

**ORDINANCE NO. 226**

**AN ORDINANCE OF THE TOWN OF ANNETTA, TEXAS, ACCEPTING CERTIFICATE OF UNOPPOSED CANDIDATES FOR THE OFFICES OF MAYOR, PLACE 3, AND PLACE 5; DECLARING THE MAY 6, 2023 GENERAL ELECTION CANCELLED FOR THESE SEATS AND DECLARING EACH UNOPPOSED CANDIDATE ELECTED TO OFFICE; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR POSTING OF NOTICE; AND PROVIDING AN EFFECTIVE DATE**

**WHEREAS**, the Town of Annetta, Texas (“Town”), is a Type A general-law municipality located in Parker County, Texas, operating pursuant to the enabling legislation of the State of Texas; and

**WHEREAS**, via adoption of Resolution No. 22-07 on December 15, 2022, a general election was ordered to take place on May 6, 2023, at which time registered voters would elect persons to fill the offices of Mayor, Town Council Place 3, and Town Council Place 5; and

**WHEREAS**, pursuant to Sections 143.007 and 146.054 of the Texas Election Code, the deadline for filing applications for a place on the ballot and declaration of write-in candidacy for the Town’s General Election have expired; and

**WHEREAS**, when the filing period for said general election ended at 5:00 p.m. on Friday, February 17, 2023, only one person had filed for candidacy in each Place; and

**WHEREAS**, no proposition is to appear on the ballot in that election; and

**WHEREAS**, pursuant to Texas Election Code § 2.052, the Town Secretary has certified in writing to the Town Council that Sandy Roberts is unopposed for election to the office of Mayor, that Bruce Pinckard is unopposed for election to the office of Town Council Place 3, and that Kent Stasey is unopposed for election to the office of Town Council Place 5; and

**WHEREAS**, in these circumstances Subchapter C of Chapter 2 of the Texas Election Code authorizes a governing body to declare each unopposed candidate elected to office and compels the Council to cancel the previously ordered general election; and

**WHEREAS**, the Town Council hereby finds and determines that these three candidates whose names were to appear on the ballot in said election are unopposed, there are no declared write-in candidates, and no propositions are to appear on the ballot for said election.

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

**SECTION 1.**

In accordance with Section 2.053(a), Texas Election Code, the following candidates, who  
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are unopposed in the May 6, 2023, general election are hereby declared duly elected to the representative offices shown, and shall be issued a certificate of election following May 6, 2023, the date that the General Election for Mayor, Place 3, and Place 5 would have been held:

Mayor:	Sandy Roberts
Town Council Place 3:	Bruce Pinckard
Town Council Place 5:	Kent Stasey

## **SECTION 2.**

Pursuant to Section 2.053(b), Texas Election Code, the May 6, 2023, general election for Mayor, Place 3, and Place 5, ordered to be held by Resolution No. 22-07 is cancelled, and the Town Secretary is directed to cause a copy of this Ordinance to be posted on election day at each polling place used or that would have been used in the election.

## **SECTION 3.**

The candidates-elect so named in Section 1 of this Ordinance shall be administered the Oath of Office at Annetta Town Hall and may exercise the duties of office at the beginning of the first regular meeting of the Town Council after May 6, 2023, the date which the General Election for Mayor, Place 3, and Place 5 would have been held.

## **SECTION 4.**

The facts and matters set forth in the preamble of this Ordinance and Order of Cancellation are hereby found to be true and correct and are incorporated herein and made a part hereof for all purposes.

## **SECTION 5.**

This Ordinance shall be cumulative of all provisions of ordinances of the Town of Annetta, Texas, except where the provisions of this Ordinance are in direct conflict with the provisions of such ordinances, in which event the conflicting provisions of such ordinances are hereby repealed.

## **SECTION 6.**

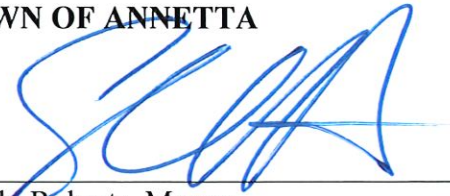
It is hereby declared to be the intention of the Town Council that the phrases, clauses, sentences, paragraphs, and sections of this Ordinance are severable, and if any phrase, clause sentence, paragraph, or section of this Ordinance shall be declared invalid or unconstitutional by the valid judgment 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 Ordinance, since the same would have been enacted by the Town Council without the incorporation in this Ordinance of any such invalid or unconstitutional phrase, clause, sentence, paragraph, or section.

## **SECTION 7.**

This Ordinance shall be in full force and effect from and after its passage and it is so ordained.

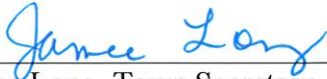
**PASSED AND APPROVED** on this 16<sup>th</sup> day of March, 2023.

**TOWN OF ANNETTA**



Sandy Roberts, Mayor

ATTEST:



Jamee Long, Town Secretary

