

## ORDINANCE NO. 189

**AN ORDINANCE CALLING AN ELECTION TO BE HELD IN THE TOWN OF ANNETTA, TEXAS TO SUBMIT A PROPOSITION FOR THE REAUTHORIZATION OF A LOCAL SALES AND USE TAX FOR STREET MAINTENANCE AT THE RATE OF ONE-FOURTH OF ONE PERCENT TO CONTINUE TO PROVIDE REVENUE FOR THE MAINTENANCE AND REPAIR OF MUNICIPAL STREETS; MAKING PROVISIONS FOR THE CONDUCT AND NOTICE OF SUCH ELECTION; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE**

**WHEREAS**, the Town of Annetta, Texas is a Type A general law municipality located in Parker County, created in accordance with the provisions of Chapter 6 of the Local Government Code and operating pursuant to the enabling legislation of the State of Texas; and

**WHEREAS**, pursuant to the Texas Tax Code, V.T.C.A., Chapter 327.001 et. seq, (the "Act"), the Town adopted a one-fourth of one percent (1/4%) sales and use tax to provide for street maintenance; and

**WHEREAS**, the Act provides that the sales and use tax for street maintenance expires after four (4) years unless it is reauthorized at an election; and

**WHEREAS**, the Act provides that the Town Council may call an election to reauthorize a previously adopted sales and use tax to provide for street maintenance by adopting an ordinance; and

**WHEREAS**, the Council hereby finds and determines that the holding of this election on the date set forth below, a uniform election date, is in the best interest of the citizens of the Town.

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

### SECTION 1

**Section 1. Special Election Called.** A Special Election shall be held on the 5<sup>th</sup> day of May, 2018, a uniform election date, in the Town of Annetta, Texas for the purpose of submitting the following proposition to the qualified voters of the City:

THE REAUTHORIZATION OF THE LOCAL SALES AND USE TAX IN THE TOWN OF ANNETTA AT THE RATE OF ONE-QUARTER PERCENT (1/4%) TO CONTINUE PROVIDING REVENUE FOR MAINTENANCE AND REPAIR OF MUNICIPAL STREETS. THE TAX EXPIRES ON THE 10<sup>TH</sup>

ANNIVERSARY OF THE DATE OF THIS ELECTION UNLESS THE IMPOSITION OF THE TAX IS REAUTHORIZED.

**Section 2. Governing Law.** The election shall be held in accordance with the Constitution of the State of Texas and the Texas Election Code. All resident qualified electors of the Town shall be permitted to vote at said election.

**Section 3: Ballot.** The official ballots shall be prepared in accordance with the Texas Election Code, as amended, so as to permit electors to vote “FOR” or “AGAINST” the aforesaid proposition which shall appear on the ballot substantially as follows:

THE REAUTHORIZATION OF THE LOCAL SALES AND USE TAX IN THE TOWN OF ANNETTA AT THE RATE OF ONE-QUARTER PERCENT (1/4%) TO CONTINUE PROVIDING REVENUE FOR MAINTENANCE AND REPAIR OF MUNICIPAL STREETS. THE TAX EXPIRES ON THE 10<sup>TH</sup> ANNIVERSARY OF THE DATE OF THIS ELECTION UNLESS THE IMPOSITION OF THE TAX IS REAUTHORIZED.

**Section 4: Joint Election Agreement.** The Special Election will be conducted in accordance with the joint election agreement and contract (“Contract”) between Parker County and the Town of Annetta, which has been approved by the Town Council.

**Section 5: Early Voting Clerk.** The Parker County Elections Administrator is hereby designated and appointed as the Early Voting Clerk and the Election Administrator’s permanent county employees are appointed as deputy early voting clerks for the Special Election as indicated in the Contract. The Parker County Election Administrator may appoint other deputy early voting clerks as necessary. The address of the Early Voting Clerk is 1112 Santa Fe Drive, Weatherford, Texas 76086.

**Section 6: Early Voting by Personal Appearance.** Early voting by personal appearance shall commence on April 23, 2018, and will continue through May 1, 2018. Early voting main location will be at Parker County Courthouse Annex, 1112 Santa Fe Drive, Weatherford, Texas and at such other locations established by Parker County, on the dates and times as follows, or as amended by Parker County:

Monday, April 23, 2018	8:00 a.m. – 5:00 p.m.
Tuesday, April 24, 2018	7:00 a.m. – 7:00 p.m.
Wednesday, April 25, 2018	8:00 a.m. – 5:00 p.m.
Thursday, April 26, 2018	7:00 a.m. – 7:00 p.m.
Friday, April 27, 2018	8:00 a.m. – 5:00 p.m.
Monday, April 30, 2018	8:00 a.m. – 5:00 p.m.
Tuesday, May 1, 2018	8:00 a.m. – 5:00 p.m.

**Section 7: Early Voting by Mail.** The Parker County Elections Administrator shall be responsible for the early voting applications and ballots. Applications for early voting by mail may be delivered to Parker County Elections Administrator, 1112 Santa Fe Drive, Weatherford, Texas 76086, not later than close of business on April 24, 2018. Early voting ballots shall be mailed to the Elections Administrator at the same address. The Town Secretary is directed to forward applications and ballots she may receive to the Elections Administrator as may be provided for in the Contract.

**Section 8: Necessary Actions.** The Mayor and the Town Secretary, 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 Texas Election Code in carrying out and conducting the election, whether or not expressly authorized herein.

**Section 9: Order and Notice.** This Ordinance shall serve as order of the election, as required by Section 3.001 of the Texas Election Code for the Special Election. Notice of the election shall be given as required by the Texas Election Code.

**Section 10: Severability.** It is hereby declared to be the intention of the Town Council that the sections, paragraphs, sentences, clauses and phrases of this order are severable and if any phrase, clause, sentence, paragraph, or section shall be declared invalid or unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such invalidity or unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this order, since the same would have been enacted by the Town Council without the incorporation in this order of any such invalid or unconstitutional phrase, clause, sentence, paragraph or section.

**Section 11: Effective Date.** This Ordinance shall be effective upon its adoption.

PASSED AND APPROVED on this, the 18<sup>th</sup> day of January, 2018.



Bruce Pinckard, Mayor

ATTEST:



Jamee Long, Town Secretary

