

**CITY OF NEW FAIRVIEW
ORDINANCE 202302-01-104**

AN ORDINANCE OF THE CITY COUNCIL FOR THE CITY OF NEW FAIRVIEW, TEXAS, ORDERING A GENERAL/SPECIAL ELECTION BY THE QUALIFIED VOTERS OF SAID CITY ON THE 6th DAY OF MAY, 2023, FOR THE PURPOSE OF ELECTING THE MAYOR AND TWO (2) COUNCIL MEMBERS AT LARGE FOR A TWO (2) YEAR TERM AND TWO (2) COUNCIL MEMBERS AT LARGE FOR A ONE (1) YEAR TERM; PROVIDING FOR ELECTION OFFICERS; DESIGNATING THE POLLING PLACES, DATE AND TIME OF SAID ELECTION AND VOTING PERIODS; PROVIDING FOR BALLOT APPLICATION PROCEDURES; DESIGNATING FILING DEADLINES; PROVIDING INFORMATION FOR EARLY VOTING; PROVIDING THAT SUCH ELECTION SHALL BE ADMINISTERED BY THE DENTON AND WISE COUNTY ELECTIONS ADMINISTRATORS, PURSUANT TO CONTRACTS WITH THE CITY, THE TEXAS ELECTION CODE, AND THE TEXAS CONSTITUTION; PROVIDING INFORMATION FOR CANVASSING; PROVIDING A SAVINGS/REPEALING CLAUSE AND SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE; ORDERING NOTICES OF ELECTION TO BE POSTED AND PUBLISHED AS PRESCRIBED BY LAW IN CONNECTION WITH SUCH ELECTION; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS ORDINANCE WAS PASSED WAS OPEN TO THE PUBLIC AS REQUIRED BY LAW; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Texas Election Code establishes May 6, 2023 as the uniform election date for the City of New Fairview General/Special Election; and

WHEREAS, it is the City Council's intent that the election be administered by the Wise and Denton County Elections Offices (the "Elections Offices") in accordance with the provisions of the Texas Election Code ("the Code") and the Texas Constitution, by contracts with the City; and

WHEREAS, the meeting at which this Ordinance is considered is open to the public as required by law, and public notice of the time, place and purpose of said meeting was given as required by Section 551.043 of the Texas Government Code.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF NEW FAIRVIEW, TEXAS.

Section 1. Election Order, Election Date and Purpose of Election

That a General/Special Election shall be held and throughout the City of New Fairview, Texas, on Saturday, May 6, 2023 for the purpose of electing Mayor, and Two (2) Council Members at Large for a two (2) year term, and Two(2) Council Members at Large for a one (1) year term. The election time and date shall be displayed in **EXHIBIT "A**, a copy of which is attached and incorporated for all purposes and which shall be updated and reposted and publicized from time to time, as information is received from the Elections Offices .

Section 2. Candidate Filing Deadline

Candidates for the City Council may file with the City Secretary of the City of New Fairview, Texas for one of the five (5) at large council seats beginning on January 18, 2023 and until 5 :00p.m.on February 17, 2023. Last Day for a write-in candidate shall be on February 21, 2023.

Section 3. Voting System - Direct Recording System.

In accordance with Section 123.001 of the Texas Election Code, the Direct Recording Electronic Voting

Systems approved by the Secretary of State are hereby adopted for the election on May 6, 2023.

Section 4. Accessible Voting System.

Section 61.012 of the Code requires that the City must provide at least one accessible voting system in each polling place used in a Texas election on or after January 1, 2006. The City shall use, in Early Voting and Election Day voting, as applicable, a voter assist terminal as approved by the Secretary of State, and shall contract with the Wise County Elections Administrations, respectfully, for the use of said voter assist equipment that Wise County uses for their elections

Section 5. Election Precincts; Polling Place

The City of New Fairview shall designate a polling place location for the voters of the City of New Fairview and election officials on the day of election, for Wise County,as contained in **EXHIBIT “A.”**

Section 6. Early Voting; Early Voting Polling Places

Early voting by personal appearance will be conducted on April 24, 2023 and shall close on May 2, 2023, as contained in the attached and incorporated **EXHIBIT “A”** for Wise and Denton Counties.

Section 7. Mail Ballots

Applications for ballot by mail may also be requested the appropriate Early Voting Clerks at:

Wise County: Sabra Srader, Early Voting Election Administrator, Wise County Elections, 200 S. Trinity or P.O. Box 1597, Decatur, Texas 76234, elections@co.wise.tx.us, Phone: 940-626-4453.

Denton County: Frank Phillips, Early Voting Election Administrator, Denton County Elections Administrator,701 Kimberly Dr., Denton, TX 76208 Denton County Elections Administration, elections@dentoncounty.gov, Phone: (940) 349-3200

Applications for Early Voting ballot by mail must be received no later than **April 25, 2023**at the foregoing appropriate address.

Section 8. Election Compliance.

The Election shall be conducted in accordance with the Code and the Texas Constitution under the jurisdiction of the Elections Administrators pursuant to one or more election services contracts between the City and Wise and Denton Counties, and other participating entities, if any, as described therein (the “Contracts”), copies of which shall be incorporated herein upon their final approval and execution by the City.

The Mayor, the City Manager, or a designee, is authorized to amend or supplement any and all contracts for the administration of the Election, including without limitation, the Contracts, to the extent required for the Election to be conducted in an efficient and legal manner as determined by the Elections Administrator(s) and in accordance with the Code. In the event that no election is necessary, the City Secretary shall notify the County and shall present the City Council a resolution or ordinance cancelling the Election.

Section 9. Voting Qualification: Voting Materials.

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 both English and Spanish for use at the polling place and for early voting for said election.

Section 9. Notices.

The City Secretary is hereby authorized to provide and furnish all necessary election notices and preparation of ballot wording to the Wise and Denton County Election Offices. The City Secretary will give notice of the election in the manner and time as required by the Code, to include by a) Publishing notice of the election at least once, not more than thirty (30) days not less than ten (10) days before the election in the official newspaper of the City and b). Posting a copy of the notice on the bulletin board used for posting notices of the meetings of the City Council and on the City's website, at least twenty-one (21) days before the election.

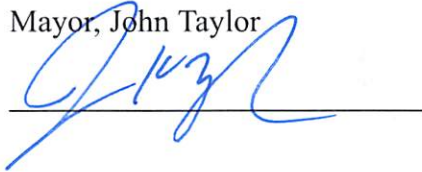
Section 10 Canvass the Election.

Pursuant to Section 67.003 of the Code, the City Council will canvass the election no earlier than May 9, 2023 but no later than May 17, 2023. Notice of the time and place for canvass shall be posted on the official bulletin board and website of the City in the same manner as required by the Open Meetings Act for City Council meetings, in accordance with Chapter 551 of the Texas Local Government Code.

PASSED AND APPROVED THIS THE 6th day of February 2023

APPROVED:

Mayor, John Taylor



A handwritten signature in blue ink, appearing to read 'John Taylor', is written over a horizontal line.

City Secretary, Brooke Boller



A handwritten signature in blue ink, appearing to read 'Brooke Boller', is written over a horizontal line.

EXHIBIT “A”

MAY 6, 2023 GENERAL AND SPECIAL ELECTION
MAYO 6, 2023 ELECCIÓN GENERAL Y ELECCIÓN ESPECIAL

EARLY VOTING LOCATIONS
UBICACIONES DE VOTACIÓN ANTICIPADA

VOTERS MAY VOTE AT ANY POLLING SITE WITHIN THEIR COUNTY DURING EARLY VOTING

LOS VOTANTES PUEDEN VOTAR EN CUALQUIER CENTRO ELECTORAL DURANTE LA VOTACIÓN TEMPRANA

MAIN EARLY VOTING – DECATUR
Wise County Fairgrounds (Woman’s Building)
3101 S FM 51
Decatur, TX 76234

Denton County Elections Administration
701 Kimberly Dr
Room: A100
Denton, TX 76208

EARLY VOTING DAYS AND HOURS

Monday, April 24, 2023
Tuesday, April 25, 2023
Wednesday, April 26, 2023
Thursday, April 27, 2023
Friday, April 28, 2023
Saturday, April 29, 2023
Sunday, April 30, 2023
Monday, May 1, 2023
Tuesday, May 2, 2023

VOTACIÓN ANTICIPADA

Lunes, Abril 24, 2023
Martes, Abril 25, 2023
Miercoles, Abril 26, 2023
Jueves, Abril 27, 2023
Viernes, Abril 28, 2023
Sabado, Abril 29, 2023
Domingo, Abril 30, 2023
Lunes, Mayo 1, 2023
Martes, Mayo 2, 2023

***Las horas se agregarán una vez que estén disponibles**

***Hours will be added once available.**

DIAS Y HORAS DE

ELECTION DAY BY PERSONAL APPEARANCE LOCATIONS – GENERAL & SPECIAL ELECTIONS

(LUGARES DE VOTACIÓN EN EL DÍA DE ELECCIÓN POR APARICIÓN PERSONAL DEL ELECCIONES GENERALES Y ESPECIALES)

MAY 6, 2023 7:00 AM – 7:00 PM
(6 de mayo de 2023 – 7:00 am - 7:00 pm)

Decatur City Hall
201 E Walnut
Decatur, TX 76234

Denton County Elections Administration
701 Kimberly Dr A100
Denton, TX 76208