entire City Council.

(b) No grant of any franchise or lease, or right to use the same, either on, through, along, across, under, or over the same, by any private corporation, association, or individual shall be granted by the City Council for a longer period than twenty-five (25) years, unless submitted to the vote of the legally qualified voters of the City in the manner provided for in Section 282.003 of the Texas Local Government Code in conjunction with Chapter 311, Subchapter D of the Texas Transportation Code, the expense of such election to be borne by the applicant.

(c) The City Council may, of its own motion, submit all of such applications, to an election at which the people shall vote upon the proposition therein submitted, the expense of such election in all cases to be borne by the applicant.

(d) No franchise shall ever be granted until it has been approved by majority of the City Council, nor shall any such franchise, grant, or privilege ever be made unless it provides for adequate compensation or consideration therefor to be paid to the City.

(e) Every such franchise or grant shall make adequate provision, by way of forfeiture of the grant or otherwise, to secure efficiency of public service at reasonable rate and to maintain the property devoted to the public service in good repair throughout the term of grant of said franchise.

(f) No franchise grant shall ever be exclusive.

(g) The City Council may prescribe the forms and methods of the keeping of accounts of any grantees under franchise, provided that the forms and methods of keeping such accounts have not already been prescribed by a State or Federal law or agency.

**ARTICLE X. – OWNERSHIP OF REAL OR PERSONAL PROPERTY**

**Sec. 10.01. – Acquisition of Property.**

(a) The City shall have the power and authority to acquire by purchase, gift, devise, deed, condemnation, or otherwise, any character or property, within or without its municipal boundaries, including any charitable or trust funds.

(b) Specifically, but without limitation of the foregoing, the City shall have full power and authority to acquire through the exercise of eminent domain, or by purchase, or otherwise, and maintain and operate, any part or all of any water works system, sewerage system, or other public utility

used in serving citizens of the City. Such power and authority shall include that specified in Chapter 51 of the Texas Local Government Code as now existing or as hereafter amended, and any common law or other statutory law applicable thereto, and such power and authority shall not be limited by any such specific statutory provisions. Such power and authority shall include the right to acquire by eminent domain or purchase from any person, firm, or corporation any part or all of the physical properties, easements, franchises, and other tangible and intangible properties and rights that may be in use as an operating utility business. Such power and authority shall include the right to acquire by eminent domain or purchase an undivided interest in any easements or facilities that may be in use to serve any other community and shall also include the right to acquire by eminent domain or purchase any properties located outside of the corporate boundaries of the City if needed by the City in operation of such utility system

**Sec. 10.02. – Real Estate, etc., Owned by the City.**

All real estate owned in fee simple title, or held by lease, sufferance, easement, or otherwise; all public buildings, fire stations, parks, streets and alleys, and all property, whether real or personal, of whatever kind, character or description, now owned or controlled by the City, shall vest in, inure to, remain, and be the property of said City under this Charter; and all causes of action, chooses in action, rights or privileges of every kind and character, and all property of whatsoever character or description which may have been held, and is now held, controlled or used by said City for public uses, or in trust for the public, shall vest in and remain and inure to the City under this Charter, and all contracts, suits and pending actions to which the City heretofore was or now is a party, plaintiff or defendant, shall in no way be affected or terminated by the adoption of this Charter, but shall continue unabated.

**ARTICLE XI. – STREETS AND ALLEYS**

**Sec. 11.01. – Street Powers.**

The City shall have exclusive control of all alleys, streets, gutters, and sidewalks situated within the City, and the power to lay out, establish, open, alter, extend, widen, straighten, abandon, close, lower, grade, narrow, care for, supervise, maintain, and improve any public street, alley, avenue, boulevard, or public thoroughfare and for any such purposes to acquire the necessary lands and to appropriate the same under the power of eminent domain. The City shall also have the power to name or rename, vacate and abandon and sell and convey in fee that portion of any street, alley, avenue, boulevard, or other public thoroughfare or public grounds, and to convey in fee the same in exchange for other lands, over which any street, alley, avenue, boulevard, or public thoroughfare may be laid out, established, and opened; and the City's right to sell and dispose of in fee any part of a street, alley, avenue, boulevard or public thoroughfare so vacated and abandoned, or the City's right to convey same in exchange for other lands to be used in laying out, opening, widening, and straightening any street, shall never be questioned in any of the Courts of this State. The procedure for closing streets and alleys shall be in conformity with due process of law and shall be particularly prescribed and provided for by ordinance passed in the usual manner by the City Council.



## ARTICLE XII. – FINANCE: BUDGET

### **Sec. 12.01. – Preparation and Submission.**

The City Manager, or their designee, shall submit a proposed City budget for the ensuing fiscal year to the City Council in compliance with the timelines outlined in Chapter 102 of the Texas Local Government Code, as amended. From its date of submission, the proposed budget shall be a public record.

### **Sec. 12.02. – Hearing.**

The City Council shall hold a public hearing on the budget as required by Chapter 102 of the Texas Local Government Code, as amended.

### **Sec. 12.03. – Adoption.**

After hearing, the City Council may make such changes as it deems proper in the proposed budget and adopt a final budget prior to the beginning of the budget year. All budget hearings and action on the budget shall be open to the public.

### **Sec. 12.04. - Effective Date.**

The budget shall go into effect on the first day of the budget year. Budget amendments must comply with Chapter 102 of the Texas Local Government Code.

### **Sec. 12.05. – Capital Improvement Plan.**

The City Manager shall include with the proposed budget a five (5) year capital improvement plan. Such plan, upon approval by the Council, shall serve as a guide for capital improvements of the City

### **Sec. 12.06. – Independent Audit.**

The Council shall cause an independent audit to be made of books and records of the City once yearly. The auditor shall be chosen by the City Council. The audit report will be open to inspection by any citizen and the original copy shall be kept as a permanent record of the City.

**State Law reference—** Audit required, V.T.C.A., Local Government Code § 103.001 *et seq.*

## ARTICLE XIII. – TAXATION

### **Sec. 13.01. – Property Subject to Taxation.**

All property, real, personal, or mixed, lying and being within the corporate limits of the City of Richland Hills on the first day of January, shall be subject to taxation, excepting such property as may be exempt from taxation under the Constitution, and the laws of the State of Texas.

**State Law reference—** Property taxes, V.T.C.A., Tax Code § 1.001 *et seq.*

### **Sec. 13.02. – Power to Tax.**

The governing body of the City shall have full power to provide by ordinance for the prompt collection of taxes assessed, levied, and imposed under the Charter, and is hereby authorized, and to that end may and shall have full power and authority to sell or cause to be sold all kinds of property, real and personal, and shall make such rules and regulations and ordain and pass all ordinances deemed necessary to the levying, laying, imposing, assessing, and collection of any taxes provided for in the Charter.

### **Sec. 13.03. – Exempt Property.**

There shall be exempt from taxation all property made exempt by the Constitution and laws of the State and the ordinances of the City.

### **Sec. 13.04. – Taxation of Franchise.**

All rights, privileges, and franchises heretofore or hereafter granted to and held by any person, firm, or corporation, in the streets, alleys, highways, or public grounds or places in said City, shall be subject to taxation by said City, separately from and in addition to the other assets of such person, firm, or corporation, and the governing body of the City may require the rendition and assessment thereof accordingly.

### **Sec. 13.05. – Limitation of Tax Rate.**

The maximum tax rate shall not exceed \$1.50 on the One Hundred Dollars (\$100.00) valuation of taxable property within the City.

### **Sec. 13.06. – Procedures.**

The procedure for assessment, levying, rendition, penalties, and collection of taxes shall be governed by the laws of the State of Texas.

## ARTICLE XIV. – PLANNING AND BUILDING REGULATIONS

### 14.01 Boards and Commissions

The City Council shall create, establish, or appoint, as may be required by the laws of the State of Texas or this Charter, or deemed desirable by Council, such boards, commissions, and committees as it deems necessary to carry out the functions and obligations of the City. Council shall, by ordinance or resolution, prescribe the purpose, composition, function, duties, accountability, and tenure of each board, commission, and committee where such are not prescribed by law or this Charter.

### Sec. 14.02. – Master Plan.

The Master Plan for the City shall contain the Planning and Zoning Commission's recommendations for the growth, development, and beautification of the City. Amendments thereto will be approved by the said Commission. The Master Plan shall serve as a general guide for the development of the City.

### Sec. 14.03. – Legal Effect of the Master Plan.

Upon the adoption of a Master Plan by the City Council, no subdivision, street, park, or any public way, ground or space, public building or structure, or public utility whether publicly or privately owned, which is in conflict with the Master Plan shall be constructed or authorized by the City Council until and unless the location and extent thereof shall have been submitted to and approved by the Commission. In case of disapproval, the Commission shall communicate its reasons to the Council, which shall have the power to overrule such disapproval, and upon such overruling, the Council shall have the power to proceed. The widening, narrowing, relocating, vacating or change in the use of any street, alley or public way, or ground or the sale of any public building, if real property, shall be subject to similar submission and approval by the Planning and Zoning Commission, and failure to approve may be similarly overruled by the City Council.

## ARTICLE XV. – RECALL OF OFFICERS

### Sec. 15.01. – Scope of Recall.

Any City official elected by the people shall be subject to recall and removal from office by the qualified voters of the City on grounds of misconduct or malfeasance in office.

### Sec. 15.02. – Petition for Recall.

Before the question of recall of such officer shall be submitted to the qualified voters of the City, a petition demanding such question to be so submitted shall first be filed with the person performing the duties of City Secretary; which said petition shall be signed by qualified voters of the City equal in number to at least twenty-five percent (25%) of the number of votes cast at the last regular municipal election of the City, but in no event, less than 250 such petitioners. Petitions must comply with Texas Election Code, Chapter 277, as amended.

**Sec. 15.03. – Form of Recall Petition.**

The recall petition mentioned in [Section 15.02](#) of this Article must be addressed to the City Council of the City of Richland Hills, must distinctly and specifically point out the ground or grounds upon which such petition for removal is predicated, and shall specifically state the facts supporting each ground with such certainty as to give the officer sought to be removed, notice of the matters and things with which he is charged. Each signature page shall be verified by oath in the following form at the bottom of said page:

EXPAND

STATE OF TEXAS	X
COUNTY OF TARRANT	X

I, \_\_\_\_\_, being first duly sworn on oath depose and say that I am one of the signers of the above petition; and that the statements made therein are true, and that each signature appearing thereto was made in my presence on the day and date it purports to have been made, and I solemnly swear that the same is the genuine signature of the person whose name it purports to be. Sworn and subscribed to before me this \_\_\_\_\_ day of \_\_\_\_\_, [20](#)\_\_\_\_\_.

Notary Public, STATE OF TEXAS

**Sec. 15.04. – Various Papers Constituting Petition.**

The petition may consist of one or more copies, circulated separately, and the signatures thereto may be upon the paper or papers containing the form of petition. Verifications provided for in the next preceding section of this Article may be made by one or more petitioners, and the several parts or copies of the petition may be filed separately and by different persons; but no signatures to such petition shall remain effective or be counted which were placed thereon more than forty-five (45) days prior to the filing of such petition or petitions with the person performing the duties of City Secretary. All papers comprising a recall petition shall be filed with the person performing the duties of City Secretary on the same day and the said Secretary shall immediately notify, in writing, the officer so sought to be removed, by mailing such notice to his Richland Hills address.

**Sec. 15.05. – Presentation of Petition to Council.**

Within fifteen (15) days after the date of the filing of the papers constituting the recall petition, the person performing the duties of City Secretary shall present such petition to the City Council of the City of Richland Hills at the first regular Council meeting held within said 15 day period. If no Council meeting is scheduled, there shall be a Special meeting called to receive said petition.

**Sec. 15.06. – Public Hearing to be Held.**

The officer whose removal is sought may, within fifteen (15) days after such recall petition has been presented to the City Council, request that a public hearing be held to permit him to present facts pertinent to the charges specified in the recall petition. In this event, the City Council shall order such public hearing to be held not less than five (5) days nor more than fifteen (15) days after receiving such request for a public hearing.

**Sec. 15.07. – Election to be Called.**

If the officer whose removal is sought does not resign, then it shall become the duty of the City Council to order an election and fix a date for holding such recall election, the date of which election shall be not less than forty-five (45) nor more than sixty (60) days from the date such petition was presented to the City Council, or from the date of the public hearing if one was held, subject to restrictions of the Texas Election Code.

**Sec. 15.08. – Ballots in Recall Election.**

Ballots used at recall election shall conform to the following requirements:

- (1) With respect to each person whose removal is sought, the question shall be submitted:

"Shall (name of person) be removed from the office of (name of office) by recall?"

- (2) Immediately below each question there shall be printed two following propositions, one above the other, in the order indicated:

"FOR the removal of (name of person) from office by recall"

"AGAINST the removal of (name of person) from office by recall"

**Sec. 15.09. – Result of Recall Election.**

If a majority of the votes cast concerning the recall of an individual officer at a recall election shall be against the recall of that officer, he shall continue in office for the remainder of his unexpired term, subject to recall as before. If a majority of the votes cast concerning the recall of an individual officer at such an election be for the recall of that officer, he shall, regardless of any technical defects in the recall petition, be deemed removed from office and the vacancy shall be filled as vacancies in the City Council are filled.

**Sec. 15.10. – Recall, Restriction Thereon.**

No recall petition shall be filed against any officer of the City of Richland Hills within six (6) months after his/her election, nor within six (6) months after an election for such officer's recall.

**Sec. 15.11. – Failure of City Council to Act.**

In case all the requirements of this Charter shall have been met and the City Council shall fail or refuse to receive the recall petition, or order such recall election or discharge any other duties imposed upon said City Council by the provision of this Charter with reference to such recall, then the County Judge of Tarrant County, Texas, shall discharge any of such duties herein provided to be discharged by the person performing the duties of the City Secretary or by the City Council. Any qualified voter of the City may seek judicial relief in the district court of Tarrant County in the event the Council fails to act when presented with a recall petition meeting the requirements of this Article.

**ARTICLE XVI. INITIATIVE AND REFERENDUM**

**Sec. 16.01. – General Power.**

The registered, qualified voters of the City of Richland Hills, in addition to the method of legislation herein before provided, shall have the power to direct legislation by initiative and referendum.

**Sec. 16.02. – [Procedure]**

(a) *Initiative.* Initiative power may be used to enact a new ordinance or to repeal or amend sections of an existing ordinance. Qualified voters of the City of Richland Hills may initiate legislation (except levying taxes, setting rates for services, adoption of a budget or capital improvement program, any ordinance related to zoning, issuance of bonds or notes, borrowing of money, salaries or duties of City officers or employees, matters related to administration of municipal employees, annexation, municipal boundary adjustments, any instance where a court of proper jurisdiction determines that the initiated ordinance has been removed from the field of initiative, or any subject where State law requires a public hearing) by submitting a petition addressed to the City Council which requests the submission of a proposed ordinance or resolution to a vote of the qualified voters of the City. Said petition must be signed by qualified voters of the City equal in number to 25% of the number of votes cast at the last regular municipal election of the City, or 250, whichever is greater, and each copy of the petition shall have attached to it a copy of the proposed legislation. The petition shall be signed in the same manner as recall petitions are signed in this Charter, and shall be verified by oath in the manner and form provided for recall petitions in this Charter. The petition may consist of one or more copies as permitted for recall petitions in this Charter. Such petitions shall be filed with the persons performing the duties of City Secretary, who, within five (5) days, shall present said petition and proposed ordinance or resolution to the City Council. Upon presentation of the petition and draft of the proposed ordinance or resolution to Council, it shall become the duty of the City Council, within the ten (10) days after the receipt thereof, to pass and adopt such ordinance or resolution without alteration as to meaning or effect in the opinion of the persons filing the petition, or to call a special election as soon as possible, subject to the Texas Election Code, which the qualified voters of the City of Richland Hills shall vote on the question of adopting or rejecting the proposed legislation. However, if any other municipal election is to be held within sixty (60) days after the filing of the petition, the question may be voted on at such election.

(b) *Referendum.* Registered, qualified voters of the City of Richland Hills may require that any ordinance or resolution passed by the City Council be submitted to the voters of the City for approval or disapproval, (except levying taxes, setting rates for services, adoption of a budget or capital improvement program, any ordinance related to zoning, issuance of bonds or notes, borrowing of money, salaries or duties of City officers or employees, matters related to administration of municipal employees, annexation, municipal boundary adjustments, any instance where a court of proper jurisdiction determines that the initiated ordinances has been removed from the field of initiative, or any subject where State law requires a public hearing) by submitting a petition for this purpose within forty-five (45) days after final passage of said resolution or within thirty (30) days after publication of such ordinance. Said petition must be signed by qualified voters of the City equal in number to 25% of the number of votes cast at the last regular municipal

election of the City, or 250, whichever is greater. Said petition shall be addressed, prepared, signed and verified by oath in the manner and form provided for recall petitions as provided in Sections 15.02 and 15.03, Article XV of this Charter, provided, however, the names on such petition shall also be of registered voters and shall be submitted to the person performing the duties of City Secretary. Within five (5) days upon the filing of such petition, the person performing the duties of City Secretary shall present said petition to the City Council. Thereupon the City Council shall, within ten (10) days, reconsider such ordinance or resolution and, if it does not entirely repeal the same, shall submit it to popular vote at a special election as soon as possible, subject to the Texas Election Code, at which time the registered, qualified voters of the City of Richland Hills shall vote on the question of adopting or rejecting the proposed question. However, if any other municipal election is to be held within sixty (60) days of the filing of the petition, the question may be voted on at such election. Pending the holding of such election, such ordinance or resolution shall be suspended from taking effect and shall not later take effect unless a majority of the registered, qualified voters voting thereon at such election shall vote in favor thereof.

(c) Any qualified voter of the City may seek judicial relief in the District Court of Tarrant County in the event the Council fails to act on an initiative or referendum petition meeting the requirements of this Article.

### **Sec. 16.03. – Voluntary Submission of Legislation by the Council.**

The City Council, upon its own motion and by majority vote of its members, may submit to popular vote at any election for adoption or rejection any proposed ordinance or resolution or measure, or may submit for repeal any existing ordinance, resolution or measure in the same manner and within the same force and effect as provided in Sections [16.02](#)(a) and (b) of this Article, and may, at its discretion, call a special election for this purpose.

### **Sec. 16.04. – Form of Ballots.**

The ballots used when voting upon such referred ordinances, resolutions or measures, shall set forth their nature sufficiently to identify them and shall also set forth upon separate lines the words:

"FOR the ORDINANCE," and "AGAINST the ORDINANCE," or

"FOR the RESOLUTION," and "AGAINST the RESOLUTION."

### **Sec. 16.05. – Publication of Proposed or Referred Ordinances.**

The person performing the duties of City Secretary shall publish at least once in the official newspaper of the City the proposed or referred ordinance or resolution within fifteen (15) days before the date of the election, and shall give such other notices and do such other things relative to such election as are required in general municipal elections or by the ordinance or resolution calling said election.

### **Sec. 16.06. – Adoption of Ordinances.**

If a majority of the registered, qualified voters voting on any proposed ordinance or resolution or measure shall vote in favor thereof, it shall thereupon, or at any time fixed therein, become effective as a law or as a mandatory order of the City Council.

**Sec. 16.07. – Inconsistent Ordinances.**

If the provisions of two or more proposed ordinances or resolutions approved at the same election are inconsistent, the ordinance or resolution receiving the highest number of votes shall prevail.

**Sec. 16.08. – Further Regulations by City Council.**

The City Council may pass ordinances or resolutions providing other and further regulations for carrying out the provisions of this Article not inconsistent herewith.

**Sec. 16.09. – Franchise Ordinances.**

Nothing contained in this Article shall be construed to be in conflict with any of the provisions of Article IX, [Section 9.04](#) of the Charter, pertaining to ordinances granting franchises when valuable rights shall have accrued thereunder.

**ARTICLE XVII. – GENERAL PROVISIONS**

**Sec. 17.01. – Continuity in Government.**

Any ordinance in effect at the time this Charter is adopted, and not otherwise in conflict with this Charter, which refers to some office or employment of the City which ceases to exist under this Charter, shall continue in force and the powers and duties therein prescribed shall be the powers and duties of the office of employment which under this Charter, succeeds to the same general powers and duties of such office or employment under some ordinance.

**Sec. 17.02. – Effect of Charter on Existing Law.**

All ordinances, resolutions, rules, and regulations in force in the City on the effective date of this Charter, and not in conflict with this Charter, shall remain in force until altered, amended, or repealed. All taxes, assessments, liens, encumbrances, and demands, of or against the City, fixed or established before such date, or for the fixing or establishing of which proceedings have begun at such date, shall be valid when properly fixed or established either under the law in force at the time of beginning of such proceedings or under the law after the adoption of this Charter.

**Sec. 17.03. – Official Oath.**

All officers of the City shall, before entering upon the duties of their respective offices, take and subscribe to the official oath prescribed in the Constitution of the State of Texas. Oath of office shall be administered by any person authorized by law to administer oaths.

**State Law reference—** Oath, Tex. Const. art. XVI, § 1



**Sec. 17.04. – Public Meetings.**

All meetings of the Council and all Boards or Commissions appointed by the Council shall be open to the public, except those authorized by law to be closed. Minutes of all public meetings shall be kept and such minutes shall constitute public records.

**Sec. 17.05. - Public Records.**

The City shall comply with State law with regard to releasing records to the public.

**State Law reference—** Public records law, V.T.C.A., Government Code § 552.001, *et seq.*

**Sec. 17.06. – Official Newspaper.**

The Council shall have the power to designate by resolution a newspaper of general circulation in the City as the official newspaper, and shall cause to be published therein all captions and necessary notices.

**State Law reference—** Requirements to adopt official newspaper, V.T.C.A., Government Code § 2051.049.

**Sec. 17.07. – Notice of Injury or Damage.**

Recognizing that cities and other public entities whose operations are not motivated by profit, but rather by service, are unique in turnover of personnel, and that in order to adequately defend the interests of the public the officials must have timely notice of claims against the city, these reasonable rules are adopted. Any person, firm, or corporation who has a claim for property damage, personal injury, or death against this City must give the City written notice of the claim within six months from the date of occurrence. Such written claim notice must be given to the Mayor or City Manager and must contain the following information:

- (1) Name and address of claimant;
- (2) Date of occurrence;
- (3) Place of occurrence;
- (4) Extent of injury;
- (5) Names and addresses of witnesses;
- (6) How the injury occurred.

If such notice is not timely given, no action will lie against the City. The notice called for in this section need not be sworn to or verified but must be signed by the claimant or his attorney and delivered to the Mayor or City Manager, either in person or by certified or registered mail. It shall not suffice

to give oral notice nor shall it suffice to deliver or mail the notice to some other employee of the City. The provisions of this Section shall apply to persons seeking a money judgment against the City for any type of damages whether the claim involves personal injury or damages arising from some other cause. The written notice required herein must be given to one of the officials set out above within six months from the time when the cause of action arose, or the action shall not lie.

**State Law reference—** Tort claims, V.T.C.A., Civil Practice and Remedies Code § 101.101 *et seq.*

**Sec. 17.08. – Execution, Garnishment and Assignment.**

Property, real or personal, belonging to the City, shall not be liable for sale or appropriation under any writ of execution or cost bill. Funds belonging to the City, in the hands of any person, firm, or corporation shall not be liable to garnishment, attachment, or sequestration, nor shall the City be liable to garnishment on account of any debt it may owe or funds or property it may have on hand or owing to any person. Neither the City, nor any of its officers or agents, shall be required to answer any writ of garnishment or any account whatsoever. The City shall not be liable to the assignee of any wages of any officer, agent, or employee of said City, whether earned or unearned, upon any claim or account whatsoever, and as to the City such assignment shall be absolutely void.

**Sec. 17.09. – Bond or Security Not Required.**

It shall not be necessary in any action, suit, or proceeding in which the City is a party, for any bond, undertaking, or security to be executed in behalf of said City but all such actions, suits, appeals, or proceedings shall be conducted in the same manner as if each bond, undertaking, or security had been given, and said City shall be liable as if such obligation had been duly given and executed.

**Sec. 17.10. – Judicial Scrutiny.**

This Charter shall be deemed a public act and shall have the force and effect of a general law; it may be read in evidence without pleading or proof, and judicial notice shall be taken thereof by all courts and places without further proof.

**Sec. 17.11. – Offsets to Debts.**

The City shall be entitled to counterclaim and offset against any debt, claim, demand, or account owed by the City to any person, firm, or corporation in arrears to the City for any debt, claim, demand, or account or [of] any nature whatsoever including taxes, penalty, and interest. No assignment or transfer of any such debt, claim, demand, or account owed by the City shall affect the right of the City to offset the sum owed to the City.

**Sec. 17.12. – Nepotism.**

No person related within the second degree by affinity, or the third degree by consanguinity, to a member of the Council or the City Manager shall be appointed to any paid office or board, commission, or committee of the City. This prohibition shall not apply, however, to any person who shall have been continuously employed by the City for at least six months prior to the election of the Council member or 30 days prior to the appointment of the City Manager so related to the employee.

**Sec. 17.13. – Ethics.**

(a) No elected or appointed officer or employee of the City shall benefit unduly by reason of his/her holding public office.

(b) No officer or employee of the City shall have a substantial interest in the sale of any land, materials, supplies or service to the City. Any elected officer shall publicly disclose any such interest upon assumption of office or prior to consideration of any such matters. “Substantial interest” as used in this section shall have the same meaning as given in the Texas Local Government Code, as amended.

(c) Failure to comply with any provisions of the foregoing Sections 17.13(a) or 17.13(b) shall constitute malfeasance in office and any officer failing to so comply shall immediately be suspended pending an outcome of an investigation of the charges. Within five (5) days of said suspension the officer shall receive written notice detailing the specific charges brought against him. A Public Hearing will be held within fifteen (15) days after the written notice to determine whether the charges are well founded and whether said officer shall be reinstated or shall be terminated and the position declared vacant.

(d) Any violation of the foregoing Sections 17.13(a) or 17.13(b) with the knowledge, express or implied, or persons or corporations contracting with the City shall render the contract voidable by the Council.

**Sec. 17.14. – Political and Religious Discrimination.**

No person in the service of the City, or seeking admission thereto, shall be employed, promoted, demoted, discharged, or in any way favored or discriminated against because of political opinions or affiliations or because of race, color, religious beliefs, sex, or national origin, provided that such opinions, affiliations or beliefs do not advocate the overthrow of the government of the United States of America by force or violence.

**Sec. 17.15. – Political Activity.**

(a) No person seeking appointment to or promotion in the administrative service of the City shall either directly or indirectly give, render, or pay any money, service, or other valuable thing to any person for, or on account of, or in connection with his/her appointment or promotion or any examination conducted therefor.

(b) Any person who either by himself/herself, or with others, willfully violates any provision of the foregoing Section 17.15(a) shall be ineligible for appointment or election to a position in the City for a period of four (4) years, and if he/she is an officer or employee of the City at the time of such violation, he/she shall immediately forfeit the office or position he/she holds.

**Sec. 17.16. – Bonds of Contractors.**

The governing body of the City of Richland Hills shall require good and sufficient bonds of all contractors, with a good corporate surety thereon, acceptable to the governing body of the City of Richland Hills.

**Sec. 17.17. – Amendment of Charter.**

This Charter may be amended no more than once every two (2) years as provided by the laws of the State of Texas.

**State Law reference—** Amendment of Charter, Texas Const. art. 11, § 5, V.T.C. A., Local Government Code § 9.001 *et seq.*

**Sec. 17.18. – Construction of the Charter.**

In wording of this Charter, the use of the singular number shall include the plural, and the plural shall include the singular. Words used in the masculine gender shall include the feminine also, unless by reasonable construction, it appears that such was not the intention of this Charter.

**Sec. 17.19. – Rearrangement and Renumbering.**

The Council shall have the power, by ordinance, to renumber and rearrange all articles, sections and paragraphs of the Charter or any amendments thereto, as it shall deem appropriate, and upon passage of any such ordinance, a copy thereof certified by the City Secretary shall be forwarded to Secretary of State for filing.

**ARTICLE XVIII. SAVINGS CLAUSE, ETC.**

**Sec. 18.01. – Savings Clause, etc.**

All powers granted heretofore to cities are hereby preserved. In case of any irreconcilable conflict between the provisions of this Charter and any superior law, the powers of the City and its officers shall be as defined in such superior laws. In case any insufficiency or omission may be supplied by reference to the general laws, such provisions of the general laws are hereby adopted, and the City shall have and exercise all of the powers that it could have acquired by expressly adopting and incorporating into this Charter all of the provisions of such superior and general laws; it being the intent of this Charter that no lawful power of the City shall fall because of any omission, insufficiency, or invalidity of any portion or portions of this Charter, the same shall not in any way affect the remainder of the Charter, but shall be construed as if adopted with such portion and/or portions so found invalid or impotent.

**ARTICLE XIX. VOTE ON PROPOSED CHARTER**

**Sec. 19.01. – Vote on Proposed Changes.**

(a) This Charter shall be submitted to the qualified voters of the City for adoption or rejection on August 9, 1986, at which election if a majority of the qualified voters voting in such election shall vote in favor of the adoption of this Charter, it shall then immediately become the Charter and governing law of the City until amended or repealed.

(b) It being impracticable to submit this Charter by sections, it is hereby prescribed that the form of ballot to be used in such election shall be as follows, to wit:

"FOR THE ADOPTION OF THE CHARTER"

"AGAINST THE ADOPTION OF THE CHARTER."

(c) The present City Council of the City shall call an election in accordance with the provisions of the general laws of the State governing elections, and the same shall be conducted and the returns made and results declared as provided by the laws of the State of Texas governing municipal elections, and in case a majority of the votes cast at such election shall be in favor of the adoption of such Charter, then an official order shall be entered upon the records of said City by the City Council, declaring the same adopted, and the City Secretary shall record at length upon the records of the City in a separate book to be kept in his/her office for such purpose, such Charter as adopted, and such Secretary shall furnish to the Mayor a of the Charter, which copy of the Charter shall be forwarded by the Mayor as soon as practical to the Secretary of State under the seal of the City, together with a certificate showing the approval of the qualified voters of such Charter.

RESOLUTION NO. 1-86

BE IT RESOLVED BY THE DULY ELECTED CHARTER COMMISSION OF THE CITY OF RICHLAND HILLS, TEXAS, that:

1.

The Charter Commission does hereby approve and adopt the attached document entitled "Charter of the City of Richland Hills, Texas (1986)" as the Charter to be submitted to the voters of the City for approval or rejection.

2.

The Secretary of this Commission is directed to present a true copy of the subject document in its entirety, together with all other necessary records and supporting documents to the Voting Rights Section, Civil Rights Division of the United States Department of Justice for clearances under the Voting Rights Act.

3.

The Secretary is further directed to forward to the Mayor and City Council of the City of Richland Hills the original of the subject document (the Charter), along with the original copy of this resolution in proper statutory form ordering an election submitting this Charter to the voters of this City for approval or rejection on August 9, 1986. It is requested that the election order be passed at the earliest date possible in order to give ample time for Justice Department clearance.

4.

It is the expressed intent of this Charter Commission that this Charter be submitted to and cleared by U.S. Justice Department prior to the time of the election so that the voters of this City will know that changes will not be necessary after the election if it is approved by the voters. 5.

This Commission retains jurisdiction over the submitted Charter only for the purpose of passing on and implementing suggested changes by the United States Department of Justice, if any.

PASSED AND APPROVED by the Richland Hills Charter Commission on the 13th day of March 1986

CITY CHARTER ADOPTED AUGUST 11, 1986

<b><u>ORIGINAL MEMBERS:</u></b>	
Byrtie Adams, Secretary	Thomas E. Harvey, Member
Bill Agan, Member	Lloyd Leach, Member
James Black, Member	Michael Logan, Member
Tommy Bridges, Vice Chair	Gary McBrayer, Member
Jim Clements, Member	Olivia Ray, Member
Paul C. Daniels, Chair	Elizabeth Sheppard, Member
R. G. Elliott, Member	Jean Labadie Smith, Treasurer
<b><u>CITY CHARTER AMENDED MAY 3, 1993</u></b>	
Richard Gladstone, Member	Lloyd Leach, Member
Vicki Hamilton, Member	David Ragan, Member
Thomas E. Harvey, Chair	Thurman Rogers, Member
Dorothy Hurdle, Member	Elizabeth Sheppard, Member
Pat Jermyn, Member	Jack Watson, Member
<b><u>CITY CHARTER AMENDED MAY 9, 1995</u></b>	

Don Acker, Vice Chair	David Ragan, Member (7/94-1/95)
Pat Jermyn, Member (1/94-7/94)	Jean Spieker, Secretary
Michael Logan, Chair	Lester Strother, Member
<b><u>CITY CHARTER AMENDED NOVEMBER 5, 2013</u></b>	
Bill Agan, Chair	Jeff Ritter, Secretary/Vice Chair
Loyce Greer, Member	Janece Hill, Member
Doug Knowlton, Member	LaRue Wall, Member
<b><u>CITY CHARTER AMENDED MAY 6, 2023</u></b>	
Sheleen Jaymes, Chair	Theresa Bledsoe, Member
Bill Garretson, Member	Athena Campbell, Member
Stacey Morse, Member	Roland Goveas, Member