

ORDINANCE 05-08

AN ORDINANCE DECLARING UNOPPOSED CANDIDATES IN THE MAY 7, 2005 GENERAL CITY ELECTION, ELECTED TO OFFICE; CANCELING THE ELECTION; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

BE IT ORDAINED BY THE CITY OF COMMERCE, TEXAS:

WHEREAS, the general city election was called for May 7, 2005 for the purpose of electing members to the city council; and

WHEREAS, the city secretary has certified in writing that there is no proposition on the ballot, that no person has made a declaration of write-in candidacy, and that each candidate on the ballot is unopposed for election to office; and

WHEREAS, under these circumstances, Subchapter C, Chapter 2, Election Code, authorizes the city council to declare the candidates elected to office and cancel the election; Now Therefore

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF COMMERCE:

SECTION 1. The following candidates, who are unopposed in the May 7, 2005 general city election, are declared elected to office, and shall be issued certificates of election following the time the election would have been canvassed:

Penny Belcher – Place Three
Hector Arce – Place One

SECTION 2. The May 7, 2005 general city election is canceled, and the city secretary is directed to cause a copy of this ordinance to be posted on election day at each polling place that would have been used in the election.

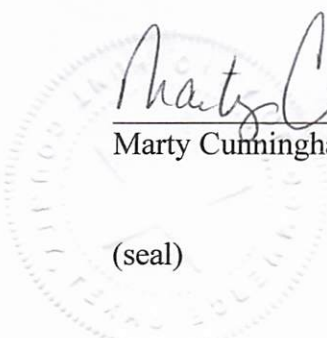
SECTION 3. It is declared to be the intent of the city council that the phrases, clauses, sentences, paragraphs, and sections of this ordinance are severable, and if any phrase, clause, sentence, paragraph, or section of this ordinance is declared invalid by the judgment or decree of a court of competent jurisdiction, the invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs, or sections of this ordinance since the city council would have enacted them without the invalid portion.

SECTION 4. This ordinance shall take effect upon its final passage, and it is so ordained.

PASSED AND APPROVED on the at a regular meeting of the City Council of the City of Commerce, Texas on this the 15th day of March 2005.

ATTEST:

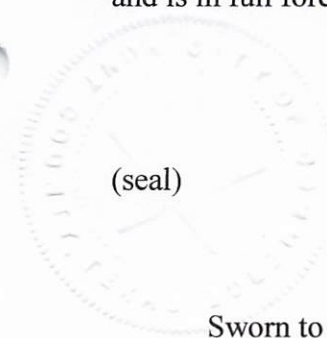
CITY OF COMMERCE:


Marty Cunningham
Marty Cunningham, City Secretary

(seal)

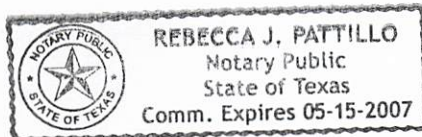
Sheryl Zelhart
Sheryl Zelhart, Mayor

I, Marty Cunningham, City Secretary of the City of Commerce, Texas, do hereby certify that the above is a true and correct copy of an ordinance, and that the same has not been repealed and is in full force and effect.


Marty Cunningham
Marty Cunningham, City Secretary

(seal)

Sworn to and subscribed before me, on this the 21st day of March -
2002 to certify which witness my hand and seal of office.



Rebecca J. Pattillo
Notary Public, State of Texas