

ORDINANCE 1995-04

AN ORDINANCE ORDERING AN ELECTION OF THE QUALIFIED VOTERS OF THE CITY OF PENITAS, TEXAS ON SATURDAY, JANUARY 20, 1996. FOR THE PURPOSE OF ELECTING THREE (3) ALDERMEN FOR SAID CITY.

NOW THEREFORE:

BE IT ORDAINED BY THE CITY COUNCIL OF PENITAS, TEXAS:

SECTION 1

That in compliance with the laws and constitution of the State of Texas, an election be held and the same is hereby called and ordered for the third Saturday in January 1996. The same being the 20th day of the month, at which election all qualified voters may vote for the purpose of electing three (3) Aldermen.

SECTION 2

That the City Secretary of said city shall prepare ballots to be used in said election and shall stamp same "OFFICIAL BALLOT". on which ballots shall be printed the name of the candidates for the position and places of Aldermen.

SECTION 3

That no person's name shall be placed upon the official ballots as a candidate for the position of a member of the City Council unless such person has filed his sworn application, as provided by the laws of Texas, with the Mayor or the City Secretary at least forty-five (45) days prior the election date, and it must also appear on the face of said application of the position, City Aldermen, and place number, #1 or #2 or #3, that said candidate is seeking.

SECTION 4

That the candidate shall appear before said City Secretary, before said candidate's name is entered on the said ballot, and attest that he has filed an affidavit of loyalty with the Mayor or City Secretary, as required by the State of Texas.

SECTION 5

That in the event that there are two or more candidates for the position of the City Alderman, the position of such candidates names on the ballots shall be determined by a drawing to be held at City Hall, Penitas, Texas, forty-five (45) days prior to the election date. At said drawing for positions on the ballot a candidate may draw for himself or designate in writing an official representative of said candidates. Provided, however that if all candidates names shall be by agreement insofar as the law allows.

SECTION 6

That each voter shall vote for his choice for candidate for Alderman by placing an "X" in the square besides the name of that candidate of three (3) different places. Provided however that if voting machines are used, voting shall be as required by State Law.

SECTION 7

That the polls shall be kept open from 7:00 A.M. to 7:00 P.M. And that due return be made to the City Council showing the number of votes cast for each candidate for each of the positions of City Alderman.

SECTION 8

That the polling places for this election and for the personnel of the officers who are to hold the same, except insofar that they may be changed by the City Council of said City, shall be as follows:

PRECINCT # 11 and # 50, LOCATION: PENITAS BAPTIST CHURCH
JUDGE: REY MENDOZA ALTERNATE: JUAN OCHOA

SECTION 9

The absentee clerk shall be Maria O. Tamez and the alternate Juan Ochoa. Voting shall be held at Penitas Baptist Church, Penitas, Texas, and said place of absentee voting shall remain open for at least eight (8) hours being 8:00 A.M. to 12:00 P.M. and 1:00 P.M. to 5:00 P.M. beginning on the 2nd day of January, 1996 thru the 16th day of January, 1996. Pursuant to State Law absentee voting shall be held only during regular working days of the City Clerks office, the same being, Monday through Friday of the above period.

SECTION 10

That all requirements of State Law pertaining to elections conducted by cities of the same class category as the City of Penitas shall apply and are expressly incorporated here in for all purposes.

SECTION 10A

A copy of this order and ordinance shall be delivered to the above appointed presiding Judge for said election.

SECTION 11

That this ordinance, signed by the Mayor and attested by the City Secretary, shall constitute the proclamation of the Mayor calling and ordering said election, and this notice in the form of a news release shall be sent to the newspaper published in the area, not more than thirty nor less than (10) days before the election; and that the said City Secretary is hereby directed to post or cause to be posted the said proclamation at least forty-five (45) days before said election in each voting precinct and at the Penitas Baptist Church in Penitas, Texas. This ordinance shall be posted in English and Spanish.

SECTION 12

That this ordinance shall take effect and be in full force and effect from and after the of its passage.

SECTION 13

Should any part of this ordinance be invalid, the remaining portions are severed and they shall remain in full force and effect.

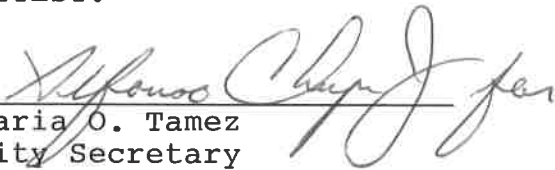
PASSED AND ENACTED THIS 5th DAY OF DECEMBER, 1995.

CITY OF PENITAS



Servando Ramirez
Mayor

ATTEST:



Maria O. Tamez
City Secretary