

**ORDINANCE NO. 02-2017**

**AN ORDINANCE OF THE CITY OF OAK RIDGE NORTH, TEXAS, PROVIDING FOR THE HOLDING OF A GENERAL ELECTION TO BE HELD ON MAY 6, 2017, FOR THE PURPOSE OF ELECTING AT-LARGE THREE (3) CITY COUNCIL MEMBERS FOR PLACES 2, 4 AND 5; AND PROVIDING FOR THE HOLDING OF A SPECIAL ELECTION TO BE HELD ON MAY 6, 2017, FOR THE PURPOSE OF ELECTING AT-LARGE ONE (1) CITY COUNCIL MEMBER FOR PLACE 1 TO FILL THE UNEXPIRED TERM VACATED BY RESIGNATION; AND PROVIDING DETAILS RELATING TO THE HOLDING OF SUCH ELECTION.**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF OAK RIDGE NORTH, TEXAS:**

**Section 1.** In accordance with the general laws and Constitution of the State of Texas, a General Municipal Election is hereby called and ordered to be held on Saturday, May 6, 2017, at which general election all qualified voters of the City may vote for the purpose of electing at-large three (3) City Council Members for Places 2, 4 and 5, to serve the City of Oak Ridge North, Texas.

**Section 2.** In accordance with the general laws and Constitution of the State of Texas, a Special Municipal Election is hereby called and ordered to be held on Saturday, May 6, 2017, at which special election all qualified voters of the City may vote for the purpose of electing at-large a City Council Member for Place 1 to fill the unexpired term Tom Coale vacated by his written resignation tendered on January 9, 2017, and in the interim was filled by the appointment of Paul Bond on January 23, 2017.

**Section 3.** No person's name shall be placed upon the official ballot as a candidate for Mayor or the place of City Council Member of City Council unless such person has filed a sworn application, as provided by Section 141.031 of the TEXAS ELECTION CODE, with the City Secretary at the City Municipal Building, 27424 Robinson Road, Oak Ridge North, Texas 77385 no sooner than Wednesday, January 18, 2017, and no later than five o'clock (5:00) p.m. Friday, February 17, 2017. Such application shall include the office the candidate is seeking and the place number of such position, where applicable. The City Secretary shall note on the face of each such application the date and time of its filing.

**Section 4.** Each voter shall vote for his or her choice for a candidate for each City Council Member place and shall vote for only one candidate for each City Council Member place.

**Section 5.** The present boundaries of the City, constituting county election Precinct 35, shall comprise one City election precinct. The polling place shall be open for voting from seven o'clock (7:00) a.m. until seven o'clock (7:00) p.m. at the following polling place, and the following are hereby appointed officers to conduct the above-described election, as outlined by the Election Services Agreement between the City of Oak Ridge North, Texas and the County Contracting Officer of Montgomery County, Texas, as follows:

POLLING PLACE  
ROBINSON ROAD COMMUNITY CENTER  
27424 Robinson Road  
Oak Ridge North, Texas 77385

ELECTION OFFICERS  
SUZIE HARVEY, CONTRACTING OFFICER  
MONTGOMERY COUNTY

The City Secretary is hereby authorized and directed to provide a copy of this Ordinance to the County Contracting Officer as written notice of the appointment as required by Section 32.009 of the TEXAS ELECTION CODE.

**Section 6.** Voting shall be conducted by the County Contracting Officer utilizing voting machines and equipment supplied by the County Contracting Officer. All expenditures necessary to conduct the election, for the purchase of materials, and the employment of all election officials is hereby authorized in accordance with the TEXAS ELECTION CODE and in accordance with the provisions of the Election Services Agreement.

**Section 7.** The County Contracting Officer is hereby appointed Early Voting Clerk; the appointment of a deputy clerk or clerks for early voting by the County Contracting Officer shall be in accordance with Section 83.031 *et seq.* of the TEXAS ELECTION CODE. Early voting by personal appearance for the election shall commence on Monday, April 24, 2017, and end on Tuesday, May 2, 2017, at the Robinson Road Community Building, 27434 Robinson Road, Oak Ridge North, Texas. Early voting by personal appearance shall be conducted each weekday from eight o'clock (8:00) a.m. until five o'clock (5:00) p.m., except for the last two (2) days of the early voting period. On Monday, May 1, 2017, and Tuesday, May 2, 2017, the regular business hours are hereby designated as seven o'clock (7:00) a.m. until seven o'clock (7:00) p.m. Under no circumstances shall the County Contracting Officer permit anyone to vote early by personal appearance at any time when such office is not open to the public. The Early Voting Clerk, in accordance with the provisions of the TEXAS ELECTION CODE, shall maintain a roster listing

each person who votes early by personal appearance and each person to whom a ballot to be voted by mail is sent. The roster shall be maintained in a form approved by the Secretary of State.

**Section 8.** An Early Voting Ballot Board is hereby designated to canvass the early votes cast by mail and by personal appearance. The County Contracting Officer is hereby appointed as Presiding Judge of the Early Voting Ballot Board. In accordance with Section 87.001, *et seq.*, TEXAS ELECTION CODE, said Early Voting Ballot Board Presiding Judge shall appoint such other members as provided in the TEXAS ELECTION CODE, Section 87.002(b).

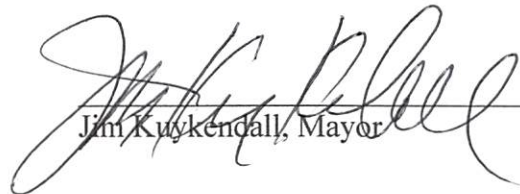
**Section 9.** The candidate receiving the highest number of votes for City Council Member in each of the places to be filled at such election shall be declared elected to such place.

**Section 10.** The order in which the names of the candidates are to be printed on the ballot for the early voting period, and the order in which the names of the candidates are to be printed on the ballot for the general election and special election, shall be determined by a drawing by the City Secretary, as provided by Section 52.094 of the TEXAS ELECTION CODE. The City Secretary shall post a notice of the date, hour and place of drawing. Such notice shall remain posted continuously for seventy-two (72) hours immediately preceding the scheduled time of the drawing; and personal notice shall also be given to any candidate who makes written request for such notice and furnishes to the City Secretary a self-addressed, stamped envelope. Each candidate involved in the drawing, or a representative designated by him or her, shall have a right to be present and observe the drawing.

**Section 11.** Notice of this election shall be given in accordance with the provisions of the TEXAS ELECTION CODE and returns of such notice shall be made as provided for in that Code. The Mayor shall issue all necessary orders and writs for such election, and returns of such election shall be made to the City Secretary immediately after the closing of the polls.

**Section 12.** The election shall be held in accordance with the TEXAS ELECTION CODE and the Federal Voting Rights Act of 1965, as amended.

**PASSED, APPROVED, and ADOPTED** on this 23<sup>rd</sup> day of January, 2017.

  
Jim Kuykendall, Mayor

ATTEST:

  
Laura Calcote, City Secretary

