

**ORDINANCE NO. O20-\_\_**

**AN ORDINANCE OF THE CITY COUNCIL OF THE TOWN OF ADDISON, TEXAS AMENDING ORDINANCE NO. O20-04 TO POSTPONE THE MAY 2, 2020 SPECIAL CHARTER AMENDMENT ELECTION, PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS CLAUSE; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the Town of Addison is a home rule municipality located in Dallas County, Texas, operating pursuant to the City Charter and enabling legislation of the State of Texas; and

**WHEREAS**, the City Council of the Town of Addison previously passed Ordinance No. O20-04, ordering that a Special Election be held on May 2, 2020, a uniform election date per Texas law, for the purpose of amending the Home Rule Charter with twenty-six (26) Propositions; and

**WHEREAS**, elections in Texas must be held on a uniform election date per state law; and

**WHEREAS**, on March 13, 2020, the Governor of Texas certified that the novel coronavirus (COVID-19) poses an imminent threat of disaster and declared a state of disaster for all counties in Texas; and

**WHEREAS**, on March 18, 2020, the Governor of Texas issued a Proclamation to suspend various statutes to allow political subdivisions of the state that would otherwise hold elections on May 2, 2020, to move their general and special elections for 2020 to the next uniform election date, occurring on November 3, 2020; and

**WHEREAS**, the Texas Secretary of State has issued, pursuant to the Proclamation of March 18, 2020, Election Advisory No. 2020-12, to provide guidance to local political subdivisions regarding issues raised by the Proclamation, and

**WHEREAS**, on March 19, 2020 Dallas County Elections Department Elections Administrator Toni Pippins-Poole advised that the County would not be able to administer the May 2, 2020 Election with 44% of the 324 Vote Centers slated for closure and the majority of election work force in the high risk category of over 65; and

**WHEREAS**, federal, state, and local officials have determined that the spread of COVID-19 can be slowed by avoiding bringing people together, and the City Council hereby finds that the holding of the special election might cause physical danger of infection to voters, election officials, and election volunteers; and

**WHEREAS**, because of the public health crisis, and in order to protect the health and safety of voters, the election officials, and election volunteers, the City Council therefore wishes to exercise the authority granted to it in the Proclamation of March 18, 2020 to postpone the election previously called by it to be held on May 2, 2020.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE TOWN OF**

**ADDISON, TEXAS:**

**SECTION 1.** Pursuant to the authority granted in the Proclamation of March 18, 2020, the special election ordered to be held on May 2, 2020 by Ordinance No. O20-04 is hereby postponed until a future uniform election date.

**SECTION 2.** All matters and dates relevant to a future uniform election date, such as voter registration deadlines, applications for ballots by mail and dates for early voting shall be as provided by Texas law and Election Advisory 2020-12.

**SECTION 3.** The Council will, by subsequent action, amend Ordinance No. O20-04 to comply with state law regarding early voting location, dates and hours, and any other changes caused by postponing this election to a future uniform election date.

**SECTION 4. Severability.** It is hereby declared to be the intention of the City Council that the phrases, clauses, sentences, paragraphs, and sections of this ordinance are severable, and if a phrase, clause, sentence, paragraph, or section of this ordinance shall be declared unconstitutional by the valid judgment or decree of a court of competent jurisdiction, such unconstitutionality shall not affect the remaining phrases, clauses, sentences, paragraphs, and sections of this ordinance, since the same would have been enacted by the City Council without the incorporation in this ordinance of the unconstitutional phrase, clause, sentence, paragraph, or section.

**SECTION 5. Effective Date.** This ordinance shall be in full force and effect from and after its passage and publication as required by law, and it is so ordained.

**PASSED AND APPROVED BY THE CITY COUNCIL OF THE TOWN OF ADDISON, TEXAS, on this the 14<sup>th</sup> day of APRIL 2020.**

**TOWN OF ADDISON, TEXAS**

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Joe Chow, Mayor

**ATTEST:**

**APPROVED AS TO FORM:**

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Irma Parker, City Secretary

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Brenda N. McDonald, City Attorney