

ORDINANCE NO. # 002-04

AN ORDINANCE OF THE CITY OF DE LEON, TEXAS ORDERING AND ESTABLISHING PROCEDURES FOR THE 2004 GENERAL ELECTION IN THE CITY OF DE LEON, TEXAS TO BE HELD ON THE 15TH OF MAY, 2004, FOR THE PURPOSE OF ELECTING A MAYOR, CITY COUNCIL MEMBER PLACE 1 AND CITY COUNCIL MEMBER PLACE 2; PROVIDING FOR ABSENTEE VOTING; PROVIDING FOR POLLING PLACES; PROVIDING FOR ELECTION JUDGES; PROVIDING FOR NOTICE OF ELECTIONS; PROVIDING FOR THE METHOD OF VOTING; AND PROVIDING AN EFFECTIVE DATE:

WHEREAS, on May 15th, 2004 there shall be elected the following officials for this City: A Mayor, Council member, Place 1; and Council member, Place 2;

WHEREAS, the Texas Election Code is applicable to said election and this ordinance establishes procedures consistent with the Code, and designates the voting place for the election;

NOW, THEREFORE, BE IT ORDAINED AND ORDERED BY THE CITY COUNCIL OF THE CITY OF DE LEON, TEXAS:

Section 1. General Election. The General Election of the City shall be held on Saturday, May 15th, 2004, to elect a Mayor, Council members for Place 1, and Place 2, to serve a term of two (2) years each. Candidates at the election for the above offices shall file their application to become candidates with the City Secretary of the City, at City Hall, 125 South Texas St., De Leon, Texas, between 8:00 a.m. on **February 16, 2004** and 5:00 p.m. on **March 15, 2004**. All applications for candidacy shall be on a form as prescribed by the *Tex. Elec. Code*. The order in which the names of the candidates for each office are to be printed on the ballot shall be determined by a drawing conducted by the City Secretary. The drawing will be held at **10:00 a.m. on March 17, 2004**, at the De Leon City Hall.

Section 2. Ballots. Paper ballots shall be used for the election.

Section 3. Printed Materials. The official ballots, together with such other election materials as are required by the *Tex. Elec. Code*, as amended, shall be printed in both the English and Spanish languages and shall contain such provisions, markings and language as required by law.

Section 4. Notice of Election. Notice of the election shall be given in the manner as provided in the *Tex. Elec. Code* and the *City Charter*. A notice containing a substantial copy of this ordinance shall be posted on the bulletin board used for posting notice of meetings of the governing body at the City Hall and at the aforesaid polling place not later than the twenty-first (21st) day before the election, and by publishing said Notice of Election at least one time, not earlier, than thirty (30) days nor later than twenty (20) days prior to said election, in a newspaper in general circulation in the City. The Mayor shall give notice of this election in accordance with the terms and provisions of this Section, and all necessary orders and writs therefor shall be issued by the proper authority.

Section 5. Election Precinct and Polling Places. There shall be one election precinct for the election, which shall contain and include all the geographic area within the City. The polling place for such election precinct shall be the De Leon City Hall, 125 South Texas St., De Leon, Texas. The polls shall remain open on the day of the election from 7:00 a.m. to 7:00 p.m..

Section 6. Early Voting. The City Secretary, B. Gail Neeley, is hereby appointed for Early voting, and Marilyn Gilder is hereby appointed Deputy Early Voting Clerk. Early Voting for the above designated election shall be at the De Leon City Hall, 125 South Texas St., De Leon, Texas, and said place of Early Voting shall remain open for at least eight (8) hours on each day for Early Voting which is not a Saturday, a Sunday, or an official Holiday, beginning on the **28th day of April, 2004** and continuing through the **11th day of May, 2004**. Said place of voting shall remain open between the hours of 8:00 a.m. and 5:00 p.m. on each day for said Early Voting. Applications for ballot by mail shall be mailed to: B. Gail Neeley, City Secretary, P.O. Box 318, De Leon, Texas, 76444-0318.

Early Voting, both by personal appearance and by mail shall be by paper ballots and shall be canvassed by an Early Ballot Board. It is hereby ordered that the Judges and Clerks named in the following Section 7 shall additionally serve as the Early Ballot Board.

Section 7. Election Judges and Clerks. The following persons are hereby designated and appointed election officers for the holding of said election:

Presiding Judge:	Shirley Wilkerson
Alternative Presiding Judge:	Judy Barnes

The Alternate Presiding Judge above named, in the absence of the Presiding Judge, shall preform the duties of the Presiding Judge in said election. The Presiding Judge shall appoint not more than four (4) qualified voters who are residents of the City of De Leon, Texas, to serve as Clerks in said election; the appointment of such clerks is to include the Alternate Presiding Judge, who if present, shall be appointed and counted as one of the election clerks.

The rate of pay for the election judges and the clerks shall be \$7.00 per hour, and an additional \$25.00 shall be paid to the Election Judge who delivers the election returns.

Section 8. General. The general election shall be held in accordance with the *Tex. Elec. Code* and, to the extent not inconsistent therewith, the *City Charter*, and only resident qualified voters of the City shall be eligible to vote at the election. The City Secretary is hereby authorized and instructed to provide and furnish all necessary election supplies to conduct said election. Returns of the election returns shall be canvassed by the City Council not earlier than **May 23, 2004** nor later than **May 26, 2004**.

Section 9. Effective Date. This ordinance shall be effective upon its adoption.

PASSED, ADOPTED AND APPROVED on this the **10th** day of **February, 2004**.

CITY OF DE LEON, TEXAS

ATTEST:

B. Gail Neeley,
City Secretary

Mayor, John R. Adcock