

ORDINANCE NO. 2009-33

AN ORDINANCE OF THE CITY OF SHOREACRES, TEXAS, ORDERING A SALES TAX ELECTION TO BE HELD ON MAY 9, 2009, TO DETERMINE WHETHER THE VOTERS OF THE CITY OF SHOREACRES DESIRE TO ADOPT A SALES AND USE TAX FOR STREET MAINTENANCE IN THE CITY; DESIGNATING A POLLING PLACE; APPOINTING AN ELECTION JUDGE AND AN ALTERNATE JUDGE; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Shoreacres, Texas, is a Type A general-law municipality located in Harris County, created in accordance with the provisions of the Local Government Code and operating pursuant to the enabling legislation of the State of Texas; and

WHEREAS, pursuant to the Texas Tax Code, V.T.C.A., Chapter 327.001 et seq., (the "Act"), the City of Shoreacres desires to adopt a one-fourth of one percent (1/4%) sales and use tax to provide for street maintenance; and

WHEREAS, the Act provides that the sales and use tax for street maintenance requires voter approval at an election; and

WHEREAS, the Act provides that the Board of Aldermen may call an election to authorize the a sales and use tax to provide for street maintenance by adopting an ordinance; and

WHEREAS, the Act provides that an election to reauthorize the sales and use tax shall be held in accordance with Chapter 321 of the Tax Code; and

WHEREAS, Section 321.403 of the Tax Code states that such an election must be held on the first succeeding uniform date for which sufficient time elapses for the holding of an election; and

WHEREAS, Section 41.001 of the Texas Election Code (the "Code") specifies that the second Saturday in May shall be a uniform election date;

WHEREAS, the Board of Aldermen of the City of Shoreacres, Texas, hereby finds and determines that an election should be held to determine whether to authorize a local sales and use tax at the rate of one-fourth (1/4) of one percent to provide for maintenance and repair of municipal streets.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF SHOREACRES, TEXAS:

SECTION 1.  
ORDER

An election shall be held on Saturday, May 9 2008, to submit to the voters a proposition to determine whether to adopt a one-quarter (1/4) of one percent (1%) sales and use tax for street maintenance purposes.

SECTION 2.  
BALLOT

The official ballots for said election shall be prepared in accordance with the Texas Election Code so as to permit the electors to vote "FOR" or "AGAINST" the proposition, with the ballots to contain such provisions, markings and language as required by law, and with such proposition to be expressed substantially as follows:

PROPOSED

( ) FOR

( ) AGAINST

THE ADOPTION OF A LOCAL SALES AND USE TAX IN THE CITY OF SHOREACRES AT THE RATE OF ONE-FOURTH OF ONE PERCENT TO PROVIDE REVENUE FOR MAINTENANCE AND REPAIR OF MUNICIPAL STREETS.

SECTION 3  
ELECTION DAY POLLING PLACE:

The Election Day polling place for the election shall be at the City of Shoreacres, City Hall, located at 601 Shoreacres Blvd, Shoreacres, Texas 77571 between the hours of 7:00 a.m. and 7:00 p.m.

SECTION 4  
APPOINTMENT OF ELECTION JUDGE AND ALTERNATE ELECTION JUDGE

The individuals appointed to serve as presiding Election Judge and Alternate Presiding Judge, for the City Officers election shall also hold such positions for the purposes of this ballot proposition.

SECTION 5  
APPOINTMENT OF CLERKS

The Election Clerks appointed to serve for the proper conduct of the City Officers election shall also hold such positions for the purposes of this ballot proposition.

SECTION 6  
EARLY VOTING

The Clerk for Early Voting and Alternate Early Voting Clerk appointed to serve for the City Officers election shall also hold such positions for the purposes of this ballot proposition.

Early voting by personal appearance shall begin on Monday, April 27, 2009 at 7:30 a.m. and shall continue during regular office hours through Tuesday, May 5, 2009, with the exception of extended hours on Wednesday, April 29, 2009 and Tuesday, May 5, 2009 and we will be open for early voting from 7:00 a.m. until 7:00 p.m. on those two (2) days. (Regular Office Hours are 7:30 a.m. until 5:00 p.m., Monday, Tuesday, Wednesday and Thursday and from 8:00 a.m. until 12:00 noon on Friday.) Early voting by personal

appearance shall take place at Shoreacres City Hall, 601 Shoreacres Boulevard, Shoreacres, Texas 77571, which is also the address to which ballot applications and ballots voted by mail shall be sent.

Voting Ballot Board created to serve for the City Officers election shall also serve for the purposes of this ballot proposition.

SECTION 7  
NOTICES

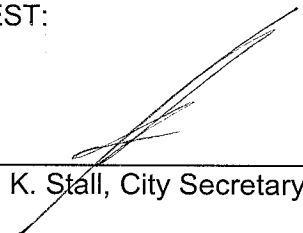
This Ordinance shall serve as the Order of Election (as required by Section 3.001 of the Code) and as the Notice of Election (as required by Section 4.001 of the Code). A copy of this ordinance shall be posted on the bulletin board used for posting notices of the meetings of the City Council at least twenty-one (21) days before the election. Notice shall be published in the newspaper in accordance with state law.

This ordinance shall be in full force and effective immediately after its passage.

PASSED AND APPROVED THIS 9TH DAY OF FEBRUARY 2009.

  
Jayo Washington, Mayor

ATTEST:

  
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David K. Stall, City Secretary