

ORDINANCE NO. # 90

AN ORDINANCE CANCELLING THE MAY 3, 2003, REGULAR ELECTION AND DECLARING EACH UNOPPOSED CANDIDATE ELECTED TO OFFICE' PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING FOR ENGROSSMENT AND ENROLLMENT, AND PROVIDING AND EFFECTIVE DATE.

WHEREAS, the City of Annetta, Texas, is a Type A general-law municipality located in Parker county, created in accordance with the provisions of chapter 7 of the Local government code and operating pursuant to the enabling legislation of the State of Texas;

WHEREAS, in accordance with the law a general election has been ordered for May 3, 2003, for the purpose of electing council members to serve on the City council in the City of Annetta;

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

WHEREAS, the city secretary has certified in writing that each candidate on the ballot is unopposed for election to office;

WHEREAS, the filing deadlines for placement on the ballot and declaration of writen candidacy has passed; and

WHEREAS, Subchapter C of chapter 2 of the Texas Election Code authorizes a governing body to declare each unopposed candidate elected to office and cancel the election.

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

SECTION 1. DECLARATION OF ELECTION.

The following candidates, who are unopposed in the May 3rd, 2003, general election, are hereby declared elected to office, and shall be issued a certificate of election:

- | | |
|------------------|----------|
| 1. Olan Usher | Mayor |
| 2. Larry Mullins | Place #3 |
| 3. Randy Burnett | Place #5 |

The election shall not be held.

SECTION 2. NOTICE:

The City Secretary is directed to post a copy of this ordinance at each designated polling place on May 3, 2003.

SECTION 3. REPEALER CLAUSE:

All ordinances or parts of ordinances not consistent or conflicting with the provisions of this ordinance are hereby repealed, provided that such repeal shall be only to the extent of such inconsistency and in all other respects this ordinance shall be cumulative of other ordinances regulating and governing the subject matter covered in this ordinance. Any cause of action accruing prior to the passage of this ordinance shall continue as if this ordinance was not passed or any other ordinance had not been repealed.

SECTION 4: SEVERAILITY CLAUSE:

That it is hereby declared that the sections, articles, subsections, paragraphs, sentences, clauses, and phrases of this ordinance are severable and if any phrase, clause, sentence, paragraph, subsection, article, or section of this ordinance shall be declared void, ineffective, or unconstitutional by a valid judgment or final decree of a court of competent jurisdiction, such voidness, ineffectiveness, or unconstitutionality shall not effect any of the remaining phrases, clauses, sentences, paragraphs, subsections, articles, or sections of this ordinance since the same would have been enacted by the City Council without the incorporation herein of any such void, ineffective, or unconstitutional phrase, clause, sentence, paragraph, subsection, article, or section.

SECTION 5. ENGROSSMENT AND ENROLLMENT CLAUSE:

The City Secretary of the City is hereby directed to engross and enroll this ordinance by copying the caption, penalty clause (if any), publication clause and effective date clause in the minutes of the City Council and filing the ordinance in the ordinance records of the City.

SECTION 6. PUBLICATION CLAUSE:

The City Secretary is hereby directed to post or publish in the official newspaper of the City, the caption, penalty clause (if any), publication clause and effective date clause of this ordinance in one issue of the office newspaper, provided that the official newspaper is a weekly paper, as authorized by Section 52:011 of the Texas Local Government Code.

SECTION 7. EFFECTIVE DATE:

This ordinance shall be effective after final passage and publication as required by law.

PASSED AND APPROVED THIS THE 17th DAY OF
April, 2003.

Oliver W. Sherr
MAYOR

ATTEST:

Vickie White
City Secretary