

ORDINANCE 2023 – 04 - 01

AN ORDINANCE OF THE CITY OF COMMERCE, TEXAS, IN HUNT COUNTY, TEXAS, DECLARING UNOPPOSED CANDIDATES FOR THE OFFICES CITY COUNCIL MEMBER PLACE ONE (1) AND PLACE THREE (3) DECLARING EACH UNOPPOSED CANDIDATE ELECTED TO OFFICE; AND APPROVING THE ORDER OF CANCELLATION TO CANCEL THE GENERAL MUNICIPAL ELECTION SCHEDULED TO BE HELD ON MAY 6, 2023; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Commerce, Texas passed Ordinance 2023- 01 - 01 on January 17, 2023 ordering a General Election to be held on May 6, 2023 for the purpose of electing two at large City Council Members, one individual to Place One (1) and one individual to Place Three (3), each for a three-year term; and

WHEREAS, Section 143.007 and Section 146.025, of the Texas Election Code, establish the filing period and the deadline for filing applications for a place on the ballot and declaration of write-in candidacy, which have expired; and

WHEREAS, the City Secretary, in accordance with Section 2.052, Texas Election Code, has certified in writing 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, given these circumstances, Subchapter C, Chapter 2 Election Code, authorizes the City Council to declare the candidates elected to office in May of 2023 and cancel the general election previously called by the governing body of the City of Commerce for May 6, 2023;

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

SECTION 1. The following candidates, who are unopposed in the May 6, 2023 General Municipal Election, are declared elected to office, and shall be issued certificates of election following the time the election would have been canvassed in May of 2023:

Council Member
Place One (1)
Anthony Henry

Council Member
Place Three (3)
Stephanie Muller

SECTION 2. The May 6, 2023 General Municipal Election is cancelled, and the City Secretary is directed to cause a copy of the Order of Cancellation which is a part of this Ordinance and Attached as Exhibit A to be posted on Election Day at the polling place, located at 1119 Alamo Street, Commerce, TX 75428, which would have been used in the election.

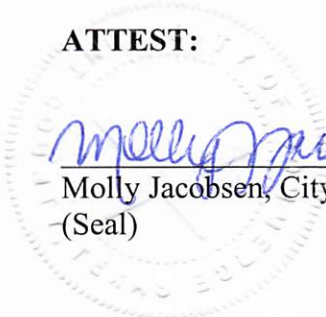
SECTION 3. It is declared to be the intent of the City Council that the phrases, clauses, sentences, paragraphs, and sections of this Ordinance are severable, and if any phase, clause, sentence, paragraph or section of this ordinance is declared invalid by the judgement or decree of a court of competent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

SECTION 4. This Ordinance shall take effect upon its passage and so it is ordained.

PASSED AND APPROVED on its **FIRST READING** at a regular meeting of the City Council of the City of Commerce, Texas on this the 21st day of March 2023.

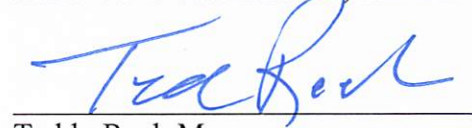
PASSED AND APPROVED on its **SECOND READING** at a regular meeting of the City Council of the City of Commerce, Texas on this the 18th day of April 2023.

ATTEST:

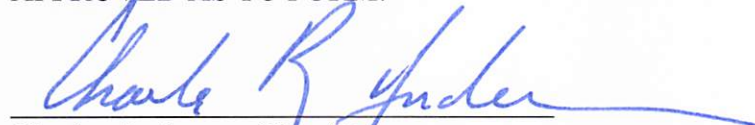



Molly Jacobsen, City Secretary
(Seal)

CITY OF COMMERCE, TEXAS:


Teddy Reel, Mayor

APPROVED AS TO FORM:


Charles Anderson, City Attorney

I, Molly Jacobsen, 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.



(seal)


Molly Jacobsen, City Secretary
City of Commerce