

ORDINANCE NO. 2015-006

AN ORDINANCE OF THE BOARD OF ALDERMEN OF THE TOWN OF TALTY, TEXAS, CANCELING THE MAY 9, 2015, GENERAL ELECTION AND DECLARING EACH UNOPPOSED CANDIDATE ELECTED TO OFFICE; CANCELLING THE MAY 9, 2015 ASSOCIATED SALES AND USE TAX RATE CHANGE; DIRECTING THE TOWN SECRETARY TO POST A COPY OF THIS ORDINANCE AT ALL POLLING PLACES; PROVIDING A REPEALING CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Town of Talty, Texas is a Type A general law municipality, created in accordance with the provisions of the Local Government Code and operating pursuant to the enabling legislation of the State of Texas; and

WHEREAS, a general election has been ordered for May 9, 2015, for the purpose of electing three Aldermen to serve on the Town's Board of Aldermen; and

WHEREAS, a special election to revise the proposed sales and use tax rate from one-half of one percent (1/2 of 1%) to one-fourth of one percent (1/4 of 1%); and

WHEREAS, the filing deadlines for placement on the ballot and declaration of write-in candidacy have passed; and

WHEREAS, although three positions were to be filled, only three persons submitted proper applications to be placed on the ballot, and the Town Secretary has certified in writing that all candidates are unopposed for election to their office if, were the election held, only the votes cast for those candidates in the election for those offices would be counted; and

WHEREAS, in these circumstances, the Texas Election Code authorizes the Town to declare each unopposed candidate elected to office and cancel the election. Now Therefore,

BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE TOWN OF TALTY, TEXAS:

SECTION 1. That the following candidates, who are unopposed in the May 9, 2015 general election, are hereby declared elected to the specified offices and shall be issued a certificate of election:

Mayor:	Larry Farthing
Alderman:	William Courtney McGrath
Alderman:	Gary Wayne Stringer

SECTION 2. That the special election called for May 9, 2015, to revise the proposed sales and use tax rate from one-half (1/2) of one percent (1%) to one-fourth (1/4) of one percent (1%) be and is hereby CANCELLED.

SECTION 3. That the Town Secretary is directed to post a copy of this ordinance at each designated polling place on May 9, 2015.

SECTION 4. That all provisions of the ordinances of the Town of Talty in conflict with the provisions of this ordinance be, and the same are hereby, repealed and all other provisions of the ordinances of the Town of Talty not in conflict with the provisions of this ordinance shall remain in full force and effect.

SECTION 5. That if any section, paragraph, sentence, subdivision, clause, phrase or provision of this ordinance be adjusted or held to be unconstitutional, illegal, or invalid, the same shall not affect the validity of this ordinance as a whole or any part or provision hereof other than the part so decided to be unconstitutional, illegal, or invalid and shall not affect the validity of the remainder of this ordinance or any other provision of the ordinances of the Town of Talty.

SECTION 6. This ordinance shall take effect immediately from and after its passage and it is accordingly so resolved.

DULY PASSED by the Town Council of the Town of Talty, Texas, on the 17th day of March, 2015.

APPROVED:

Mayor, Larry Farthing

ATTEST:
Town Secretary Sherry Bagby
