

**Charter Review Committee  
Charter-Perfecting Charges  
Summary & Explanation**

**Shall the City Charter be amended to replace all instances of gendered language with non-gendered language?**

Article I, Section 1.07. Gender neutral.

**Current language:**

Whenever used in this Charter, a word importing the masculine gender only shall extend and be applied to include females, and, where applicable, to firms, partnerships, and corporations, as well as males.

**Proposed language:**

Whenever used in this Charter, a word importing a specific gender shall extend and be applied to include all genders, and, where applicable, to firms, partnerships, and corporations.

**Shall the City Charter be amended to resolve conflicts with state law and modify vague or unclear language?**

1. Article II, Section 2.04. Vacancies in Council.

**Proposed modification:**

Where a vacancy in any place on the council, including that of mayor, shall occur, the vacant place shall be filled by a special election, and, where necessary, by a runoff election, in the same manner as provided in this Charter for the regular election of the councilperson. Such special election shall be held on the first authorized uniform election date following the creation of the vacancy ~~occurring on or after the thirtieth day after the date the election is ordered~~ in accordance with the requirements of the Election Code and all other applicable laws. The runoff election, where necessary, shall be held in accordance with the requirements of the Election Code and all other applicable laws; provided, however, that where a vacancy shall occur within one hundred and twenty (120) days of a regular election, no special election to fill the vacancy shall be called, unless more than one vacancy occurs.

**Explanation:**

State law requires regular and special elections be held on a uniform election date. Currently, the uniform election dates are May and November.

2. Article III, Section 3.01(b)(2) – Municipal elections

**Proposed modification:**

~~On the first Saturday in April immediately following adoption of Section 2.01, and the drawing of election district boundaries by the council~~ On the uniform election day for municipal elections in May established by the Election Code, the voters shall elect:

**Explanation:**

The first Saturday in April is no longer the uniform election date for municipal elections. The language should be updated to reflect the current state requirement for municipal elections to be held in May.

3. Article IV Section 4.08 - Submission of electors.

**Proposed modification:**

If the council shall fail to pass an ordinance proposed by initiative petition, or shall pass it in a form different from that set forth in the petition therefor, or if the council shall fail to repeal a referred ordinance, the proposed or referred ordinance shall be submitted to the electors ~~not less than thirty (30) days nor more than sixty (60) days from the date the council takes its final vote thereon. If no regular election is to be held within such period the council shall provide for a special election~~ at the next uniform election date in accordance with the Election Code and all other applicable laws.

**Explanation:**

The first Saturday in April is no longer a uniform election date for municipal elections. The language should be updated to reflect the current state requirement for municipal elections to be held on a uniform election date.

4. Article IV, Section 4.17. District judge may order election.

**Proposed modification:**

Article IV, Section 4.17- District judge may order election.

Should the city council fail or refuse to order any recall election when all of the requirements for such election have been complied with by the petitioning electors in conformity with this Article of the charter, ~~then it shall be the duty of the District Judge of Denton County, upon proper application therefore~~ then any citizen may file for a writ of mandamus from a District Judge of Denton County or other court, upon proper application therefore, to order the city council, to order such election and effectuate the provisions of this Article of the charter.

**Explanation:**

A city cannot mandate a duty on a County Judge. The proper legal mechanism to require a Council or municipality to order an election is a writ of mandamus. A writ of mandamus is generally brought by a resident or other interested party.