

ARTICLE 5
NOMINATIONS AND ELECTION

SECTION 5. 01 City Elections:

a) Schedule:

The regular City Election to elect the Mayor and other members of the City Council will be held annually on the first Saturday in April. The Council shall be responsible to specify places for holding such election.

b) Special Elections:

The Council may, by resolution, order a special election under conditions specified elsewhere in this Charter, for ordinances, bond issues, charter amendments, recall or other purposes deemed appropriate by Council. The Council will fix time and places for holding such special elections and provide all means for holding same.

c) Voter Eligibility List:

A certified list of voter registrants within the City, as prepared by the County Tax Assessor – Collector shall be maintained current by the City Secretary. If for a purpose relating only to a City election or to candidates or issues involved in such election, any organization, group, or person requests a list of qualified voters of the City, permission to copy the current list shall be granted by the City Secretary.

d) Conduct and Regulation of Elections:

All City elections shall be governed by the Constitution of the State of Texas, general laws of the State, this Charter, and ordinances of the City, in the order named. Municipal elections shall be conducted by the election officials appointed or approved by the Council.

SECTION 5. 02 Filing for Office:

Eligibility to File. Each candidate for an elective city office shall meet the following qualifications:

a) Shall be twenty -one (21) years of age or older on the commencement of the term to be filled at the election.

b) Shall be a registered and qualified voter of the City.

c) Shall have resided for at least twelve (12) months preceding the election within the corporate limits of the City, including territory annexed prior to the filing deadline.

d) Shall not be in arrears in the payment of any taxes or other liabilities due the City. "In arrears" is defined herein to mean that payment has not been received within ninety (90) days from due date.

e) An incumbent seeking reelection as a member of the Council must file for the same position number the incumbent is presently serving.

f) No candidate may file for more than one office or position number per election.

g) No employee of the City shall continue in such position after being elected to any elective municipal office.

SECTION 5. 03 Official Ballots:

All official paper ballots for any general or special election shall be printed and prepared as specified in the Texas Election Code, as amended.

SECTION 5. 04 Canvassing:

The returns of every municipal election shall be delivered from the election judges to the City Secretary at the City Offices not later than twelve (12) hours after the closing of the polls. One extra copy shall be delivered for the Mayor at this time. The Council shall canvass the returns in sufficient time to declare the official results of the election at the next regular Council meeting after the closing of the polls. The returns of every municipal election shall be recorded in the minutes of the Council, by totals for each candidate, or, for or against each issue submitted.

SECTION 5. 05 Election by Plurality:

All candidates are to be elected by a plurality vote; that is, the candidate who receives the highest number of votes cast for the office concerned is elected, even though it may be less than fifty percent of the total number of votes cast for that office. Where only one officer is to be elected in a race, the candidate receiving the highest vote is the winner; where two are to be elected from the same slate, the two highest candidates are the winners; where three are to be elected, the three highest are the winners; and so on.

SECTION 5. 06 Tie Vote:

At any election, general or special, if two or more candidates are tied for high place, where only one is to be elected, the candidates may agree in writing upon a method for settling the tie. The Mayor shall set a deadline for the candidates to come to a decision on whether they can resolve the tie by agreement and upon their failure to file such written agreement prior to the deadline, the Mayor shall immediately order another election to fill such office in accordance with the procedures as set forth in the current edition of the Texas Election Code, as amended