

AN ORDINANCE

61-132 F

CALLING A SPECIAL ELECTION TO BE HELD IN THE CITY OF DE LEON, TEXAS, ON THE 4TH DAY OF JANUARY, A. D. 1962, FOR THE PURPOSE OF SUBMITTING TO THE QUALIFIED VOTERS OF SAID CITY, A PROPOSED AMENDMENT TO THE EXISTING CHARTER OF SAID CITY, SETTING FORTH SAID PROPOSED AMENDMENT IN FULL, FIXING THE TIME AND PLACE OF SAID ELECTION, NAMING ELECTION OFFICIALS, PRESCRIBING THE FORM OF BALLOT, AND DECLARING AN EMERGENCY.

BE IT ORDAINED BY THE BOARD OF CITY COMMISSIONERS OF THE CITY OF DE LEON, TEXAS:

SECTION 1: That a Special Election be held in the City of De Leon, Texas, on Thursday, the 4th day of January, A. D. 1962, for the purpose of submitting to the qualified voters for adoption or rejection, the following proposed amendment to the existing charter of the City of De Leon, to wit:

AMENDMENT

The Charter of the City of De Leon be and is hereby amended by adding thereto the following Article XVI:

ARTICLE XVI

SECTION 1. All public streets and alleys are hereafter to be within the City of De Leon, Texas, be and are owned and dedicated by the City of De Leon for the free use of all peoples within and coming within the City of De Leon. The City Commission of the City of De Leon shall establish, hold, and maintain such public streets for the free use thereof by all peoples within the City of De Leon.

SECTION 2. No person, partnership, corporation, or any other association shall ever be charged by the City of De Leon or any other person or agency, for the right or privilege of using said public streets for the operation of motor or other vehicles thereon or for parking or standing such vehicles thereon.

SECTION 3. The City Commission of the City of De Leon shall cause colored lines or markers to be painted or placed on the curbs and or pavement on all the paved or curbed streets within the city, either diagonal to or parallel with the city property line on such streets, the same to be so placed as the location, need for parking space, use of the streets, and the relative convenience and use of the abutting property owner and the traveling public may demand.

The lines and markers shall be so placed as to reasonable afford ample space for parking individual vehicles, but no vehicle shall be parked nearer than 20 feet from the corner of any intersecting streets, or nearer than 10 feet from the opening of any alley into any street.

SECTION 4. The City Commission of the City of De Leon shall cause to be removed from the city owned property situated between the street curbs or

or street property lines and the abutting property privately owned, all obstacles, structures, or devices, other than poles, meters or structures lawfully placed and maintained thereon be public utilities under lawful franchise from the city of De Leon, and except meters, fireplugs, structures or devices owned and operated by the City of De Leon, which might interfere with the free use of such streets by the traveling public, or the access to and from abutting property.

SECTION 5. Each section and provision of the foregoing are independent of each other, and the invalidity of any such section or provision shall not affect the validity of any other section or provision thereof.

SECTION 6. The foregoing amendment to the Charter of the City of De Leon shall have the force and effect of a general law, shall be an addition to and cumulative of the provisions of the original charter and of all laws of the State of Texas governing cities of more than 5000 inhabitants, not in conflict herewith.

SECTION II: That the polling place and presiding officer of said election are as follows:

Said election is to be held at the usual polling place for De Leon City Elections, namely, the auditorium of the City Hall in De Leon, Texas, and  
*Mrs J. H. Higginelle* is hereby appointed presiding officer of said election.

SECTION III: That said election shall be held under the provisions of the general laws of the State of Texas governing general elections and all persons qualified to vote in said City under the laws of this state regulating general elections shall be allowed to vote.

SECTION IV: That the manner of holding said election shall be governed by the general laws of the State of Texas regulating general elections, when not in conflict with the provisions of the law hereinafter referred to.

SECTION V: That the form of ballot to be used in said election shall be as follows:

BALLOT

CITY CHARTER AMENDMENT

Do you vote to amend the present City Charter of the City of De Leon by adding to it proposed Section XVI?

Answer: Yes- No.

SECTION VI: All voters desiring to vote for the adoption of the proposed amendment shall permit to remain on their ballots with regard to said amendment, if they desire to have the same adopted, the word "yes" and those

opposed shall permit to remain on their ballots with regard to said amendment, if they desire to have the same rejected, the word "No."

SECTION VII: A copy of this ordinance shall be sufficient notice of said election, and thirty days notice of the time and place of holding the said election shall be given by publication of said notice once each week for four consecutive weeks, the date of the first publication being not less than thirty full days prior to the date of the election.

SECTION VIII: The nature and importance of the proposed charter amendment, creates an emergency and an imperative public necessity and demand, that the rule requiring the reading of ordinances at two meetings of the Board of City Commissioners prior to final passage thereof be suspended, and it is accordingly so ordered, that this ordinance shall take effect immediately upon its passage and approval.

PASSED AND APPROVED this the 6th day of October, A. D. 1961.

ATTEST:

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CITY SECRETARY.

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W. B. HOWLIN, MAYOR