

ORDINANCE #08-11-12

AN ORDINANCE OF THE CITY OF SANGER, TEXAS, CALLING FOR A SPECIAL ELECTION TO BE HELD ON NOVEMBER 6, 2012, REGARDING THE FOLLOWING ISSUE: TO LEGALIZE "THE LEGAL SALE OF ALL ALCOHOLIC BEVERAGES FOR OFF-PREMISE CONSUMPTION ONLY"; ORDERING NOTICE OF ELECTION TO BE POSTED AND PUBLISHED; AUTHORIZE THE MAYOR TO SIGN THE NOTICE AND ORDER AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Sanger, Texas ("City") is a home rule City acting under its charter; and

WHEREAS, the City has received a petition in conformance with the requirements of Chapter 501 of the Texas Election Code (the "Code") requesting that the City call a local option election regarding one issue; and

WHEREAS, the Council hereby determines that there is a sufficient number of signatures verified by the City Secretary from the petitions to require an election; and

WHEREAS, Chapter 501 of the Code requires that this election be called regarding the following issue: To legalize: "the legal sale of all alcoholic beverages for off-premise consumption only"; and

WHEREAS, the City will enter into an Agreement for Election Services with Denton County; and

WHEREAS, the City Secretary has verified that there are sufficient signatures on the submitted petitions to require an election.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL, THAT:

Section 1. Special Election Called: A special election shall be held in the City of Sanger, Texas, on November 6, 2012, at which voters will vote "for" or "against" the following proposition:

**THE LEGAL SALE OF ALL ALCOHOLIC BEVERAGES FOR
OFF-PREMISE CONSUMPTION ONLY**

Section 2. Polling Place: The polling place for the special election for all precincts shall be determined at a later date by the Denton County Elections Administrator. The election shall be held on November 6, 2012, between the hours of 7:00 a.m. and 7:00 p.m.

Section 3. Joint Election Agreement: Prior to the special election, the City will enter into a joint election agreement for election services with Denton County.

Section 4. Early Voting by Personal Appearance: Early voting by personal appearance will be located at the following location beginning October 22, 2012, and shall continue daily, until November 2, 2012:

First Baptist Church
708 S. 5th Street
Sanger, Texas 76266

The early voting hours will be:

Monday - Friday	October 22- 26, 2012	8 am to 5 pm
Saturday	October 27, 2012	7 am to 7 pm
Monday -Tuesday	October 29 - 30, 2012	7 am to 7 pm
Wednesday	October 31, 2012	7 am to 5 pm
Thursday - Friday	November 1 - 2, 2012	7 am to 7 pm

November 1st and 2nd are hereby designated as the two week days during the Early Voting period, which the location for Early Voting shall be open for at least twelve (12) hours.

Section 5. Early Voting by Mail: Frank Phillips, the Denton County Election Administrator is hereby designated as the Early Voting Clerk for the special election. Applications for Early Voting by mail shall be delivered to Frank Phillips, Election Administrator at the following address: P.O. Box 1720, Denton, Texas 76202.

Section 6. Early Voting by Ballot Board: Early voting, both by personal appearance and by mail, shall be canvassed by the Early Voting Board established by Denton County under the terms of the Agreement.

Section 7. Appointment of Election Judge and Alternate Election Judge:
The Denton County election contract shall designate the election judges for the election.

Section 8. Method of Voting: Direct Record Electronic (DRE) voting machines shall be used in this election for early voting by personal appearance and election day voting.

Section 9. Publication and Notice of Election: The City Secretary is hereby authorized and directed to publish and/or post, in the time and manner prescribed by law, all

notices required to be published and/or posted in connection with the conduct of this election. The election, including providing notice of the election shall be conducted in accordance with the Texas Election Code and other applicable law, and all residents qualified and registered voters of the City shall be eligible to vote at the election.

Section 10. Necessary Actions: The Mayor and City Secretary of the City, in consultation with the City Attorney, are hereby authorized and directed to take any and all actions necessary to comply with the provisions of the Code in carrying out and conducting the election, whether or not expressly authorized herein.

Section 11. Should any part, section, subsection, paragraph, sentence, clause or phrase contained in this ordinance be adjudged or held to be unconstitutional, illegal or invalid, the same shall not affect the validity of this ordinance as a whole or any part or provision thereof other than the part thereof decided to be unconstitutional, illegal or invalid all respects said remaining portion shall be and remain in full force and effect.

This ordinance will take effect immediately from and after its passage, and the publication of the caption, as the law and Charter in such cases provide.

PASSED AND APPROVED this 2 day of August 2012 by the City Council of the City of Sanger, Texas.

APPROVED:

Thomas E. Muir
Thomas Muir, Mayor

ATTEST:

Tami Taber
Tami Taber, City Secretary

APPROVED AS TO FORM:

Robert L. Dillard
Robert Dillard, City Attorney



**CITY OF SANGER, TEXAS
NOTICE OF GENERAL ELECTION**

**CITY SECRETARY
ORIGINAL COPY**

To the Registered Voters of the City of Sanger, Texas
(A los votantes registrados del ciudad Sanger, Texas)

Notice is hereby given that the polling places listed below will be open from 7:00 am to 7:00 pm on November 6, 2012, for voting in a Special Election to legalize the sale of all alcoholic beverages for off-premise consumption only.

(Notifiquese, por las presente, que las casillas electorales sitados abajo se abriran desde las 7:00 am hasta las 7:00 pm el 6 Noviembre 2012 para votar en la eleccion especial para elegir rs).

LOCATION OF POLLING PLACE (DIRECCION(ES) DE LAS CASILLAS ELECTORIALES)

First Baptist Church
708 S. 5th Street
Sanger, Texas

Early voting by personal appearance will be conducted each weekday at:
(La votacion adelantada en persona se llecara a cabo de lunes a viernes en)

First Baptist Church
708 S. 5th Street
Sanger, Texas

between the hours of 8:00 am and 5:00 pm beginning October 22, 2012 and ending October 26, 2012.
(entre las 8:00 de la mañana y las 5:00 de la tarde empezando el 22 Octubre 2012 terminando el 26 Octubre 2012.)

Additional early voting will be held at the same location as follows:
(La votacion adelantada ademas se llevara a cabo en el mismo sitio de tal manera)

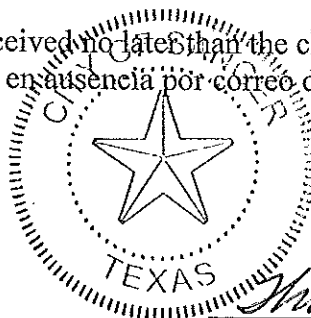
Saturday	October 27, 2012	7:00 a.m. - 7:00 p.m.
Monday - Tuesday	October 29 - 30, 2012	7:00 a.m. - 7:00 p.m.
Wednesday	October 31, 2012	7:00 a.m. - 5:00 p.m.
Thursday - Friday	November 1-2	7:00 a.m. - 7:00 p.m.

Applications for ballot by mail shall be mailed to:
(Las solicitudes para boletas que se votaran en ausencia por correo deberan enviarse a:)

Denton County Elections Administrator
P.O. Box 1720
Denton, Texas 76201

Applications for ballots by mail must be received no later than the close of business on October 30, 2012:
(Las solicitudes para boletas que se votaran en ausencia por correo deberan recibirse para el fin de las horas de negocia el 30 Octubre 2012.)

Issued this 20th day of August 2012.
(emitada este dia 20th de augoso 2012)



Thomas E. Muir
Thomas Muir, Mayor