

**2022-03
ORDINANCE**

AN ORDINANCE OF THE CITY OF BRECKENRIDGE, TEXAS ORDERING A MUNICIPAL GENERAL ELECTION TO BE HELD ON MAY 7, 2022, FOR THE PURPOSE OF ELECTING THE FOLLOWING OFFICERS: MAYOR COMMISSIONER PLACE 1 AND COMMISSIONER PLACE 2; AND PROVIDING FOR MATTERS RELATING TO THE HOLDING OF SUCH ELECTION.

WHEREAS, the term for Mayor and City Commissioner for Place 1 and Place 2 will expire in May 2022; and

WHEREAS, the Texas Constitution, the Texas Election Code (the "Code"), and the City Charter are applicable to said General Elections (hereinafter collectively referred to as the "election" or "elections"); and

WHEREAS, the City Commission, pursuant to all applicable laws, finds and determines that a general election shall be held on May 7, 2022, for the purpose of electing a Mayor and Commissioner for Place 1 and Place 2.

NOW THEREFORE BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF BRECKENRIDGE, TEXAS, that:

Section 1. Order of Election. In accordance with the Charter of the City of Breckenridge and with the laws of the Constitution of the State of Texas, an election is hereby called and ordered to be held May 7, 2022, at which election all qualified voters of the City may vote for the purpose of electing the following officials of the City, each for a two-year term:

Mayor
Commissioner, Place 1
Commissioner, Place 2

Section 2. Application for Ballot. No person's name shall be placed upon the official ballot as a candidate for any of the above-mentioned positions unless such person shall have filed his or her sworn application, as provided by the laws of the State of Texas, with the City Secretary of the City at the City Hall, located at 105 N. Rose Avenue, Breckenridge, Texas 76424, beginning on January 19, 2022, and not later than five o'clock (5:00) p.m. on February 18, 2022. The City Secretary shall note on the face of each such application the date and time of its filing. Such application shall include the position the candidate is seeking.

Section 3. Placement on Ballot. The name of each candidate shall be placed on the respective ballots under the conditions imposed by law and that the candidate or candidates receiving the votes necessary for election shall be elected to the office for which each candidate has announced. The determination of successful candidates shall be in accordance with the provisions of the Charter of the City of Breckenridge, Texas and the Election Code of the State of Texas, as amended.

Section 4. Early Voting. The City Secretary shall serve as the Early Voting Clerk and shall secure early voting ballots and shall conduct voting by personal appearance and by mail as provided for in the Texas Election Code. Early Voting shall be conducted during the lawful early voting period.

The main early voting place is:

Breckenridge City Offices
Commission Chamber
105 N. Rose Avenue
Breckenridge, Texas 76424
Phone Number: 254-559-8287

Voting Hours:

April 25-29 – 8:00 a.m. – 5:00 p.m.

May 2-3 – 8:00 a.m. – 5:00 p.m.

Email: cmsecretary@breckenridgetx.gov

Website: <https://breckenridgetx.gov/election-eleccion>

Section 5. Election Day. On Election Day, May 7, 2022, the polls shall be open between the hours of 7:00 a.m. and 7:00 p.m., at the Breckenridge City Offices.

Section 6. Notices. The Mayor is authorized to sign a Notice of Regular Municipal Election (Exhibit A) and an Order of Election (Exhibit B) as prescribed by the State of Texas on behalf of the City Commission. The Notice of Regular Municipal Election shall be published in accordance with the provisions of the Texas Election Code.

Section 7. Agreement for Election Services. The City Manager is authorized to negotiate an agreement with Stephens County, Breckenridge ISD, and Stephens County Hospital District to hold a joint election and for election services. The City's duties and responsibilities related to the election shall be set forth in the Agreement.

Section 8. Recitals. The recitals contained in the preamble hereof are hereby found to be true, and such recitals are hereby made a part of this Ordinance for all purposes and are adopted as part of the judgment and finding of the City Commission.

Section 9. Repeal. All Ordinances, or parts thereof, which are in conflict or inconsistent with any provision of this Ordinance are hereby repealed to the extent of such conflict, and the provisions of this Ordinance shall be and remain controlling as to the matters resolved herein.

Section 10. Controlling Law. This Ordinance shall be construed and enforced in accordance with the laws of the State of Texas and the United States of America.

Section 11. Severability. If any provision of this Ordinance or the application thereof to any person or circumstance shall be held to be invalid, the remainder of this Ordinance and the application of such provision to other persons and circumstances shall nevertheless be valid, and the City Commission hereby declares that this Ordinance would have been enacted without such invalid provision.

Section 12. Open Meeting. It is officially found, determined, and declared that the meeting at which this Ordinance is adopted was open to the public and public notice of the time, place, and subject matter of the public business to be considered at such meeting, including this Ordinance, was given, all as required by Chapter 551, Texas Government Code, as amended.

Section 13. Effective Date. This Ordinance shall take effect immediately from and after its passage, as law provides.

READ, PASSED AND ADOPTED this 1st day of February, 2022.

Bob Sims, Mayor

ATTEST:

Pamela Wright, Assistant City Secretary