

ORDINANCE NO. 97-2

AN ORDINANCE CANCELLING THE MAY 3, 1997 REGULAR ELECTION AND DECLARING EACH UNOPPOSED CANDIDATE ELECTED TO OFFICE, PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES, PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Beach City is a Type A general-law municipality located in Chambers 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, in accordance with law a general election has been ordered for May 3, 1997 for the purpose of electing three (3) council members to serve on the city council in the City of Beach City; and

WHEREAS, no proposition is to appear on the ballot in that election; and

WHEREAS, the city secretary has certified in writing that each candidate on the ballot is unopposed for election to office; and

WHEREAS, the filing deadlines for placement on the ballot and declaration of write-in candidacy has passed; and

WHEREAS, in these circumstances Subchapter C of Chapter 2 of the Election Code authorizes a governing body to declare each unopposed candidate elected to office and cancel the election

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BEACH CITY, TEXAS THAT:

SECTION 1.

The following candidates, who are unopposed in the May 3, 1997 general election, are hereby declared elected to office, and shall be issued a certificate of election:

Aldermen: Kevin Budd
David Holloway
Billy Ramsey

SECTION 2.

The city secretary is directed to post a copy of this ordinance at each designated polling place on May 3, 1997.

SECTION 3.

This ordinance shall be cumulative of all provisions of ordinances of the City of Beach City, Texas, except where the provisions of this ordinance are in direct conflict with the provisions of such ordinances, in which event the conflicting provisions of such ordinances are hereby repealed.

SECTION 4.

It is hereby declared to be the intention of the city council that the phrases, clauses, sentences, paragraphs, and sections of this ordinance are severable and if any phrase clause sentence, paragraph or section of this ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this ordinance, since the same would have been enacted by the city council without the incorporation of this ordinance of any such unconstitutional phrase, clause, sentence, paragraph or section.

SECTION 5.

This ordinance shall be in full force and effect from and after its passage, and it is so ordained.

PASSED AND APPROVED ON THE 25th DAY OF March, 1997.

J. E. Standish
MAYOR

ATTEST:
Margaret Saenger
CITY SECRETARY

APPROVED AS TO FORM AND LEGALITY:

[Signature]
CITY ATTORNEY