ORDINANCE NO. 2009-04-01

AN ORDINANCE OF THE CITY OF WESTON, TEXAS CANCELING THE MAY 9, 2009, REGULAR ELECTION AND DECLARING EACH UNOPPOSED CANDIDATE ELECTED TO OFFICE; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVING A SEVERABILITY CLAUSE AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Weston, Texas is a general law municipality located in Collin County, created in accordance with the provisions of 67.006 of the Local Government Code and operating pursuant to the enabling legislation of the State of Texas; and

WHEREAS, in accordance with law a general election has been ordered for May 9, 2009 for the purpose of electing council members to serve on the city council and Mayor in the City of Weston; and

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

WHEREAS, the city secretary or Mayor has certified that each candidate on the ballot is unopposed for election to office; 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 cancel the election.

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

SECTION 1

The following candidates, who are unopposed in the May 9, 2009, general election, are hereby declared elected to office, and shall be issued a certificate of election:

Scott Morrissey, Mayor
Danny States, City Council
Tony McDaniel, City Council

SECTION 2

The city secretary is directed to post a copy of this ordinance at each designated polling place on May 9, 2009.

SECTION 3

This ordinance shall be cumulative of all provisions of ordinances of the City of Weston, 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with the provisions of such ordinances, in which event the conflicting provisions of such ordinances are hereby repealed.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 4

It is hereby declared to be 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 city council without the incorporation in this ordinance of any such unconstitutional phrase, clause, sentence, paragraph or section.

SECTION 5

This ordinance shall be in full force and effect from and after its passage, and it is so ordained.

PASSED AND APPROVED this 14 day of April, 2009

Scott Morrissey, Mayor

ATTEST:

Lori Drumm, City Secretary

CITY OF WESTON

AW12-2
Prescribed by Secretary of State
Section 2.0510- 2.053, Texas Election Code
03/07

ORDER OF CANCELLATION

EJEMPLO DE ORDEN DE CANCELACION

The City of Weston Hereby cancels the election scheduled to be held on May 9, 2009 in accordance with Section 2.053(a) of the Texas Election Code. The following candidates have been certified unopposed and are hereby elected as follows:

El City of Weston por la presente cancela la eleccion que, de lo contrario, se hubiera celebrado el May 9, 2009 de conformidad, con la Seccion 2.053(a) del Codigo de Elecciones de Texas. Los siguientes candidatos han sido certificados como candidatos unicos y por la presente quedan elegidos como se haya indicado a continuacion:

Candidate *(Candidato)*	**Office Sought** *(Cargo al que presenta candidatura)*
Scott Morrissey	**Mayor**
Danny States	**City Council**
Tony McDaniel	**City Council**

A copy of this order will be posted on Election Day at each polling place that would have been used in the election.

El Dia de las Elecciones se exhibira una copia de esta orden en todas las mesas electorales que se hubieran utilizado en la eleccion.

Mayor

Alderman