

ORDINANCE NO: 22-04

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SILSBEE, TEXAS, CANCELLING THE ELECTION FOR THREE COUNCIL MEMBERS: COUNCIL MEMBER AT-LARGE – PLACE I, COUNCIL MEMBER DISTRICT A, COUNCIL MEMBER DISTRICT B FOR MAY 7, 2022, IN ACCORDANCE WITH THE TEXAS ELECTION CODE, SEC. 2.053.

WHEREAS, the City of Silsbee, Texas, (the “City”) is a home-rule city of the State of Texas, located in Hardin County, Texas, created according to the laws of the State of Texas, and operating in accordance with the laws of the State of Texas.

WHEREAS, a General Election of the City of Silsbee, Texas, has been ordered for May 7, 2022, for the purpose of electing three (3) City Council Members: Council Member At Large - Place I, Council Member District A, Council Member District B; and

WHEREAS, the City Secretary has certified in writing that each candidate on the ballot for, Council Member At Large, Place I, Council Member District B, and Council Member District B are unopposed for election to office; and

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

WHEREAS, in these circumstances Sec. 2.053 of the Texas Election authorizes a governing body of the political subdivision, by ordinance, to declare each unopposed candidate elected to the office, therefore, canceling the election for those positions.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Silsbee, Texas:

1. FINDINGS OF FACT

The foregoing recitals are incorporated into this Ordinance by reference as findings of fact as if expressly set forth herein.

2. UNOPPOSED CANDIDATES DECLARED ELECTED

The following candidates, who are unopposed in the May 07, 2022, General Election are hereby declared elected to office, and shall be issued a certificate of election:

Council Member At-Large, Place I
Council Member District C
Council Member District D

Roger Alan Martin
William Roy Gravis, II
William McKinnely Bass

3. POSTING AT DESIGNATED POLLING PLACES

The City Secretary is directed to post a copy of this Ordinance at each designated polling place on May 7, 2022.

4. SEVERABILITY

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 should have been enacted by the City Council without the incorporation in this ordinance of any such unconstitutional phrase, clause, sentence, paragraph, or section.

5. EFFECTIVE DATE

This Ordinance shall be effective immediately upon passage and publication.

6. PROPER NOTICE & MEETING

It is hereby officially found and determined that the meeting at which this Ordinance was passed was open to the public, and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act, Texas Government Code, Chapter 551. Notice was also provided as required by Chapter 52 of the Texas Local Government Code.

8. WAIVER OF SECOND READING

The City Council, by unanimous vote of those members present, waives the second reading of this Ordinance.

PASSED & APPROVED this, the 3rd day of March, 2022 by a vote of 5 (ayes) to 0 (nays) to ___ (abstentions) of the City Council of Silsbee, Texas.

City of Silsbee, Texas



Mayor

Attest:



City Secretary

Approved as to FORM only:



City Attorney