

**ORDINANCE NO. 2023-06**

**AN ORDINANCE OF THE CITY OF OVILLA, TEXAS, DECLARING UNOPPOSED CANDIDATES IN THE MAY 06, 2023 GENERAL CITY ELECTION ELECTED TO OFFICE; CANCELING THE GENERAL ELECTION; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE**

**WHEREAS**, Ordinance 2023-02, approved and passed on January 9, 2023, called the Order of Election for Council Members, Mayor, Place 2, and Place 4, all at large positions in and for the City of Ovilla Texas; and,

**WHEREAS**, at the deadline to file an application for a place on the ballot and the deadline to file as a declared write-in candidate, only one candidate had filed to run for the following positions:

Mayor:	Richard Dormier
Council Member Place 2:	Dean Oberg
Council Member Place 4:	Doug Hunt

**WHEREAS**, as prescribed in Section §2.052(a) of the Texas Election Code, the City Secretary certifies that:

- 1) Each candidate whose name is to appear on the ballot is unopposed.
- 2) No candidate's name is to be placed on a list of write-in candidates for the above-described offices under applicable law.

**WHEREAS**, as prescribed in Section §2.053 of the Texas Election Code, that if another city election is held on election day:

- 1) If the City is holding a separate election on election day such as a proposition election or an election to fill a vacancy that has opposed candidates, the ballots used in that election must include:
- 2) A list of the offices and names of the candidates that have been declared elected.
- 3) Listed separately after the measures or contested races in the separate election.
- 4) Under the heading "Unopposed Candidates Declared Elected".
- 5) With the candidates grouped in the same relative order prescribed for the ballot generally; and
- 6) Listed in a way that prevents voters from casting votes in connection with candidates (EC §2.053(c))

**NOW, THEREFORE BE IT ORDAINED** by the City Council of the City of Ovilla, Texas, that:

**1. CANCELLATION OF MAY 6, 2023, GENERAL ELECTION**

Based on information received, and in accordance with Sections §2.052 and §2.053, the City Council hereby authorizes the cancellation of the general election of City Council Members Mayor, Place 2, and Place 4 called for May 06, 2023, and hereby declares the unopposed candidates elected to the office.

**2. CERTIFICATES OF ELECTION TO BE ISSUED**

The said unopposed candidates shall be issued a certificate of election following the time the election would have been canvassed.

**3. NOTICE AND POSTING OF ORDINANCE**

The City Secretary is directed to cause a copy of this ordinance to be posted on election day at the polling places that would have been used in the election.

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**4. SAVINGS CLAUSE**

In the event that any other Ordinance of the City of Ovilla, Texas, heretofore enacted is found to conflict with the provisions of the Ordinance, this Ordinance shall prevail.

**5. SEVERABILITY CLAUSE**

If any section, subsection, sentence, clause, phrase, or portion of this Ordinance is for any reason held invalid or unconstitutional by any court or competent jurisdiction, such shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portions thereof.

**6. EFFECTIVE DATE**

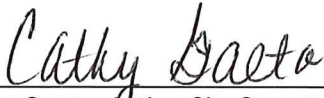
This ordinance shall take effect upon its passage, approval, and adoption.

**PASSED, APPROVED and ADOPTED** this the 13<sup>th</sup> day of March 2023.



Richard Dormier, Mayor

ATTEST:



Cathy Gaeta, Acting City Secretary