

ORDINANCE 2003- 0A

AN ORDINANCE ORDERING AN ELECTION FOR THE QUALIFIED VOTERS OF THE CITY OF PEÑITAS, TEXAS ON SATURDAY, MAY 3, 2003 FOR THE PURPOSE OF ELECTING OF THREE ALDERMAN FOR SAID CITY.

SECTION 1

That in compliance with the laws and constitution of the State of Texas, an election to be held and the same is hereby called and ordered for the first Saturday in May, 2003. The same being the 3rd day of said month, at which election all qualified voters may vote for the purpose of electing three (3) alderman.

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 names of the candidates for the positions of City Alderman.

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 Alderman unless such a person has filed his sworn application as provided by the laws of Texas, with the Mayor and the City Secretary at least forty five (45) days prior to the election date, and it must also appear on the face of said application of the position, that the 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 and City Secretary, as required by the Election laws of the State of Texas.

SECTION 5

That in the event that there are two or more candidates for the position of Alderman, the position of such candidates names on the ballot shall be determined by a drawing to be held at City Hall, Peñitas Texas, 29 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 agree, the drawing shall be dispensed with and positions of candidates names shall be by agreement insofar as the law allows.

SECTION 6

That the polls shall be kept open from 7:00 a.m. until 7:00 p.m. and that the due elections returns be made to the City Commission showing the number of votes cast for each candidate for each of the positions of the City Alderman.

That the polling place for this election and the personnel of the election will be the following officers, unless further changed by the City Commission of said City, shall be as follows: Roberto Zamora Neighborhood Facility, Judge _____ and the alternate Judge shall be _____.

SECTION 8

The Early Voting Judge shall be Alma Vargas and the Alternate Judge shall be _____. The early voting judge will select a minimum of one clerk to assist with the early voting process. The Early voting shall be held at Peñitas City Hall, Texas and said place of absentee shall remain open for at least 8 hours being 8:00 a.m. to 12 p.m. and 1:00 p.m. to 5:00 p.m. beginning on the 17th day preceding said election. Pursuant to State Law absentee voting shall be held during regular working days of the City Secretary's Office. This period shall begin on April 16, 2003 and end on April 29, 2003.

SECTION 9

That all requirements of State Law pertaining to elections conducted by cities of the same class category as the City of Peñitas shall apply and are expressly incorporated herein for all purposes. A copy of this order shall be delivered to the above appointed presiding judge for said election.

SECTION 10

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 a newspaper of general circulation published in the county, not more than twenty 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 order and ordinance at least twenty (20) days before said election in the City Hall of Peñitas, Texas. This ordinance shall be posted in English and Spanish.

SECTION 11

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

SECTION 12

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 MARCH, 2003.

ATTEST

CITY OF PEÑITAS

Alma Vargas, City Secretary

Servando Ramirez, Mayor