

## ORDINANCE 2020-04

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF OVILLA, TEXAS, AUTHORIZING A GENERAL ELECTION TO BE HELD ON MAY 02, 2020 FOR THE PURPOSE OF ELECTING THREE COUNCIL MEMBERS, (PLACES 1, 3 & 5) FOR EXPIRED TERMS BY THE QUALIFIED VOTERS OF OVILLA; ESTABLISHING PROCEDURES FOR THE ELECTION; PROVIDING FOR OTHER MATTERS INCIDENT AND RELATED TO THE ELECTION; PROVIDING FOR PUBLICATION; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

*WHEREAS*, by this Ordinance, it is the intention of the City Council of Ovilla to call the General Election in accordance with state law, to declare the Texas Election Code is applicable to said election, and this Ordinance establishes procedures consistent with the Code, and designates the Election Day and main early voting polling place for the General Election; and

*WHEREAS*, May 02, 2020 is a uniform election date; and

*WHEREAS*, the City Council calls to Order the General Election of May 02, 2020 to elect Place One, Place Three and Place Five of the City Council as required by the Texas Election Code:

*WHEREAS*, the Order of Election must be written in English and Spanish as required by the Texas Election Code:

*WHEREAS*, the City has authority, pursuant to Chapter 31 of the Texas Elections Code, to enter into an election services agreement with the Ellis County Election Officer to furnish election services to the City and its citizens; and

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

**SECTION 1. General Election Called.** That a General Election is hereby called by the City Council to elect the following:

City Council Places 1, 3 and 5, to serve a 2-year term each, until May 2022 or until their successors are duly elected and qualified. Such election shall take place on the 2<sup>nd</sup> day of May 2020, between the hours of 7:00 a.m. and 7:00 p.m.

**SECTION 2. Candidates for General Election.** Qualified persons may file as candidates for the General Election by filing an application with the City Secretary at City Hall, 105 S. Cockrell Hill Road, Ovilla, TX 75154, between the hours of 8:00 a.m. and 4:30 p.m., Monday through Friday, beginning December 13 2019 through February 14, 2020. The City Secretary's office will remain open on February 14, 2020 until 5:00 p.m. as required by the TX Election Code. All applications for candidacy shall be on a form as prescribed by the Texas Election Code.

**SECTION 3. Ballot.** The official ballot for the election shall be prepared in accordance with the Texas Election Code to permit the electors to vote for each position.

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**SECTION 4. Polling Places.** Voting shall be conducted on Election Day between the hours of 7:00 a.m. and 7:00 p.m. at Elections Office (Main Location), 204 E. Jefferson Street, Waxahachie, TX 75165.

**SECTION 5. Contract for Election Services.** Chapter 31 of the Texas Elections Code authorizes county election officers to contract with the governing body of a political subdivision to perform certain election services. Pursuant to such authority, the election shall be conducted in accordance with the *May 2, 2020 Joint Election Contract for Election Services* between the Elections Administrator of Ellis County and the City of Ovilla, Texas, which shall be approved by separate action of the City Council.

**SECTION 6. Governing Law and Qualified Voters.** The election shall be held in accordance with the Constitution of the State of Texas and the Code, and all resident qualified voters of the City shall be eligible to vote at the election.

**SECTION 7. Publication and Posting of Notice of Election.** Notice of the election shall be given as required by Chapter 4 of the Code.

**SECTION 8. Early Voting.** The City Council hereby appoints Jana Onyon, Elections Administrator of Ellis County, as the Early Voting Clerk. Dates and times of early voting by personal appearance are as follows:

Monday, April 20, 2020 through Tuesday, April 28, 2020 8:00 a.m. to 5:00 p.m.

Voting Dates for the 7:00 a.m. to 7:00 p.m. are to be determined.

The Early Voting Locations will be:

1. Elections Office (Main Location, 204 E. Jefferson Street, Waxahachie, TX 75165
2. Midlothian Conference Center, 1 Community Circle Drive, Midlothian, TX 76065
3. Palmer ISD Annex Building, 303 Bulldog Way, Palmer, TX 75152
4. Ellis County Sub-Courthouse, 207 S. Sonoma Trail, Ennis, TX 75119
5. Red Oak Municipal Center 200 Lakeview Pkwy, Red Oak, TX 75154

**SECTION 9. Publication and Posting of Notice of Election.** Notice of the election shall be given by posting a substantial copy of this Ordinance ordering an election in English and Spanish translations at City Hall on the official bulletin board used for posting notices of the meeting of the City Council. A copy of this Ordinance's caption shall also be published in English and in Spanish in the City's official newspaper of general circulation published in the City.

**SECTION 10. Severability Clause.** It is hereby declared to be the intention of the City Council that the phrases, clauses, sentences, paragraphs, and sections of this ordinance are severable, and if any phrase, clause, sentence paragraph or section of this ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this ordinance, since the same would have been enacted by the City Council without the incorporation in this ordinance of any such unconstitutional phrase, clause, sentence, paragraph or section.

**SECTION 11. Effective Date.** This ordinance shall be in full force and effect after its passage, and it is so ordained.

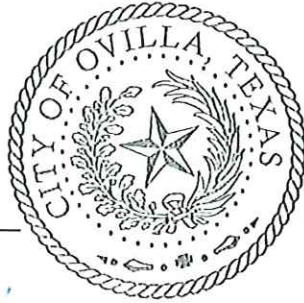
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The *Order of Election* shall be posted to read as shown on Exhibit "A" attached:

PASSED, APPROVED and ADOPTED this 10<sup>th</sup> day of February 2020.

ATTEST:

  
\_\_\_\_\_  
G Miller, City Secretary



  
\_\_\_\_\_  
Richard Dormier, Mayor

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Ron G. MacFarlane, Jr., City Attorney