

Ordinance No. 115

AN ORDINANCE CANCELLING THE MAY 14, 2011 REGULAR 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 Umland, Texas is a Type A general law municipality located in both Hays and Caldwell counties, created in accordance with the provisions of chapter 7 of the Local Government Code and operating pursuant to the enabling legislation of the State of Texas;

WHEREAS, in accordance with the law a general election has been ordered May 14, 2011 for the purpose of electing council members to serve on the City council in the City of Umland;

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

WHEREAS, the city secretary has certified in writing that each candidate on the ballot is unopposed for the election to office;

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

WHEREAS, under these circumstances, Subchapter C Chapter 2 Election Code, authorizes the city council to declare the candidates elected to office and cancel the election;

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

Section 1. The following candidates, Kimberley Weatherford, Russell Schultz and a vacant seat who are unopposed in the May 14, 2011 general city election, are declared elected to office, and shall be issued certificates of election following the election, would have been canvassed:

Section 2. The May 14, 2011 general election is canceled and the city secretary is directed to cause a copy of this ordinance to be posted on each polling place used or that would have been used in the election.

Section 3. It is declared to be the intent of the city council that the phrases, clauses, sentences, paragraphs, and the sections of this ordinance are severable, and if any phrase, clause, sentence, paragraph, or section of this ordinance is declared invalid by the judgment or decree of a court of competent jurisdiction, the invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs, or sections of this ordinance since the City Council would have enacted them without the invalid portion.

Section 4. This ordinance shall take effect upon its final passage, and it is so ordained.

APPROVED and ADOPTED by the City Council of the City of Uhland, Texas on May 11, 2011 in the
City of Uhland Texas.

Ayes 5 Nays 0

Mayor, Daniel Heideman

City Secretary, Karen Gallaher

Daniel R. Heideman

Karen Gallaher