

ORDINANCE No. 016

AN ORDINANCE ORDERING A SPECIAL ELECTION TO BE HELD IN THE TOWN OF ANNETTA SOUTH, TEXAS, ON THE QUESTION OF THE ADOPTION OF A ONE PERCENT (1%) LOCAL SALES AND USE TAX WITHIN THE TOWN; DESIGNATING THE DAY OF THE ELECTION AND THE POLLING PLACE; APPOINTING ELECTION OFFICIALS THEREFOR; PROVIDING THAT ALL DULY QUALIFIED RESIDENT ELECTORS SHALL BE QUALIFIED TO VOTE; PRESCRIBING FORM OF BALLOT; PROVIDING FOR NOTICE OF ELECTION; CONTAINING OTHER PROVISIONS RELATING TO SAID ELECTION.

WHEREAS, Article 1066c, Vernon's Texas Civil Statutes (Acts 1967, 60th Legislature, Regular Session, Chapter 36, Page 62) authorizes the governing body of any city, town or village in Texas to call an election for the purpose of adopting a local sales and use tax within such city, town or village; Now Therefore,

BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE TOWN OF ANNETTA SOUTH:

SECTION 1. That a special election shall be held in and throughout the TOWN OF ANNETTA SOUTH, Texas, on the 10 th day of August 1985, at which election there shall be submitted to the resident qualified voters of said Town, for their action thereupon, the following propositions:

"FOR ADOPTION OF A ONE PERCENT (1%) LOCAL SALES AND USE TAX WITHIN THE TOWN OF ANNETTA SOUTH."

"AGAINST ADOPTION OF A ONE PERCENT (1%) LOCAL SALES AND USE TAX WITHIN THE TOWN OF ANNETTA SOUTH."

SECTION 2. The said election shall be at one polling place for all qualified voters of the TOWN OF ANNETTA SOUTH, which polling place shall be at the METRO CABLE TV CORPORATION OFFICE located on FARM ROAD 5.

SECTION 3. That the presiding officers for said election shall be J. E. Fickert, as Presiding Judge, and Terry Ross as Alternate Presiding Judge, with two clerks therefor as appointed by the Presiding Judge.

SECTION 4. That the ballots of said election shall conform to the requirements of Section 2, Subsection G, of Article 1066c, Vernon's Texas Civil Statutes (Acts 1967, 60th Legislature, Regular Session, Chapter 36, Page 62), and to the requirements of Chapter 6 of the Election Code of the State of Texas, as amended, and the language to be printed thereon shall be as stated in Section 1., of this ordinance, with a square provided before each proposition in which the voter shall be instructed to place an "X" or other clear mark to indicate the way he wishes to vote.

SECTION 5. That the election judges and clerks are directed to comply with Article 6.06, Election Code of the State of Texas, as amended (Section 2 of House Bill 181, Acts 1967, 60th Legislature, Regular Session, Chapter 452, Pages 1026, 1028), which provides that failure of a voter to mark his ballot in strict conformity with the directions on the ballot shall not invalidate the ballot, and the ballot shall be counted if the intention of the voter is clearly ascertainable, except where the law expressly prohibits the counting of the ballot. It is specifically provided that the election officers shall not refuse to count a ballot because of voter's having marked his ballot by scratching out the statement of proposition for which he does not wish to vote.

SECTION 6. That notice of this election hereby ordered and called shall be given as follows: (a) by publication on the same day of two successive weeks in a newspaper having general circulation within the TOWN OF ANNETTA SOUTH, the date of first publication to be at least twenty-one (21) days prior to the date set herein for this election; and (b) by posting of such notice at the U. S. Post Office and other conspicuous public places.

SECTION 7. That the said election shall be held in accordance with the constitution and the laws of the State of Texas and due return thereof shall be made in the same manner.

PASSED AND APPROVED, this 13th day of June, 1985



Carl Robbins
Mayor

ATTEST:

John S. Styrsky
Secretary