

ORDINANCE No. 13-011

AN ORDINANCE OF THE MAYOR AND CITY COUNCIL OF THE CITY OF MARLIN, TEXAS, CANCELING THE MAY 11TH, 2013, GENERAL ELECTION AND DECLARING EACH UNOPPOSED CANDIDATE ELECTED TO OFFICE; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Marlin is a Home Rule municipality located in Falls County, created in accordance with the provisions of Charter 6 Local Government Code and operating pursuant to the City Charter; and

WHEREAS, in accordance with law, a General Election has been ordered for May 11th, 2013, for the purpose of electing three (3) single member precinct Councilmembers and (1) Mayor at-large; and

WHEREAS, no proposition is to appear on the ballot in the general election; and

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

WHEREAS, in these circumstances Subchapter C of Chapter 2 of the Election Code authorizes a governing body to declare each unopposed candidate elected to office and to cancel the general election.

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and City Council of the City of Marlin, Texas:

Section 1. The following Candidates, who are unopposed in the May 11, 2013, General Election are hereby declared elected to office, and shall be issued a certificate of Election:

Mayor At-Large - Elizabeth J. Nelson

Councilmember Precinct 1 – Tommy Tate

Councilmember Precinct 3 – Billie Jean Scaggs

Councilmember Precinct 5 – Cecil Sparks

Section 2. The May 11th 2013 General Election is hereby cancelled.

Section 3. The City Secretary is directed to post a copy of this Ordinance at each designated polling place on May 11, 2013, and to provide notice to and terminate the agreement for rental of the voting machines and equipment for such election.

Section 4. This Ordinance shall be cumulative of all provisions of Ordinances of the City of Marlin Texas, except where the provisions of this ordinance are in direct conflict with the provisions of such Ordinances, in which event the conflicting provisions of such Ordinances are hereby repealed.

Section 5. 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 would have been enacted by the City Council without the incorporation in this Ordinance of any such unconstitutional phrase, clause, sentence, paragraph or section.

Section 6. This Ordinance shall be in full force and effect from and after its passage and it is so ordained.

Passed and Approved on this the 12th day of March, 2013.



Elizabeth Nelson
Elizabeth Nelson, Mayor

Sandra Herring
Sandra Herring, City Secretary