

CITY OF BALCH SPRINGS, TEXAS

ORDINANCE NO. 3217-20

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BALCH SPRINGS, TEXAS, AMENDING ORDINANCE NO. 3210-20 CALLING FOR A GENERAL ELECTION ON MAY 2, 2020, AS POSTPONED TO NOVEMBER 3, 2020 PURSUANT TO ORDINANCE NO. 3212-20, TO INCORPORATE CHANGES AND PROVIDE NOTICE OF THE ELECTION DATE, INCLUDING EARLY VOTING LOCATIONS AND HOURS; PROVIDING FOR THE INCORPORATION OF PREMISES; PROVIDING FOR AMENDMENTS TO ORDINANCE 3210-20; DIRECTING THE CITY SECRETARY TO PROVIDE AN AMENDED NOTICE OF ELECTION TO DALLAS COUNTY FOR POSTING ON THE COUNTY'S WEBSITE IN ACCORDANCE WITH THE TEXAS ELECTION CODE; PROVIDING FOR A CUMULATIVE CLAUSE; PROVIDING SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council ordered a general election via Ordinance No.3210-20 for May 2, 2020 for the purpose of electing three (3) council members for two (2) year terms each but, due to the Governor's Proclamation on March 18, 2020 as a result of the COVID-19 pandemic, Texas municipalities were permitted to postpone the May 2020 elections until November 2020; and

WHEREAS, the Texas Election Code (hereinafter the "Code") establishes the first Tuesday of November as a Uniform Election Date for the purposes of conducting a General Election; and

WHEREAS, the City Council exercised its authority to postpone its May 2, 2020 General Election to November 3, 2020 by adopting Ordinance No. 3212-20, which complied with all requirements of Election Advisory 2020-12; and

WHEREAS, in order to hold the election on November 3, 2020, the Council is required to adopt an amending ordinance to address any changes to the date of the election, location of the main early voting location, early voting dates and hours, including weekend early voting, the identity of the early voting clerk and the clerk's contact information or changes to branch early voting locations; and

WHEREAS, the City Council now desires to amend Ordinance No. 3210-20 to amend the voting dates, times, and locations for the General Election and to direct the City Secretary to provide a revised notice of election to Dallas County and to comply with all other requirements for the holding of the City's election on November 3, 2020.

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

SECTION 1
INCORPORATION OF PREMISES

All of the above premises are true and correct and are hereby incorporated in the body of this Ordinance as if fully set forth herein.

SECTION 2
AMENDMENTS TO ORDINANCE NO. 3210-20

2.01. Section 2 of Ordinance No. 3210-20 is hereby amended to be read in its entirety as follows:

SECTION 3
DATE OF ELECTION

It is hereby ordered that a joint General Election shall be called in and throughout the City of Balch Springs, Texas on **November 3, 2020**, such date being a uniform election date as defined in Section 41.001 of the Texas Election Code (the "Code"). Pursuant to Section 9.004 of the Texas Local Government Code, the Election shall occur on or after the thirtieth (30th) day after this Ordinance ordering the election is adopted for the purposes stated in Section 5.

2.02. Section 4 of Ordinance No.3210-20 is hereby amended to be read in its entirety as follows:

SECTION 4
EARLY VOTING BY PERSONAL APPEARANCE

Early voting by personal appearance shall be conducted by the Dallas County Elections Department. Toni Pippins-Pool, Dallas County Elections Officer, is hereby appointed Early Voting Clerk in compliance with Section 271.006 of the Texas Election Code. Early voting will be conducted at the locations listed below.

Early voting by personal appearance will be conducted as follows:

Main Early Voting Location:

Civic Center
12400 Elam Road
Balch Springs, Texas 75180

Or at such other places as to be decided by Dallas County. Locations are subject to change as necessary.

Early Voting Hours:

Tuesday-Friday	October 13-October 16, 2020	7:00 a.m. to 7:00 p.m.
Saturday	October 17, 2020	7:00 a.m. to 7:00 p.m.
Sunday	October 18, 2020	1:00 p.m. to 6:00 p.m.
Monday-Friday	October 19-October 23, 2020	7:00 a.m. to 7:00 p.m.
Saturday	October 24, 2020	7:00 a.m. to 7:00 p.m.
Sunday	October 25, 2020	1:00 p.m. to 6:00 p.m.
Monday-Friday	October 26-30, 2020	7:00 a.m. to 7:00 p.m.

2.04. Section 6 of Ordinance No. 3210-20 is hereby amended to be read in its entirety as follows:

SECTION 5
APPLICATIONS FOR BALLOT BY MAIL

Mail-in ballot applications shall be mailed to the address below.

Toni Pippins-Pool
Early Voting Clerk
1520 Round Table Drive
Dallas, Texas 75247

Applications for ballots by mail must be received no later than the close of business on October 23, 2020.

SECTION 6
REVISED NOTICE OF ELECTION

The City Secretary is directed to prepare and provide a revised notice of election reflecting the changes adopted in this Ordinance to Dallas County for posting on the County's website at least sixty (60) days prior to the date of election pursuant to Texas Election Code Section 4.008.

SECTION 7
CUMULATIVE CLAUSE

This Ordinance shall be cumulative of all ordinances in force of the City of Balch Springs, 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 8
SEVERABILITY CLAUSE

It is hereby declared to be the intent of the City Council of the City of Balch Springs 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, or sections of this

Ordinance, since the same would have been enacted by the City Council without incorporation of any such unconstitutional phrase, clause, sentence, paragraph, or section.

SECTION 9
EFFECTIVE DATE

This Ordinance shall become effective from and after its date of passage and publication in accordance with law.

DULY ADOPTED AND PASSED by the City Council of the City of Balch Springs, Texas on this 13th day of August, 2020.

APPROVED:



Carrie F. Gordon, PhD., Mayor

ATTEST:



Cindy Gross, City Secretary