

ORDINANCE NO. 2022-02-14

**AN ORDINANCE OF THE CITY OF MAYPEARL, TEXAS, CALLING FOR A GENERAL ELECTION FOR THE OFFICES OF TWO CITY COUNCIL PLACES, SUCH GENERAL ELECTION TO BE HELD ON SATURDAY MAY 7, 2021; ESTABLISHING PROCEDURES FOR THE ELECTION; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the City of Maypearl, Texas ("City") is a Type A General Law Municipality located in Ellis County, created in accordance with the provisions of Chapter 6 of the Local Government Code and operating pursuant to the enabling legislation of the State of Texas; and

**WHEREAS**, the general election for City Council members of the City of Maypearl is required to be held on May 7, 2022, a uniform election date, at which time the voters will elect persons to fill the offices of two City Council member seats; and

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MAYPEARL, TEXAS, THAT:**

**Section 1. General Election Called.** An election is hereby called to elect the of the City Council seats currently occupied by Mark Partin and John Wayne Pruitt whose current term expires in May 2022, to serve from May 2022 until May 2024 or until their successors are duly elected and qualified. The election shall be held on May 7, 2022, between the hours of 7:00 a.m. and 7:00 p.m. at Maypearl First Baptist Church, 5744 FM 66, Maypearl, TX 76064. The City shall constitute a single precinct for said election.

**Section 2. Joint Election Agreement Approved.** Prior to the election, the Town anticipates that it will enter into a joint election agreement and contract for election services with Ellis County, conducted under the authority of Chapter 271 of the Election Code (the "Agreement").

**Section 4. Application for Place on Ballot for General Election.** Qualified persons may file as candidates for the General Election by filing applications in the office of the City Secretary located at Maypearl City Hall, 104 East Second Street, Maypearl, Texas 76064 from 8:00 a.m. to 5:00 p.m., on all regular business days from January 19, 2022 through February 18, 2022.

**Section 5. Early Voting.**

**a. Early voting by personal appearance.** Early voting by personal appearance shall commence April 25, 2022, and shall continue through May 3, 2022 at Ellis County Administrator's office located at 204 E Jefferson Street Waxahachie, TX 75165. Specific days, times and locations shall be designated in the Agreement and shall be in compliance with state law.

**b. Early voting by mail.** The Ellis County Election Administrator ("Elections Administrator") is hereby designated as Early Voting Clerk for the general and special election. Applications for early voting by mail may be delivered to the Elections Administrator at the following address: Early Voting Clerk, Jana Onyon, Early Voting Clerk, 204 E Jefferson Street Waxahachie, Texas 75165 not later than the close of business

on April 26, 2022. The Early Voting Clerk may be reached at the following: (i) Telephone: 972-825-5195, (ii) Email: [elections@co.ellis.tx.us](mailto:elections@co.ellis.tx.us), and (iii) Website: <https://co.ellis.tx.us/312/Elections>. Early voting by ballots shall be mailed to the Early Voting Clerk at the same address. The City Secretary is directed to forward applications and ballots she may receive to the Elections Administrator, as provided in the Agreement.

c. **Early voting by Ballot Board.** Early voting, both by personal appearance and by mail shall be canvassed by the Early Voting Ballot Board which is hereby created. The election judge, alternate election judge, and ballot board will be appointed by the Elections Administrator, as permitted by law. The presiding judge shall appoint elections clerks as may be necessary for the proper conduct of the election. The election judge, or the alternate election judge in the absence of the election judge, and the election clerks shall constitute the early voting ballot board to process early voting results from the election. The election judge, and alternate election judge, and election clerks shall be qualified voters of the City. To the extent required by law, those persons designated by Ellis County as election officers and clerks are hereby appointed by the City

**Section 6. Method of Voting.** Early voting by personal appearance and on Election Day, shall be conducted by Ellis County in accordance with the Agreement. All expenditures necessary for the conduct of the election, the purchase of materials therefore, and the employment of all election officials are hereby authorized and shall be conducted in accordance with the Agreement and applicable law. The order in which the names of the candidates are to be printed on the ballot shall be determined by a drawing by the City Secretary pursuant to state law. Notice of the time and place for such drawing shall be given in accordance with the Texas Election Code.

**Section 7. Governing Law and Qualified Voters.** The election shall be held in accordance with the Constitution of the State of Texas and the Texas Elections Code, and all resident qualified voters of the City shall be eligible to vote at the election.

**Section 8. Publication and Posting of Notice of Election.** This ordinance shall serve as Order of the Election, as required by Section 3.001 of the Texas Election Code for the General and Special Election. Notice of said election shall be given by publishing the caption of this Ordinance, in English and in Spanish, at least once, not earlier than the 30<sup>th</sup> day and later than the 10<sup>th</sup> day before election day in a newspaper published in the City. A copy of this ordinance shall be posted on the city's board used for posting notices of City meetings not later than the 21<sup>st</sup> day before election day.

**Section 9. Necessary Actions.** The Mayor and the City Secretary of the City, in consultation with the City Attorney, are hereby authorized and directed to take any and all actions necessary to comply with the provisions of the Texas Election Code in carrying out and conducting the election, whether or not expressly authorized herein.

**Section 10. Severability Clause.** It is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses and phrases of this order are severable and if any phrase, clause, sentence, paragraph, or section shall be declared invalid or unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such invalidity or unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this order, since the same would have been enacted by the City Council without

the incorporation in this order of any such invalid or unconstitutional phrase, clause, sentence, paragraph or section.

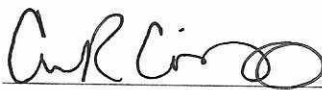
**Section 11. Effective Date.** This Ordinance shall be effective upon its adoption.

**PASSED AND APPROVED** this 14 day of February, 2022.

**CITY OF MAYPEARL, TEXAS**

  
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Mayor

ATTEST:

  
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City Secretary