

CITY OF BALCH SPRINGS, TEXAS

ORDINANCE NO. 3212--20

AN ORDINANCE AMENDING ORDINANCE 3210-20 BY POSTPONING, ORDERING AND PROVIDING NOTICE OF A GENERAL ELECTION FOR THE CITY OF BALCH SPRINGS, TEXAS, TO BE HELD ON THE 3RD DAY OF NOVEMBER 2020, PROVIDING FOR THE ELECTION OF THREE CITY COUNCIL MEMBERS (ALDERMEN), PLACES 2, 4, AND 6; AND RESOLVING OTHER MATTERS INCIDENT AND RELATED TO SUCH ELECTION; PROVIDING FOR PREAMBLE INCORPORATION; CONFLICTING PROVISIONS; SEVERABILITY; PROPER NOTICE AND MEETING; AND AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Balch Springs (“City Council”) has previously ordered an election for Saturday, May 2, 2020, with Ordinance No. 3210-20; and

WHEREAS, the City of Balch Springs must postpone the General Election for the election of three (3) city council members due to the epidemic conditions surrounding the COVID-19 virus; and

WHEREAS, the Governor has authorized under his emergency powers the postponing of municipal elections; and

WHEREAS, the City Council finds that the epidemic creates unreasonable risks to Balch Springs voters trying to participate in a May 3 election.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BALCH SPRINGS, TEXAS that:

SECTION 1. All of the above premises are hereby found to be true and correct legislative and factual findings of the City Council and are hereby approved and incorporated into the body of this ordinance as if copied in their entirety.

SECTION 2. There ordinance, 3210-20, calling General Election on the first Saturday in May, being the 2nd day of May, 2020, (the “Election”), for the purpose of electing three council members (aldermen) for Places 2, 4 and 6 is hereby amended to postpone such general election to November 3, 2020.

SECTION 3. All other provisions of Ordinance 3210-20 shall remain in full force and effect with the exception that early voting shall be in accordance with the dates provided by state law for the November 3, 2020 election.

SECTION 4. All ordinances or parts of ordinances in force when the provisions of this Ordinance become effective which are inconsistent or in conflict with the terms and provisions contained in this Ordinance are hereby repealed only to the extent of such conflict.

SECTION 5. Should any part, sentence or phrase of this Ordinance be determined to be unlawful, void or unenforceable, the validity of the remaining portions of this Ordinance shall not be adversely affected. No portion of this Ordinance shall fail or become inoperative by reason of the invalidity of any other part. All provisions of this Ordinance are declared to be severable.

SECTION 6. 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, Chapter 551 of the Texas Government Code.

SECTION 7. This Ordinance is effective immediately upon its passage and approval.

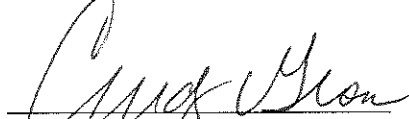
DULY ADOPTED AND PASSED by the City Council of the City of Balch Springs, Texas, on this the 23rd day of March 2020.

APPROVED:



Steven Gorwood, Mayor

ATTEST:



Cindy Gross, City Secretary

Notice of Postponement of the May 2, 2020 General Election

On March 13, 2020, the Governor of the State of Texas certified that the novel coronavirus (COVID-19) poses an imminent threat of disaster and, under the authority vested in the Governor by Section 418.014 of the Texas Government Code, declared a state of disaster for all counties in Texas.

On March 18, 2020, the Governor issued a Proclamation suspending certain sections of the Texas Election Code, among others, to allow political subdivisions of the State that would otherwise hold elections on May 2, 2020, to postpone General and Special Elections to the next uniform election date, which will occur on November 3, 2020.

On March 23, 2020, the City Council of the City of Balch Springs at its Regular Scheduled Meeting voted to approve an Ordinance to postpone the City's May 2, 2020, General Election for Places 2, 4 and 6, until November 3, 2020.

Aviso de Aplazamiento de la Elección General del 2 de Mayo, 2020

El 13 de marzo 2020, el gobernador del Estado de Texas certificó que el virus coronavirus (COVID-19) amenaza un desastre inminente y que, bajo la autoridad concedida al gobernador por la Sección 418.014 del Código Gubernamental de Texas, él ha declarado estado de desastre para todos los condados en Texas.

El 18 de marzo, 2020, el gobernador emitió una Proclamación para suspender ciertas secciones del Código Electoral de Texas, entre otras, para permitir que subdivisiones políticas en el estado que de otra manera hubieran llevado a cabo elecciones el 2 de mayo, 2020, que pospongan sus elecciones generales y especiales hasta la próxima fecha uniforme de elecciones que sería el 3 de noviembre, 2020.

El 23 de marzo, 2020, el Consejo de City of Balch Springs en su Reunión Regular votó para aprobar una Ordenanza que pospone la Elección General del 2 de mayo, 2020 de la Ciudad para los Puestos 2, 4, y 6, hasta la fecha del 3 de noviembre, 2020.

