

ORDINANCE 2023-2

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF SAN FELIPE, TEXAS, CALLING A GENERAL ELECTION AND ESTABLISHING THE PROCEDURE FOR THE GENERAL ELECTION FOR MUNICIPAL OFFICERS TO BE HELD ON MAY 6, 2023 IN THE TOWN OF SAN FELIPE, TEXAS; AND PROVIDING OTHER MATTERS RELATING TO THE ELECTION.

WHEREAS, the laws of the State of Texas provide that on May 6, 2023, there shall be a general election for municipal officers; and

WHEREAS, the following municipal officers shall be elected:

Mayor, for a term of 2 years;
Alderman at Large, for a term of 2 years;
Alderman at Large, for a term of 2 years; and

WHEREAS, the Texas Election Code is applicable to said election, and in order to comply with said Code, an ordinance should be passed calling the election, establishing the procedures to be followed in said election, and designating the voting place for said election.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF SAN FELIPE, TEXAS, THAT:

Section 1 General Election Ordered. A general election shall be held on May 6, 2023 to elect the following officers: The Mayor and Two (2) Aldermen of the Town of San Felipe, Texas.

Section 2 Filing Period. Candidates for the above offices may file their application beginning at 8:00 a.m. January 18, 2023 and shall file their applications no later than 5:00 p.m. February 17, 2023. All candidates for the offices to be filled in the election to be held on May 6, 2023, shall file their application to become candidates, with the Town Secretary of the Town of San Felipe at Town Hall, 927 Sixth Street, San Felipe, Texas, on any weekday that is not a Town holiday between 8:00 a.m. and 5:00 p.m., and all of the said applications shall be on a form as prescribed by the Election Code of the State of Texas.

Section 3 Drawing. The order in which the names of the candidates are to be printed on the ballot shall be determined by a drawing conducted by the Town Secretary as provided by the Election Code.

Section 4 Election Day Polling Place. The polling place for said election shall be Town of San Felipe Fire Station #1, 15023 FM 1458 North, San Felipe, Texas 77473. Voting at such election shall be upon paper ballots in conformity with the Texas Election Code. Voting at said election shall be done by the use of optical scan ballots and the use of an Express Vote Electronic Voting Machine, as determined by the Town Council. The equipment necessary for voting shall be available at the voting sites for the purpose of conducting early voting by personal appearance and at the Election Day voting sites established for the purpose of voting by personal appearance on Election Day, Saturday, May 6, 2023. On Election Day, the poll at the above-designated polling place shall be open from 7:00 A.M. to 7:00 P.M.

Section 5 Election Judges and Clerks. The Town Secretary is authorized to appoint up to six election officers, including an election judge and alternate judge, in accordance with Chapter 32 of the Texas Election Code. There shall be a minimum of three (3) and a maximum of six (6) clerks at the polling place.

Section 6 Compensation. In accordance with Section 32.091 of the Texas Election Code, the judges and clerks shall be paid the rate of \$7.25 per hour, and the election judge shall receive an additional \$25.00 for delivery of the returns of the election.

Section 8 Early Voting. Pursuant to Texas Election Code Section 83.005, the Town Secretary is the Early Voting Clerk. Early voting for the above-designated election shall be at the Town Hall, 927 Sixth Street, San Felipe, Texas, and said place of early voting shall remain open for at least nine (9) hours for early voting which is not a Saturday, a Sunday, or an official state holiday, beginning on Monday, April 24, 2023 (the 12th day before the election date), and continuing through Tuesday, May 2, 2023, (the 4th day preceding the date of the election). The place of voting shall remain open between the hours of 8:00 a.m. and 5:00 p.m. for said early voting, and, in the event the early voting clerk orders voting on a Saturday or Sunday, during such hours as may be determined by said clerk, by written order, pursuant to Sections 85.006 and 85.007 of the Election Code. The above-described place for early voting is the early voting clerk's address to which ballot applications and ballots voted by mail may be sent and is designated as the main early voting polling place. During the early voting period, the early voting clerk shall keep continuously posted: (1) at the entrance to the room in which the early voting polling place is located, a sign on which is printed in large letters "Early Voting Polling Place"; and (2) in each corridor leading to the entrance to the room in which the early voting polling place is located, 100 feet from the entrance, a sign on which is printed in larger letters "Distance Marker - No electioneering between this point and the entrance to the early voting polling place."

Section 9 Mail Ballots. The early voting polling place shall be Town Hall, 927 Sixth Street, San Felipe, Texas 77473. Requests for applications for early voting ballots by mail should be mailed to Town Secretary, Sue Foley, 927 Sixth Street, P.O. Box 129, San Felipe Texas, 77473. Pursuant to Section 84.007 of the Election Code, an application for a ballot to be voted by mail must be submitted to the Early Voting clerk by (1) mail; or (2) common or contract carrier. An application by mail must be received by the clerk before the close of regular business in the early voting clerk's office or 12 noon, whichever is later, on Tuesday, April 25, 2023 (11th day before election day). The early voting clerk shall mail without charge an appropriate official application form for an early voting ballot to each person requesting the clerk to send him an application form. The early voting clerk shall review each application for a ballot to be voted by mail. If the applicant is entitled to vote by mail, the clerk shall provide an official ballot to the applicant as provided by Chapter 86 of the Election Code. If the applicant is not entitled to vote by mail, the clerk shall reject said application in accordance with Section 86.001 of the Texas Election Code. Balloting materials for voting by mail shall be mailed to voters as soon as practicable after the ballots become available. A marked ballot voted by mail must arrive at the address on the official carrier envelope for early voting (the Town Hall) before the time the polls are required to close on Election Day, May 6, 2023. Voting by mail shall be conducted in accordance with Chapter 86 of the Election Code. Early voting ballots shall be canvassed by an early voting ballot board. The Town Secretary shall have the authority to appoint the necessary persons to the Early Voting Ballot Board. Processing of early voting results shall be carried out by said board in accordance with Chapter 87 of the Election Code.


Section 10 Write-in Candidacy. A write-in vote may not be counted unless the name written in appears on the list of write-in candidates. To be entitled to a place on the list of write-in candidates, a candidate must make a declaration of write-in candidacy. A declaration of write-in candidacy must be filed with the Town Secretary not later than 5:00 P. M. on Tuesday, February 21, 2023.

Section 11 Notice of Election. That notice of election shall be given by the Mayor in accordance with the terms and provisions of the Texas Election Code. The Town will use its official website to post those notices required by law and any election information it deems necessary during the conduct of this election. The Town's official website is <http://www.townofsanfelipe.net/>.

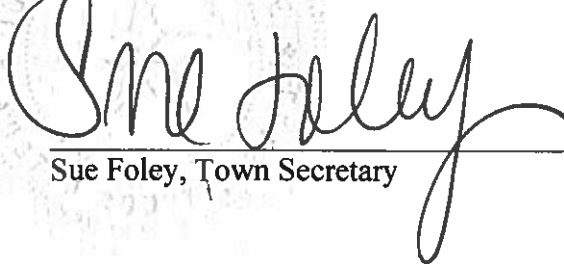
Section 12 General. Said election shall be held in accordance with the Texas Election Code, and only resident qualified voters of said Town shall be eligible to vote at said election. The Town Secretary is hereby authorized and instructed to provide and furnish all necessary election supplies to conduct said election. Returns of said election shall be made known as soon as possible after the closing of the polls.

Section 13 Posting. In accordance with the order of this governing body, the Town Secretary posted written notice of the date, place, and subject of this meeting on the bulletin board located in the Town Hall, a place convenient and readily accessible to the general public, and said notice remained posted continuously for at least 72 hours preceding the scheduled time of this meeting.

PASSED AND APPROVED this 4th day of February 2023.


Bobby Byars, Mayor

ATTEST:


Sue Foley, Town Secretary