

ORDINANCE NO. 795

AN ORDINANCE OF THE CITY OF EVERMAN, TEXAS, CANCELLING THE GENERAL ELECTION TO BE HELD ON THE 6TH DAY OF MAY, 2023, FOR THE PURPOSE OF ELECTING CITY COUNCIL MEMBERS FOR PLACES 1, 3 AND 5 ON THE CITY COUNCIL OF THE CITY OF EVERMAN, TEXAS; DECLARING THAT EACH UNOPPOSED CANDIDATE TO BE ELECTED TO OFFICE; REQUIRING POSTING OF THIS ORDINANCE ON ELECTION DAY AT EACH POLLING PLACE; PROVIDING A REPEALING CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, on the February 21, 2023, by passage of Ordinance 793, the City of Everman General Election was ordered by the Everman City Council to be held on May 6, 2023, for the purpose of electing City Council Members for Places 1, 3 and 5 on the City Council; and

WHEREAS, the filing deadlines for filing an application for place on the ballot and for declaration of write-in candidacy have passed; and

WHEREAS, the City Secretary has certified in writing that no person has made a declaration of write-in candidacy and that each candidate on the ballot for office is unopposed for this election; and

WHEREAS, in these circumstances, Section 2.053 of the Texas Election Code authorizes the City Council to declare each unopposed candidate elected to office and to cancel the general election;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF EVERMAN, TEXAS that:

SECTION 1. The following candidates, who are unopposed for the May 6, 2023 General Election, are hereby declared elected to office and shall be issued Certificates of Election following the time the election would have been canvassed:

Linda Sanders	Council Member Place 1
Johnnie Allen	Council Member Place 3
Judy Sellers	Council Member Place 5

SECTION 2. The May 6, 2023 General Election for the purpose of electing the City Council Members for Places 1, 3 and 5 is hereby cancelled.

SECTION 3. The City Secretary is hereby directed to cause a copy of this ordinance to be posted on Election Day at the polling location(s) designated by Ordinance 793, the Everman Civic Center, 213 North Race Street, Everman, Texas 76140.

SECTION 4. The recitals contained in the preamble hereof are hereby found to be true and correct, and such recitals are hereby made a part of this Ordinance for all purposes and are adopted as a part of the judgment and findings of the City Council.

SECTION 5. All ordinances or parts of ordinances in force when this Ordinance becomes effective which are inconsistent or in conflict with the terms and provisions contained in this Ordinance are hereby repealed only to the extent of such conflict.

SECTION 6. Should any part, sentence or phrase of this Ordinance be determined to be unlawful, void or unenforceable, the validity of the remaining portions of this Ordinance shall not be adversely affected. No portion of this Ordinance shall fail or become inoperative by reason of the invalidity of any other part. All provisions of this Ordinance are declared to be severable.

SECTION 7. This Ordinance is effective immediately upon its passage and approval.

DULY PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF EVERMAN, TEXAS ON THIS THE _____ DAY OF MARCH 2023.

APPROVED:

Ray Richardson, Mayor

APPROVED AS TO FORM:

John D. Oliver, Asst. City Attorney
(030723vwtTM133942)

ATTEST:

Mindi Parks, City Secretary