

**CITY OF ITALY**

**ORDINANCE NO. 2021-0208-04**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ITALY, TEXAS, PROVIDING FOR A GENERAL ELECTION TO BE HELD ON MAY 01, 2021, FOR THE PURPOSE OF ELECTING A MAYOR AND TWO COUNCIL MEMBERS AT LARGE FOR TERMS OF TWO YEARS EACH; ESTABLISHING PROCEDURES FOR THE CONDUCT OF SUCH ELECTION; PROVIDING OTHER DETAILS RELATING TO THE HOLDING OF SUCH ELECTION; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR PUBLICATION AND AN EFFECTIVE DATE.**

**WHEREAS**, Section 41.001 of the Texas Election Code, as amended (hereinafter referred to as the “Code”) establishes the first Saturday in May as a “uniform election date” for the purpose of conducting general and special elections; and

**WHEREAS**, the City Council of the City of Italy, Texas (the “City Council”) may by ordinance order a general and special election pursuant to Chapter 41 of the Code, and Chapter 22 of the Texas Local Government Code; and

**WHEREAS**, the City Council has determined that the City of Italy (the “City”) shall conduct a general election to elect a mayor and two (2) council members at large for terms of two (2) years each; and

**WHEREAS**, the City has made provision to contract with Ellis County to conduct the City’s election, pursuant to *Chapter 31, Tex. Elec. Code, and Chapter 791, Tex. Gov’t Code.*

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ITALY, TEXAS, THAT;**

**Section 1.** All of the above premises are found to be true and correct legislative determinations and are incorporated into the body of this Ordinance as if copied in their entirety.

**Section 2.** In accordance with the general laws and Constitution of the State of Texas, a General Election is hereby called and ordered for the first Saturday in May 2021, the same being the 1st day of said month, to be held between the hours of seven o’clock a.m. (7:00 a.m.) and seven o’clock p.m. (7:00 p.m.).

**Section 3.** The purpose of the general election is so that all qualified voters residing within the corporate limits of the City may vote for the purpose of electing a Mayor and two (2) Council Members at large for terms of two (2) years each.

**Section 4.** The order in which the names of the candidates are to be printed on the ballot shall be determined by a drawing by the City Administrator as provided by Section 52.094 of the Texas Election Code.

**Section 5.** The City polling place shall be Mt. Gilead Baptist Church, 106 Harris Street, Italy, Texas. The polls shall be open on said Election Day from seven o'clock (7:00) a.m. to seven o'clock (7:00) p.m.

**Section 6.** Section 61.012 of the Texas Election Code requires that the City of Italy 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 adopt, for the use in Early Voting and Election Day Voting, the DS200 Precinct Scanner/Tabulators voting system approved by the Secretary of State.

**Section 7.** The preparation of the voting equipment to be used in connection with the general election ordered herein shall conform with the Texas Election Code, as amended, so as to permit the electors to vote for a Mayor and two (2) Council Members at large. Said ballots shall have printed thereon such provisions, markings, and language as may be required by law.

**Section 8.** City of Italy city officials are authorized and directed to contract with Ellis County Elections Administrator hereinafter referred to as "Contracting Officer" for Election Services.

**Section 9.** The Contracting Officer is hereby authorized and instructed to provide and furnish all necessary election supplies to conduct said election as required by law.

**Section 10.** The Contracting Officer is hereby appointed as early voting clerk. Early voting shall be conducted by the Contracting Officer at the Mt. Gilead Baptist Church, 106 Harris Street, Italy, Texas.

Early voting location shall take place on the dates and times as follows:

Monday, April 19, 2021 through Friday, April 23, 2021 8:00am-5:00pm

Saturday, April 24, 2021 8:00am-4:00pm

Monday, April 26, 2021 and Tuesday, April 27, 2021 7:00am-7:00pm

Applications for ballot for early voting by mail shall be requested from and forwarded to the Ellis County Elections Department as follows:

Physical / Mailing Address: Jana Onyon, Early Voting Clerk  
204 E Jefferson Street  
Waxahachie, Texas 75165-3752

Fax: 972-923-5194

Email: [elections@co.ellis.tx.us](mailto:elections@co.ellis.tx.us)

Applications for ballot for early voting by mail must be received by the early voting clerk not later than the close of business on April 20, 2021.

**Section 11.** Said election shall be held in accordance with the Texas Election Code and the Mayor shall give notice of said election in accordance with the provisions of the Texas Election Code, and all necessary orders and writs for said election shall be issued by the proper authority. The Mayor, or her designee, is hereby authorized to give notice of the election by publication of said notice at least once in the official newspaper of the City, being a newspaper of general circulation within the City, the date of said publication to be not less than ten (10) days nor more than thirty (30) days prior to the date set for the Election. Upon publication of the election notice, the City Secretary shall secure a publisher's affidavit.

**Section 12.** Should any part, section, subsection, paragraph, sentence, clause or phrase contained in this Ordinance be held to be unconstitutional or of no force and effect, such holding shall not affect the validity of the remaining portions of this Ordinance, but in all respects said remaining portions shall be and remain in full force and effect.

**Section 13.** This Ordinance shall become effective immediately upon adoption.


**PASSED, APPROVED, AND ADOPTED** by the City Council of the City of Italy, Texas this 8th day of February, 2021.

APPROVED:



Bryant Cockran  
Mayor

ATTEST:

  
Amber Cunningham, TRMC  
City Secretary