

ORDINANCE 2013 - 03

AN ORDINANCE AUTHORIZING A GENERAL MUNICIPAL ELECTION TO BE HELD ON MAY 11, 2013, FOR THE PURPOSE OF ELECTING A MAYOR AND TWO CITY COUNCILMEMBERS; PROVIDING FOR NOTICE OF SAID ELECTION; PROVIDING FOR THE USE OF ES&S AUTOMARK VOTER ASSIST TERMINAL AND MODEL 100 COUNTING EQUIPMENT; PROVIDING FOR EARLY VOTING; DESIGNATING POLLING PLACES AND TIMES; PROVIDING FOR A LIMITED JOINT ELECTION WITH CANTON INDEPENDENT SCHOOL DISTRICT; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CANTON:

**Section 1.** That a general municipal election is hereby ordered to be held on Saturday, May 11, 2013, for the purpose of electing a mayor and two (3) City Councilmembers.

**Section 2.** That the polls of said election shall be open from 7:00 a.m. to 7:00 p.m.

**Section 3.** That the polling place for Election Day shall be the Library, Canton Independent School District Junior High Building, 1115 South Buffalo, Canton, Texas.

**Section 4.** That Early Voting shall be conducted by the Office of the City Secretary. Early voting by personal appearance shall be conducted in the reception area at the City Office Complex, 24980 Hwy 64 East, Suite One, Canton, Texas, between the hours of 8:00 a.m. and 5:00 p.m. April 29, 2013, through May 3, 2013, and between the hours of 7:00 a.m. and 7:00 p.m. May 6, 2012, through May 7, 2012.

**Section 5.** That optical scan ballots and the ES&S AutoMark Voter Assist Terminal (Version 1.01.121), as approved by the Secretary of State to comply with HAVA requirements, is hereby adopted for use in early and Election Day voting in addition to marking ballots by hand. Ballots shall be counted by a Model 100 Percent Scanner (Version 5.0.0.0).

**Section 6.** That applications for ballot by mail shall be mailed to Julie Seymore, City Secretary, P.O. Box 245, Canton, Texas 75103, and must be received no later than the close of business on May 3, 2013.

**Section 7.** That the Mayor is authorized to sign a Notice of General Election prescribed by the State of Texas on behalf of the City Council. The Notice of General Election shall be published in accordance with the provisions of the Texas Election Code for General Law A Cities.

**Section 8.** That the City shall enter into a Joint Election Agreement with Canton Independent School District for the purpose of sharing a polling place on Election Day and the Mayor is authorized to sign such agreement on behalf of the City Council.

**Section 9.** Should any part, section, subsection, paragraph, sentence, clause or phrase contained in this ordinance be held to be unconstitutional or of no force and effect, such holding shall not affect the validity of the remaining portion of this ordinance, but in all respects said remaining portion shall be and remain in full force and effect.

**Section 10.** That this ordinance shall be effective immediately upon adoption.

**APPROVED AND ADOPTED** by the City Council of the City of Canton this 15<sup>th</sup> day of January, 2013.

  
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Cary S. Hilliard, Mayor

ATTEST:

  
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Julie H. Seymore, City Secretary