

**CITY OF FARMERSVILLE
ORDINANCE #0-2020-0225-004**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FARMERSVILLE, TEXAS, DECLARING AS ELECTED THE UNOPPOSED CANDIDATES FOR THE OFFICES OF MAYOR AND COUNCILMEMBER PLACE 2 AND COUNCILMEMBER PLACE 4; FINDING THAT ALL NECESSARY AND REQUIRED LEGAL CONDITIONS HAVE BEEN SATISFIED; PROVIDING THAT THE MAY 2, 2020, GENERAL MUNICIPAL ELECTION SHALL NOT BE HELD; PROVIDING FOR POSTING OF THIS ORDINANCE ON ELECTION DAY, MAY 2, 2020; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A REPEALER CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Farmersville, Texas, ("City Council"), issued an order on January 28, 2020, directing that a general municipal election be held on May 2, 2020, for the purpose of electing three officials of the City to serve as Mayor, Councilmember Place 2, and Councilmember Place 4; and

WHEREAS, pursuant to Sections 143.007 and 146.054 of the Texas Election Code, the deadlines for filing applications for a place on the ballot and for the declaration of write-in candidacy for the City's general municipal election have expired; and

WHEREAS, the City Secretary, in accordance with Section 2.052 of the Texas Election Code, has certified in writing to the City Council that Bryon Wiebold is unopposed for election to Mayor, and that Terry Williams is unopposed for election to Councilmember Place 2, and that Mike Henry is unopposed for election to Councilmember Place 4; and

WHEREAS, the City Council, upon receipt and review of such written certification, hereby finds and determines that the candidates whose names are to appear on the ballot in said election for Mayor and City Councilmember Place 2 and City Councilmember Place 4 are unopposed, there are no declared write-in candidates, and no propositions to appear on the ballot for said election;

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

Section 1: FINDINGS INCORPORATED

The findings set forth above are found to be true and correct and are hereby incorporated into the body of this Ordinance for all purposes as if fully set forth herein.

Section 2: DECLARING CANDIDATES DULY ELECTED

In accordance with Section 2.053(a) and (c) of the Texas Election Code, the following unopposed candidates are hereby declared duly elected to the respective office shown and shall be issued a certificate of election following the date on which the general municipal election for City Council would have been canvassed:

**Bryon Wiebold, Mayor
Terry Williams, Councilmember Place 2
Mike Henry, Councilmember Place 4**

Section 3: CANCELLING GENERAL ELECTION

In accordance with Section 2.053(b) of the Texas Election Code, the general municipal election for the City Council heretofore called and ordered for May 2, 2020 shall not be held and is hereby cancelled.

Section 4: REQUIRING POSTING OF ORDINANCE

In accordance with Section 2.053(b) of the Texas Election Code, the City Secretary is hereby directed to cause a copy of this Ordinance to be posted on Election Day, same being May 2, 2020, at all polling places that would have been used in such election.

Section 5: SEVERABILITY CLAUSE

It is hereby declared to be the intention of the City Council that the words, phrases, clauses, sentences, paragraphs and sections of this Ordinance are severable, and if any word, phrase, clause, sentence, paragraph or section of this Ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining words, phrases, clauses, sentences, paragraphs and sections of this Ordinance, since the same would have been enacted by the City Council without the incorporation of this Ordinance of any such unconstitutional word, phrase, clause, sentence, paragraph or section.

Section 6: REPEALER CLAUSE

Any provision of any prior ordinance of the City, whether codified or uncoded, which is in conflict with any provision of this Ordinance, is hereby repealed to the extent of the conflict, but all other provisions of the ordinances of the City, whether codified or uncoded, which are not in conflict with the provisions of this Ordinance shall remain in full force and effect.

Section 7: EFFECTIVE DATE

This Ordinance shall take effect immediately from and after its passage and publication as required by law.

PASSED on first reading and only reading on the 25th day of February, 2020 at a properly scheduled meeting of the City Council of the City of Farmersville, Texas, there being a quorum present, and approved by the Mayor on the date set out below.

APPROVED THIS 25th DAY OF FEBRUARY, 2020.

CITY OF FARMERSVILLE, TEXAS



JACK RANDALL RICE
Mayor

ATTEST:



SANDRA GREEN
City Secretary

