

ORDINANCE NO. 2023-02-01

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AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF POETRY, TEXAS, AUTHORIZING A GENERAL ELECTION TO BE HELD ON MAY 06, 2023, FOR THE PURPOSE OF ELECTING A MAYOR AND FIVE COUNCIL MEMBERS, FOR EXPIRING TERMS BY THE QUALIFIED VOTERS OF THE TOWN OF POETRY; ESTABLISHING PROCEDURES FOR THE ELECTION IN KAUFMAN COUNTY; PROVIDING FOR OTHER MATTERS INCIDENT AND RELATED TO THE ELECTION; PROVIDING FOR PUBLICATION; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, by this Ordinance, it is the intention of the Town Council of the Town of Poetry, Texas to call the General Election in accordance with state law, to declare the Texas Election Code is applicable to said election, and this Ordinance establishes procedures consistent with the Code and designates the Election Day and main early voting polling place for the General Election; and

WHEREAS, May 06, 2023, is a uniform election date; and

WHEREAS, the City Council calls to Order the General Election of May 06, 2023, to elect a Mayor, and Five Council Members of the City Council as required by the Texas Election Code:

WHEREAS, the Order of Election must be written in English and Spanish as required by the Texas Election Code:

WHEREAS, the Town has authority, pursuant to Chapter 31 of the Texas Elections Code, to enter into an election services agreement with Kaufman County Election Officer and to furnish election services to the City and its citizens; and

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE TOWN OF POETRY,

SECTION 1. General Election Called. That a General Election is hereby called by the Town Council to elect the following:

A Mayor and Five Town Council Members, to serve a 2-year term each, until May 2025 or until their successors are duly elected and qualified. Such election shall take place on the 6th day of May 2023, between the hours of 7:00 a.m. and 7:00 p.m.

SECTION 2. Candidates for General Election. Qualified persons may file as candidates for the General Election by filing an application with the City Secretary at the Town Hall, between the hours of 12:00 p.m. through 4:00 p.m. on Wednesday and Friday, beginning January 18, 2023, through February 17, 2023. The City Secretary's office will remain open on February 17, 2023, until 5:00 p.m. as required by the TX Election Code. All applications for candidacy shall be on a form as prescribed by the Texas Election Code.

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SECTION 3. Ballot. The official ballot for the election shall be prepared in accordance with the Texas Election Code to permit the electors to vote for each position.

SECTION 4. Polling Places. Voting shall be conducted on Election Day between the hours of 7:00 a.m. and 7:00 p.m. at the **Elections Office (Main Location), Kaufman County Library 3790 S. Houston Street, Kaufman County, Texas.**

SECTION 5. Contract for Election Services. Chapter 31 of the Texas Elections Code authorizes county election officers to contract with the governing body of a political subdivision to perform certain election services. Pursuant to such authority, the election shall be conducted in accordance with the *May 6, 2023, Joint Election Contract for Election Services* between the Elections Administrator of Kaufman County and the Town of Poetry which shall be approved by separate action of the City Council.

SECTION 6. Governing Law and Qualified Voters. The election shall be held in accordance with the Constitution of the State of Texas and the Code, and all resident qualified voters of the City shall be eligible to vote at the election.

SECTION 7. Publication and Posting of Notice of Election. Notice of the election shall be given as required by Chapter 4 of the Code.

SECTION 8. Early Voting. The Town Council hereby appoints Tandi Smith, Elections Administrator of Kaufman County, as the Early Voting Clerk. Dates and times of early voting by personal appearance are as follows:

Monday, April 24, 2023 through Friday, April 28, 2023	8:00 a.m. to 5:00 p.m.
Saturday, April 29, 2023	8:00 a.m. to 5:00 p.m.
Sunday, April 30, 2023	12:00 p.m. to 6:00 p.m.

The Early Voting Locations will be:

1. Kaufman County Library, 3790 S. Houston, Kaufman, Texas 75142
2. Terrell Sub Courthouse, 408 East College, Terrell, Texas 75160Election
3. Kemp Sub Courthouse, 103 N. Main Street, Kemp, Texas 75143
4. Crandall/Combine Community Center 500 W. Lewis Street, Crandall, Texas 75114
5. Mabank City Hall, 129 Market Street, Mabank, Texas 75147
6. Forney Sub Courthouse 200 E. Main, Forney, Texas 75126

SECTION 9. Publication and Posting of Notice of Election. Notice of the election shall be given by posting a substantial copy of this Ordinance ordering an election in English and Spanish translations at Town Hall on the official bulletin board used for posting notices of the meeting of the Town Council. A copy of this Ordinance's caption shall also be published in English and in Spanish in the Town's official newspaper of general circulation published in the Town.

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SECTION 10. Severability Clause. It is hereby declared to be the intention of the Town 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 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 phrases, clauses, sentences, paragraphs and sections of this ordinance, since the same would have been enacted by the Town Council without the incorporation in this ordinance of any such unconstitutional phrase, clause, sentence, paragraph or section.

SECTION 11. Effective Date. This ordinance shall be in full force and effect after its passage, and it is so ordained.

The *Order of Election* shall be posted to read as shown on Exhibit "A" attached:

PASSED, APPROVED and ADOPTED this 13TH day of February 2023.


Tara Senkevech, Mayor

ATTEST:


Jana Shelton, City Secretary

