

CITY OF WILLOW PARK

ORDINANCE NO. 497-03

AN ORDINANCE CANCELING THE ELECTION FOR CERTAIN MUNICIPAL OFFICES OF THE CITY OF WILLOW PARK, TEXAS; PROVIDING FOR AN EFFECTIVE DATE; AND, NOTICE BY POSTING.

WHEREAS, the City of Willow Park is a municipal corporation organized under the laws of the State of Texas; and

WHEREAS, it is intent of the City of Willow Park to protect the health, safety and welfare of its citizens; and

WHEREAS, the City Council consists of a Mayor and five councilmembers elected according to a place system for staggered two year terms of office; the terms of office for Mayor and councilmember for Place 1 and Place 2 will expire in May 2003; and

WHEREAS, Chapter 1, *General Provisions*, Article 1.300 *Municipal Election* provides that "all elections pertaining to municipal affairs shall be governed by the election laws of the State of Texas." and,

WHEREAS, a general election for certain municipal officers of the City of Willow Park, was ordered for May 3, 2003 under provision of law and Ordinance No. 496-03 as adopted by the City Council of the City of Willow Park on February 4, 2003;

WHEREAS, the Mayor duly and legally signed an Order on the 4th day of February 2003, subsequent to the adoption of Ordinance 496-03, ordering the municipal election for the City of Willow Park and said order was posted as required by law at a place convenient to the public, the front door of the City Hall of the City of Willow Park on the 5th day of February 2003 at 8:00 a.m.; and

WHEREAS, the City Secretary is responsible for having the official ballot prepared, as provided by § 52.002(3), and has certified in writing: (i) that the candidates for election to municipal office of the City of Willow Park are unopposed; (ii) that no candidate has requested to be placed on a list of write in candidates for those offices; and (iii) no proposition is to appear on the ballot; and

WHEREAS, the certification in writing by the Secretary was delivered to the governing body of the City of Willow Park subsequent to the deadline for write in candidates as provided for by Section 146.054 TEX. ELECTION CODE;

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

SECTION 1. INCORPORATION

All of the above precatory statements are true and correct and incorporated herein for all purposes.

SECTION 2. RECITALS

The Mayor, appropriate City Official, or Mayor's designee is hereby authorized and directed to implement the applicable provisions of this Ordinance.

SECTION 3. UNOPPOSED STATUS

The City Secretary has certified in writing to the governing body of the City council that the following candidates who applied for a place on the Willow Park ballot for the May 3, 2003 election are unopposed:

Mayor	James H. Poythress
Councilmember Place 1	Scott D. Rule
Councilmember Place 2	Terry L. Skaggs

Further, the City Secretary has certified in writing that only one candidate's name is to be placed on the ballot for each municipal office above described, no declaration of write-in candidacy has been filed with the City Secretary for a place on the ballot, and no proposition is to appear on the ballot.

SECTION 4. DECLARATION OF ELECTION

The following candidates, who were unopposed in the May 3, 2003 general election, are hereby declared elected to office, and shall be issued a certificate of election:

Mayor	James H. Poythress
Councilmember Place 1	Scott D. Rule
Councilmember Place 2	Terry L. Skaggs

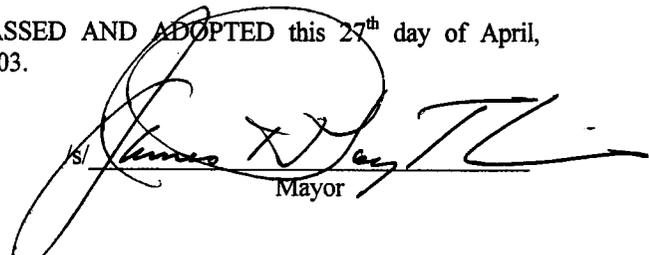
SECTION 5. CERTIFICATE OF ELECTION

A certificate of election shall be prepared and shall be issued to each candidate who was declared elected to office in SECTION 4 hereof in the same manner as provided for a candidate elected at the election, but said certificates of election will not be issued until election day.

SECTION 6. PUBLIC NOTICE

Copies of the order of cancellation as provided by § 2.053(b) of the TEX. ELECTION CODE shall be posted on election day at each polling place that would have been used in the election

PASSED AND ADOPTED this 27th day of April, 2003.

/s/ 
 Mayor

ATTEST:

/s/ 
 City Secretary/Clerk

APPROVED AS TO FORM.

/s/ 
 City Attorney

The Willow Park City Council in acting on Ordinance No. 497-03, did on the 27th day of April 2003 vote as follows:

	<u>FOR</u>	<u>AGAINST</u>
James H. Poythress, Mayor	—	—
Scott Rule, Place 1	—	—
Terry Skaggs, Place 2	<u>X</u>	—
Brad Johnson, Place 3	<u>X</u>	—
Jason Ellerbusch, Place 4	—	—
Hale Alderman, Place 5	<u>X</u>	—