

CITY OF LAVON, TEXAS

ORDINANCE NO. 2022-08-03

Order of a Home Rule Charter Election on November 8, 2022

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LAVON, TEXAS, ORDERING A SPECIAL ELECTION TO BE HELD ON NOVEMBER 8, 2022, FOR THE PURPOSE OF SUBMITTING TO THE QUALIFIED VOTERS OF THE CITY OF LAVON THE FOLLOWING PROPOSITION: ADOPTION OF A HOME RULE CHARTER; DESIGNATING LOCATIONS AND HOURS OF POLLING; ORDERING NOTICES OF ELECTION TO BE GIVEN AS PRESCRIBED BY LAW IN CONNECTION WITH SUCH ELECTION; AUTHORIZING THE MAYOR AND CITY SECRETARY TO TAKE ALL ACTIONS NECESSARY TO COMPLY WITH APPLICABLE ELECTION LAWS; PROVIDING A SEVERABILITY CLAUSE AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Lavon, Texas ("City"), has, on its own motion, determined to submit to the qualified voters of said City, for their adoption or rejection thereof; the establishment of a Home Rule Charter, pursuant to the provisions of Section 9.003 of the Texas Local "Government Code (the "Code"); and

WHEREAS, the City Council of the City ("City Council") has determined that the City shall conduct a special municipal election on the November 8, 2022 "uniform election date" for the purpose of considering adoption of the Home Rule Charter (the "Election"); and

WHEREAS, Section 41.001 of the Texas Election Code establishes Tuesday, November 8, 2022, as the first succeeding uniform election date following the adoption of this Ordinance for which sufficient time elapses for the holding of an election; and

WHEREAS, the City and Collin County, Texas ("County"), shall enter into a contract for election services whereby the County will conduct all aspects of the Election.

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

SECTION 1. The findings set forth above are true and correct and are incorporated into this Ordinance as if fully set forth herein.

SECTION 2. A special election of the City is hereby ordered and will be held within the City on the 8th day of November 2022, between the hours of 7:00 a.m. and 7:00 p.m., to consider the adoption of the following for the City:

Home Rule Charter

SECTION 3. The official ballots for said Election shall be prepared in accordance with Sections 52.072 and 501.035 of the Texas Election Code, and the Texas Local Government Code, each as amended, so as to permit all eligible voters of the City to vote "FOR" or "AGAINST" the proposition. Pursuant to Section 9.003(c) of the Texas Local Government Code, as amended, the

Charter Commission determined it to be impracticable to submit the proposed Charter to the voters by subject. The ballots shall contain such provisions, markings, and language as required by law and such propositions shall be expressed substantially as follows:

City of Lavon Proposition A

The City of Lavon shall adopt the proposed Home Rule Charter. (La Ciudad de Lavon aprobará la propuesta Carta de Autonomía.)

- ☐ For (A favor)
- ☐ Against (En contra)

SECTION 4. The City agrees to conduct the Election jointly with the political subdivisions designated by the County Elections Officer and the Election will be conducted by the County pursuant to the terms of the election services contract between the City and the County, with Election Day polling location(s) and times for the voters in the City to be determined by the County, along with all early voting matters, in accordance with the laws of the State of Texas.

SECTION 5. In accordance with Sections 31.097 and 271.006 of the Texas Election Code, the following named person is hereby appointed as the Early Voting Clerk for the purposes of conducting said Election:

Bruce Sherbet, Collin County Elections Administrator.

Applications for early voting ballots should be sent to the following:

Mailing Address: Bruce Sherbet, Early Voting Clerk
Collin County Elections Administration Office
2010 Redbud Blvd., Suite 102
McKinney, Texas 75069
Fax: (972) 547-1914
Email: election@collincountytexas.gov

SECTION 6. Early Voting by personal appearance shall be conducted beginning October 24, 2022, and continuing through November 4, 2022. The main early voting location shall be located at:

Lavon City Hall
120 School Rd, Lavon, Texas 75166

Early voting shall take place during the dates and times and at voting locations as prescribed by the Collin County Elections Administrator and the State of Texas.

SECTION 7. This Election shall be held in accordance with, and shall be governed by, the election laws of the State of Texas. The Mayor, City Secretary or City Council shall perform each act as is required to be performed, in connection with the holding and consummation of such Election, and to give effect to the intent of this Ordinance and the City's election contract with the County.

SECTION 8. All registered, qualified voters of the City shall be permitted to vote at the Election. In addition, the election materials enumerated in the Texas Election Code, as amended, shall be printed in English and Spanish for use at the polling places and for early voting for the Election.

SECTION 9. The Election shall be held in accordance with the Constitution of the State of Texas, the Texas Election Code, and the Texas Local Government Code.


SECTION 10. The sections, paragraphs, sentences, phrases, clauses and words of this Ordinance are severable, and if any section, paragraph, sentence, phrase, clause or word in this Ordinance or application thereof to any person or circumstance is held invalid or unconstitutional by a court of competent jurisdiction, such holding shall not affect the validity of the remaining portions of this Ordinance, and the City Council hereby declares that it would have passed such remaining portions of this Ordinance despite such invalidity, which remaining portions shall remain in full force and effect.

SECTION 11. The City Secretary is hereby authorized to give Notice of the Election by posting a notice of election in both English and Spanish at Lavon City Hall located at 120 School Road, Lavon, Texas, on the bulletin board not later than twenty-one (21) days prior to the date upon which the Election is to be held, and by publication of said notice at least once in the official newspaper of the City, being a newspaper of general circulation within the Town, the date of said publication to be not less than ten (10) days nor more than thirty (30) days prior to the date set for the Election. Upon publication of the election notice, the City Secretary shall secure a publisher's affidavit. Additionally, pursuant to Texas Local Government Code Section 9.003, the City Secretary is hereby ordered to mail a copy of the proposed charter to each registered voter of the City no later than October 8, 2022.

SECTION 12. It is hereby officially found and determined that all notice required by law has been given and notice of this Ordinance was posted and the Ordinance passed in accordance with the Texas Open Meetings Act.


SECTION 13. This Ordinance shall take effect immediately from and after its passage and the publication of the caption, as the law in such cases provides.

DULY PASSED and APPROVED by the City Council of the City of Lavon, Texas, on the 16th day of August 2022.


Vicki Sanson
Mayor



ATTEST:


Rae Norton
City Secretary

CITY OF LAVON, TEXAS
NOTICE OF SPECIAL ELECTION
(AVISO DE ELECCIONES GENERALES)

To the registered voters of the City of Lavon, Texas (*a los votantes registrados del Ciudad de Lavon, Texas*):

A special election is hereby ordered to be held on November 8, 2022, for the purpose of considering adoption of a **Home Rule Charter**. (*Por la presente se ordena la celebración de una elección especial el 8 de noviembre de 2022, con el fin de considerar la adopción de una Carta de Autonomía.*)

ELECTION DAY VOTING LOCATION (*DÍA DE LA ELECCIÓN lugar de votación*):

November 8, 2022	7:00 a.m. – 7:00 p.m.	Lavon City Hall, 120 School Road, Lavon, Texas
8 de noviembre, 2022	7:00 a.m. – 7:00 p.m.	Lavon Ayuntamiento, 120 School Road, Lavon, Texas

Eligible City of Lavon registered voters (with an effective date of registration on or before October 11, 2022) may vote at any Collin County Voting Location. A list of Voting Locations can be downloaded at www.collincounty.gov/elections.

(*Ciudad elegibles de Lavon votantes registrados (con una fecha de vigencia de la inscripción en la tarde del 11 octubre, 2022) pueden votar en cualquiera de las ubicaciones del Condado de Collin de voto. Una lista de los lugares de votación se puede descargar en www.collincounty.gov/elections).*)

EARLY VOTING BY PERSONAL APPEARANCE WILL BE CONDUCTED AS SHOWN BELOW: (*La votación adelantada en persona se llevará a cabo como se muestra a continuación*): (or as amended by the Collin County Election Administrator) (*o según enmendado por el Administrador de Elecciones del Condado de Collin*)

Lavon City Hall, 120 School Road, Lavon, Texas
Lavon Ayuntamiento, 120 School Road, Lavon, Texas

October 22 – November 4 Times to be determined. (*octubre 22 a noviembre 8, Ser determinado*)

Early Voting Polling Places for the election shall include all locations and times established by the Collin County Elections Department as Early Voting Polling Places as listed at www.collincounty.gov/elections.


Applications for ballot by mail shall be mailed to:

(*Las solicitudes para boletas que se votarán en ausencia por correo deberán enviarse a:*)

Bruce Sherbet, Elections Administrator
Early Voting Clerk, Collin County
2010 Redbud Blvd., Suite 102
McKinney, TX 75069
Fax: (972) 547-1914 E-mail: election@collincountytx.gov

Applications for ballots by mail must be received by close of business on October 28, 2022. (*Las solicitudes para boletas que se votarán en ausencia por correo deberán recibirse para el fin de las horas de negocio octubre 28, 2022*)

So resolved by the City Council of the City of Lavon on August 16, 2022.


Vicki Sanson, Mayor
Firma del Alcalde

