

**ORDINANCE NO. 2025-03-\_\_\_\_\_**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AMENDING THE CODE OF ORDINANCES OF THE CITY OF MCKINNEY, TEXAS, BY AMENDING CHAPTER 38, "ELECTIONS," BY AMENDING SECTION 38-75, "PREMISES EXHIBITS," TO ADD A NEW EXHIBIT THAT DEPICTS THE AREAS DESIGNATED FOR LAWFUL ELECTIONEERING ACTIVITIES AT THE NEW CITY HALL LOCATED AT 401 E. VIRGINIA STREET; PROVIDING FOR ENFORCEMENT; PROVIDING A PENALTY; REPEALING CONFLICTING ORDINANCES; PROVIDING FOR PUBLICATION; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS,** the City of McKinney, Texas (the "City") is a Home-Rule City possessing the full power of local self-governance pursuant to Article XI, Section 5 of the Texas Constitution, Section 51.072 of Texas Local Government Code and its Home Rule Charter; and

**WHEREAS,** the City adopted the Code of Ordinances, City of McKinney, Texas ("McKinney Code"), for the protection of the public health and general welfare of the people of the City; and

**WHEREAS,** in accordance with the applicable provisions of the Texas Election Code, the City Council of the City of McKinney, Texas (the "City Council") previously adopted electioneering regulations contained in Chapter 38 of the McKinney Code, including premises exhibits that indicate where electioneering activities were permitted on various City-owned and City-controlled public properties; and

**WHEREAS,** due to the new City Hall being designated as a polling place location, the City Council believes said electioneering regulations contained in Chapter 38 of the McKinney Code should be modified to include a premises exhibit for the new City Hall, so as to designate those areas in which electioneering activities are to be permitted; and

**WHEREAS,** the City Council finds and determines that it is in the best interest of the public health, safety, and general welfare of the citizens of McKinney, Texas, to amend Chapter 38, entitled "Elections," of the McKinney Code as provided herein below.

**NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, THAT;**

**Section 1. FINDINGS**

All of the above premises are hereby found to be true and correct and are hereby approved and incorporated into the body of this Ordinance as if set forth in their entirety.

**Section 2. ENFORCEMENT CLAUSE**

The City Council hereby authorizes the City Manager, or his or her designee, to enforce the regulations adopted under this Ordinance.

**Section 3. AMENDING CHAPTER 38, "ELECTIONS," BY AMENDING SECTION 38-75, "PREMISES EXHIBITS," TO ADD A NEW EXHIBIT THAT DEPICTS THE AREAS DESIGNATED FOR LAWFUL ELECTIONEERING ACTIVITIES AT THE NEW CITY HALL LOCATED AT 401 E. VIRGINIA STREET, TO READ AS SET FORTH HEREINBELOW**

From and after the effective date of this Ordinance, Chapter 38, "Elections," of the City of McKinney Code of Ordinances, as amended, is hereby

amended by amending Section 38-75, “Premises Exhibits” to add a new subsection 38-75(c), to read as follows:

“Chapter 38 – ELECTIONS

...

ARTICLE IV. - ELECTIONEERING

...

Sec. 38-75. Premises Exhibits.

...

(c) The City Hall Premises are reflected below:



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0 50 100 Feet  
1:1,150

City Hall Voting  
MAP 1

DISCLAIMER: This map and information contained in it were developed exclusively for use by the City of McKinney. Any use or reliance on this map by anyone else is at that party's risk and without liability to the City of McKinney, its officials or employees for any discrepancies, errors, or variances which may exist.

Vicinity Map



Source: Engineering GIS  
Date: 3/11/2025

Section 4. **PROVIDING A PENALTY**

Any person, firm or corporation violating or failing to comply with any of the provisions of this Ordinance shall be subject to the penalty provisions set forth in Section 1-18 of the City's Code of Ordinances; and each and every day such violation or failure to comply shall continue shall be deemed to constitute a separate offense.

Section 5. **REPEALER CLAUSE**

All ordinances, orders, or resolutions heretofore passed and adopted by the City Council of the City of McKinney, Texas, are hereby repealed to the extent that said ordinances, orders, or resolutions, or parts thereof, conflict with this Ordinance.

Section 6. **SAVINGS CLAUSE**

All rights and remedies of the City of McKinney are expressly saved as to any and all violations of the provisions of any ordinances which have accrued at the time of the effective date of this Ordinance; and, as to such accrued violations and all pending litigation, both civil and criminal, whether pending in court or not, under such ordinances, same shall not be affected by this Ordinance but may be prosecuted until final disposition by the courts.

Section 7. **PUBLICATION OF CAPTION**

The caption of this Ordinance shall be published one time in a newspaper having general circulation in the City of McKinney, and this Ordinance shall become effective from and after the date of its final passage and publication as provided by law.

Section 8. **SEVERABILITY CLAUSE**

If any section, subsection, clause, phrase or provision of this Ordinance is for any reason held unconstitutional or void by a court of competent jurisdiction, such holding shall not affect any valid portion of this or any other ordinance of the City of McKinney, Texas.

Section 9. **EFFECTIVE DATE**

This Ordinance shall take effect and be in full force from and after its passage and publication, in accordance with law.

*[Signature Page Follows]*

DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, ON THE 31<sup>ST</sup> DAY OF MARCH 2025.

CITY OF MCKINNEY, TEXAS

\_\_\_\_\_  
GEORGE C. FULLER  
Mayor  
GERÉ FELTUS  
Mayor Pro Tem

CORRECTLY ENROLLED:

\_\_\_\_\_  
EMPRESS DRANE  
City Secretary  
TENITRUS BETHEL PARCHMAN  
Deputy City Secretary

DATE: \_\_\_\_\_

APPROVED AS TO FORM:

\_\_\_\_\_  
MARK S. HOUSER  
City Attorney  
ALAN LATHROM  
Assistant City Attorney