

## ORDINANCE 2019-A-8-12-19

**AN ORDINANCE OF THE CITY OF RISING STAR, TEXAS CALLING FOR A SPECIAL ELECTION TO VOTE ON THE LEGALIZED SALE OF ALCOHOL BEVERAGES INCLUDING MIX BEVERAGES IN THE CITY OF RISING STAR, TEXAS, ESTABLISHING THE DATE OF ELECTION; DESIGNATING A POLLING PLACE; PROVIDING FOR EARLY VOTING; PROVIDING FOR THE OFFICIAL MAILING ADDRESS AND EMAIL ADDRESS OF THE EARLY VOTING CLERK TO RECEIVE APPLICATIONS FOR A BALLOT; PROVIDING FOR A SEVERABILITY CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE.**

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF RISING STAR, TEXAS:**

**SECTION 1.** That the Special Election be called for and held between the hours of 7:00 a.m. and 7:00 p.m. on the Tuesday, November 5, 2019 for the Legalized Sale of Beverages including mix beverages in Rising Star, TX. All qualified voters of the City shall be permitted to vote at said election. This Special Election shall be held and conducted in accordance with the provisions of the Texas Election Code.

**SECTION 2.** The notice of Special Election shall be posted on the bulletin board Council uses to publish notice of the City Council meetings and be published in a newspaper of general circulation published in the area comprising the City and its extraterritorial jurisdiction. Said notice must be published at least once, not earlier than the 30<sup>th</sup> day or later than the 10<sup>th</sup> day before Election Day. A copy of the published notice that contains the name of the newspaper and the date of publication shall be retained as a record of such notice, and the person posting notice shall make a record of the time of posting, starting date, and the place of posting, which shall be the bulletin Council used to post notice of Council meetings.

**SECTION 3.** The polls shall be open from 7:00 a.m. on November 5, 2019, (Election Day), until 7:00 p.m. The polling place for the election on Election Day shall be: The Higginbotham Building, 108 North Main Street, Rising Star, Texas 76471. Early Voting by personal appearance shall be held at the Rising Star City Hall, 104 N Miller, Rising Star, Texas 76471, from 8:00 a.m. to 4:00 p.m., beginning Monday, October 21, 2019 through Friday, November 1, 2019, with the exception of extended hours on Monday, October 28, 2019, and Wednesday, October 30, 2019, when the hours shall be from 7:00 a.m. until 7:00 p.m. on those two (2) days. The use of Paper ballots may be used for voting at the foregoing election polling place.

**SECTION 4.** The persons appointed to serve as Presiding Election Judge and Alternate Election Judge by the City council shall hold those positions for the purposes of this ballot proposition.

**SECTION 5.** All applications for a ballot by mail shall be mailed to the Early Voting Clerk's official mailing address at PO Box 35, or by email at [jclark@risingstartexas.net](mailto:jclark@risingstartexas.net).

**SECTION 6.** The City Administrator/Secretary is hereby authorized and directed to publish and/or post, in the time and manner prescribed by law, all notices required to be so published and/or posted in connection with the conduct of the election.

**SECTION 7.** Should any part, section, subsection, paragraph, sentence, clause or phrase contained in this ordinance be held to be unconstitutional or of no force effect, such holding shall not affect the validity of the remaining portion of this ordinance but in all respects said remaining portion shall be and remain in full force and effect.

**SECTION 8.** This Ordinance shall take effect immediately from and after its passage.

**DULY PASSED** by the City Council of the City of Rising Star, Texas, this 15 day of August, 2019.

**APPROVED:**

  
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Mayor Pro-Tem: Jimmy Carpenter

**ATTEST:**

  
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City Administrator/Secretary – Jan Clark