

ORDINANCE 01-01-23

AN ORDINANCE OF THE CITY OF SANGER, TEXAS, DENTON COUNTY, TEXAS, CALLING AND ORDERING A GENERAL ELECTION TO BE HELD ON MAY 6, 2023, FOR THE PURPOSE OF ELECTING THREE COUNCILMEMBERS, PLACES 1, 3, AND 5, FOR A TWO-YEAR TERM; DESIGNATING LOCATIONS OF POLLING PLACES; PROVIDING FOR DATES; TIMES AND PLACE FOR VOTING AND EARLY VOTING BY PERSONAL APPEARANCE; PROVIDING DEADLINE FOR APPLICATIONS FOR BALLOT BY MAIL; ORDERING NOTICES OF ELECTION TO BE POSTED AND PUBLISHED; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Sanger (the “City”) is a home rule municipality regulated by state law and Charter; and

WHEREAS, Section 41.001(a) of the Texas Election Code provides for the holding of general city elections on the first Saturday in May; and

WHEREAS, the City’s Charter, Article VII, Section 7.01 the General Election is required to be held in May; and

WHEREAS, the Texas Election Code the General Election is required to be held on May 6, 2023; and

WHEREAS, the City’s Charter, Article III, Section 3.01 three Councilmembers, Places 1, 3, and 5, shall be elected in odd-numbered years for a two-year; and

WHEREAS, the City of Sanger desires to conduct joint elections pursuant to the provisions of the Texas Election Code, and as established in a joint election agreement for election services with the Denton County Elections Administrator; and

WHEREAS, the City Council finds that the passage of this Ordinance is in the best interest of the citizens of Sanger.

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

SECTION 1. the General Election for the City of Sanger as set forth by the Texas Election Code and Article III of the Charter is hereby ordered to be held on May 6, 2023, for the purpose of electing a three (3) Councilmembers for two (2) year term:

City Councilmember Place 1
City Councilmember Place 3
City Councilmember Place 5

SECTION 2. Qualified persons in accordance with the Charter, may file as candidates by filing an application for a specific place in the office of the City Secretary, Monday through Friday, 8:00 a.m. until 5:00 p.m. beginning on Wednesday, January 18, 2023, and continuing until 5:00 p.m. on Friday, February 17, 2023; emailed to citysecretary@sangertexas.org or faxed to 940.458.4180. The names of eligible and qualified candidates for such office shall be placed on the ballot for such election by the City Secretary at the time and in the manner prescribed by law, and the charter and ordinances of the City of Sanger.

SECTION 3. Frank Phillips (or his successor), Denton County Elections Administrator, at 701 Kimberly Drive, Suite A101, Denton, Texas 76208, is hereby appointed as Early Voting Clerk and may appoint additional deputy early voting clerks as necessary to properly conduct the Election. Denton County Election Administration contact information: (940) 349-3200; e-mail elections@dentoncounty.gov; and website - <https://www.votedenton.gov/>. The Election shall be conducted under the jurisdiction of the Denton County Elections Department (the “Elections Administrator”) pursuant to an Election Services Contract (the “Contract”) by and among the Denton County Elections Department, the City and other participating entities, if any, described in the Contract. The Mayor or the Mayor’s designee is authorized to amend or supplement the Contract to the extent required for the Election to be conducted in an efficient and legal manner as determined by the Elections Administrator.

SECTION 4. All early voting shall be conducted pursuant to and in accordance with the applicable provisions of the State of Texas Election Code. The Elections Administrator shall determine the early voting place and hours, however, such locations may be changed if so directed by the Elections Administrator without further action of the City Council. The Elections Administrator is hereby authorized and directed to make such changes in locations as may be necessary for the proper conduct of the Election. The Elections Administrator is hereby authorized to appoint the members of the Early Voting Ballot Board and the presiding judge and alternate judge in accordance with the requirements of the Code.

SECTION 5. That the Denton County Elections Administrator/Early Voting Clerk shall select and arrange for the use of Early Voting and Election Day voting locations. The Denton County Elections Administrator/Early Voting Clerk has established the following early voting dates, times, and locations for early voting by personal appearance:

EARLY VOTING POLLING LOCATIONS

Main Early Voting Polling Location

Denton County Elections Center, 701 Kimberly Drive, Suite A101, Denton, Texas 76208

City of Sanger Community Center, 101 Freese, Sanger, Texas 76266

*Other Denton County locations will be designated by the Denton County Elections Administrator/Early Voting Clerk pursuant to the joint election agreement with other political subdivisions in Denton County.

DAYS AND HOURS OF EARLY VOTING BY PERSONAL APPEARANCE

(hours subject to change):

Monday – Saturday	April 24-April 29, 2023	8:00 a.m. to 5:00 p.m.
Sunday	April 30, 2023	11:00 a.m. to 5:00 p.m.
Monday-Tuesday	May 1-2, 2023	7:00 a.m. to 7:00 p.m.

Denton County will be responsible for applications for a ballot by mail. Applications for a ballot by mail (ABBM)s and Federal Post Card Applications (FPCAs) must be received no later than must be received by Tuesday, April 25, 2023. The applications for Early Voting shall be delivered to Frank Phillips, Election Administrator for Denton County at 701 Kimberly Drive, Suite A101, Denton, Texas 76208.

ELECTION DAY POLLING LOCATION

(subject to change)

City of Sanger Community Center, 101 Freese, Sanger, Texas 76266

Election Day polls shall be open from 7:00 a.m. until 7:00 p.m.

SECTION 6. Should any part, section, subsection, paragraph, sentence, clause, or phrase contained in this ordinance be adjudged or held to be unconstitutional, illegal, or invalid, the same shall not affect the validity of this ordinance as a whole or any part or provision thereof other than the part thereof decided to be unconstitutional, illegal or invalid all respects said remaining portion shall be and remain in full force and effect.

SECTION 7. The City Secretary is hereby authorized and directed to publish and/or post, in the time and manner prescribed by law, all notices required to be published and/or posted in connection with the conduct of this election. The Denton County Election contract shall designate the election judges for the election. The election, including providing notice of the election shall be conducted in accordance with the Texas Election Code and other applicable law, and all residents qualified and registered voters of the City shall be eligible to vote at the election.

SECTION 8. The Mayor and City Secretary are hereby authorized and directed to take any and all actions necessary to comply with the provisions of the Texas Election Code and any other state or federal law in carrying out and conducting the election, whether or not expressly authorized herein.

SECTION 9. This ordinance will take effect immediately from and after its passage, and the publication of the caption, as the law and Charter in such case provide.

PASSED AND APPROVED by the City Council of the City of Sanger, Texas on the 17th day of January, 2023.

ATTEST:

Kelly Edwards, City Secretary

APPROVED:

Thomas E. Muir, Mayor

APPROVED TO FORM:

Hugh Coleman, City Attorney