

ORDINANCE NO. 94- 014

AN ORDINANCE OF THE TOWN OF ADDISON, TEXAS CALLING A GENERAL ELECTION TO BE HELD ON MAY 7, 1994, FOR THE PURPOSE OF ELECTING THREE (3) COUNCIL MEMBERS FOR TWO (2) YEAR TERMS EACH; DESIGNATING THE ENTIRE TOWN AS ONE ELECTION PRECINCT AND DESIGNATING A POLLING PLACE WITHIN SAID TOWN; PROVIDING FOR THE APPOINTMENT OF A PRESIDING ELECTION JUDGE AND AN ALTERNATE PRESIDING ELECTION JUDGE; ESTABLISHING OTHER PROCEDURES FOR THE CONDUCT OF THE ELECTION; ESTABLISHING A DATE FOR CANVASSING RETURNS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Section 41.001 of the Texas Election Code, as amended (the "Code"), specifies that the first Saturday in May shall be a uniform election date and that a general election of a town may be held on such day; and

WHEREAS, the Town Council of the Town of Addison, Texas (the "Town") has determined that the Town shall conduct its general municipal election on the first Saturday in May, 1994; and

WHEREAS, by this Ordinance, it is the intention of the Town Council to: (i) call for said general election to be held on said date, (ii) designate the entire Town as one election precinct, (iii) designate a polling place for the election, (iv) the necessary election officers, (v) establish and set forth procedures for conducting the election; and (vi) establish a date for canvassing the returns of said election.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF ADDISON, TEXAS:

Section 1. Incorporation of Preamble. That the above and foregoing preamble is true and correct and is incorporated into the body of this Ordinance as if copied herein in its entirety.

Section 2. Election Date; Purpose of Election; Officers and Terms of Office. That a general election shall be held in and throughout the Town on Saturday, May 7, 1994, for the purpose of electing the following officers:

Three (3) Council members for two (2) year terms each.

Section 3. Eligibility for Candidacy. In accordance with Section 2.02 of the Charter of the Town of Addison, as amended, and with Section 141.003 of the Code, and among other requirements set forth therein, no person shall be eligible for the office of Council member unless that person is a registered voter who resides, on election day, in the Town and has resided within the corporate limits of the Town for at least twelve (12) months immediately preceding the date of the regular filing deadline for a candidate's application for a place on the ballot.

Section 4. Application for a Place on the Ballot. In accordance with Section 143.007 of the Code, any eligible and qualified person may have his/her name printed upon the official ballot as a candidate for the offices hereinbefore set forth by filing his/her sworn application with the Town Secretary not earlier than February 21, 1994 and not later than 5:00 p.m. on March 23, 1994. Each such application shall be on a form as prescribed by Section 141.031 of the Code. The order in which the names of the candidates are to be printed on the ballot shall be determined by a drawing by the Town Secretary as provided by Section 52.094 of the Code. Notice of the time and place for such drawing shall be given in accordance with the Code.

Section 5. Runoff Election. In accordance with the Code, in the event of a tie, there shall be a runoff election held on June 4, 1994. If a runoff election is necessary, it shall be ordered by the Town Council not later than five (5) days after the canvassing of the returns of the general election.

Section 6. Election Precinct; Polling Place; Election Hours. The entire Town shall constitute one (1) election precinct for the election, and the polling place is hereby designated to be located at the Central Fire Station, 4798 Airport Parkway, Addison, Texas.

In accordance with and pursuant to the requirements of the Code, said polling place shall be open from 7:00 a.m. to 7:00 p.m. on the date of the election.

Section 7. Appointment of a Presiding Election Judge and Alternate Presiding Election Judge. The Council shall appoint, through resolution, a Presiding Election Judge and an Alternate Presiding Election Judge. All Election Judges shall be qualified voters of the Town and shall serve for this election only.

Section 8. Method of Voting. The Town Secretary is hereby authorized and instructed to provide and furnish all necessary election supplies to conduct the election. Voting at the election shall be by use of voting machines with punch-card ballots. Preparation of the official ballots for the election shall conform to the requirements of the Code, and in so doing, shall permit the voter to vote for three (3) Council members for two (2) year terms each.

Section 9. Governing Law; Qualified Voters. The election shall be held in accordance with the Constitution of the State of Texas and the Code, and all resident, qualified electors of the Town shall be eligible to vote at the election. In addition, the election materials enumerated in the Code shall be printed in both English and Spanish for use at the polling place and for absentee voting for the election.

Section 10. Publication and Posting of Notice. Notice of the election shall be given by posting a notice of election in both English and Spanish at the Town Hall, 5300 Belt Line Road, Addison, Texas, not less than twenty-one (21) days (April 18, 1994) prior to the date upon which the election is to be held, and by publication of said notice at least once in a newspaper of general circulation within the Town, the date of said publication to be not less than ten (10) days (April 27, 1994) nor more than thirty (30) days (April 7, 1994) prior to the date set for the election.

In addition thereto, a copy of the notice shall also be filed with the Town Secretary at least twenty-one (21) days (April 18, 1994) before the election. Upon publication of the election notice, the Town Secretary shall secure a publisher's affidavit which complies with the requirements of the Code.

Section 11. Early Voting. Early voting by personal appearance shall be conducted by the Town Secretary, who is hereby appointed the Early Voting Clerk, at the office of the Town Secretary located at the Addison Town Hall, 5300 Belt Line Road, Addison, Texas. For the period early voting for the election is permitted by law, the Early Voting Clerk shall keep said office open on each day except Saturday, Sunday, and official State and/or national holidays, which hours shall be from 8:00 a.m. to 5:00 p.m., commencing on Monday, April 18, 1994 and terminating on Tuesday, May 3, 1994. Early voting on a Saturday or Sunday, if any, shall be conducted in accordance with the requirements of the Code.

Application for early voting by mail shall be delivered to the Early Voting Clerk at the same address not earlier than March 8, 1994, and not later than the close of regular business in the Early Voting Clerk's office or 12 noon, whichever is later, on April 29, 1994.

Early voting, both by personal appearance and by mail, shall be by punch-card ballots, which ballots shall conform to the requirements of the Code, and in so doing shall permit the voters to vote for three (3) council Members for two (2) year terms each. Each elector shall indicate his/her vote by punching a hole in the space provided beside each candidate's name that he/she wished to vote for, provided, however, that no elector shall vote for more than three (3) candidates for Council member. The Early ballots shall be canvassed by the Early Ballot Board, which is hereby created. The Presiding Election Judge and the Alternate Presiding Election Judge appointed herein shall serve as the presiding officer and the alternate presiding officer, respectively, of the Early Ballot Board. The other

election officers serving at the election shall serve as the other members of the Early Ballot Board for the election.

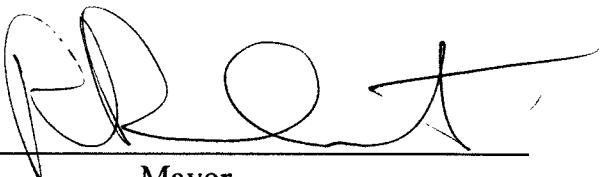
Section 12. Delivery of Returns; Preservation of Election Records. In accordance with Section 66.051 of the Code, immediately after the closing of the poll on the day of the election, the election officers named in this Ordinance shall make and deliver the returns of the election in quadruplicate as follows: one copy shall be retained by the Presiding Election Judge, one copy shall be delivered to the Mayor of the Town, one copy shall be delivered to the voter registrar, and one copy of the returns, together with the ballot boxes and all election supplies, shall be delivered to the Town Secretary. All election records and supplies shall be preserved by the Town Secretary in accordance with the Code.

Section 13. Canvassing of Returns. IN accordance with the Code, the Town Council of the Town shall convene on May 10, 1994 at 7:30 p.m. to canvass the returns of the election.

Section 14. Necessary Actions. The Mayor and the Town Secretary of the Town, in consultation with the Town Attorney, are hereby authorized and directed to take any and all actions necessary to comply with the provisions of the Code in carrying out and conducting the election, whether or not expressly authorized herein.

Section 15. Effective Date. This Ordinance shall be in force and effect from and after its passage.

PASSED AND APPROVED by the Town Council of the Town of Addison, Texas, this the 22nd day of February, 1994.



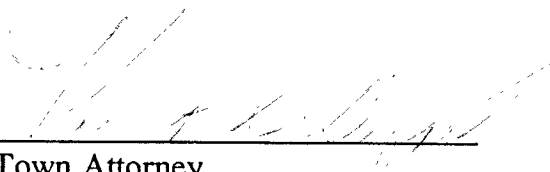
Mayor

ATTEST:



Town Secretary

APPROVED AS TO FORM:



Town Attorney

OFFICE OF THE CITY SECRETARY

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