

Ordinance No. 20-012

An ordinance postponing the May 2, 2020, General and Special Elections to be held on November 3, 2020; providing this ordinance be cumulative; providing for severability; providing for governmental immunity and providing for injunctions; declaring an emergency

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ARLINGTON, TEXAS:

1.

That the May 2, 2020, general and special elections, previously ordered by Ordinance No. 20-005 and Ordinance No. 20-006, are postponed to be held on Tuesday, the 3rd day of November, 2020; provided, however, if an earlier date, occurring after May 2, 2020, but before November 3, 2020, is authorized by the Governor of the State of Texas, the City Council may consider holding the general and special elections originally scheduled for May 2, 2020 on such earlier date.

2.

The City of Arlington is exercising the authority to postpone these elections pursuant to the proclamation of the Governor of the State of Texas dated March 18, 2020, allowing political subdivisions 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 subsequent proclamation(s), order(s), or other forms of authorization, if any, of the Governor of the State of Texas allowing political subdivisions that would otherwise hold elections on May 2, 2020, to move their general and special elections for 2020 to a date occurring after May 2, 2020, but before November 3, 2020.

3.

Candidate filings for the postponed elections will remain valid for the postponed elections and the filing period will not be re-opened for the postponed elections.

4.

All applications for a ballot by mail for voters who are voting by mail due to being over the age of 65 or due to disability will still be valid for the postponed elections. All applications for a ballot by mail for voters who submitted applications based on expected absence from the county will not be valid for the postponed elections.

5.

The major relevant dates for the general and special elections if held on November 3, 2020, include: the voter registration deadline, October 5, 2020; the deadline to submit an application for ballot by mail, October 23, 2020; and the dates for early voting, October 19, 2020 – October 30, 2020.

6.

The major relevant dates for the general and special elections if held on a date earlier than November 3, 2020, will be as follows, unless subsequent proclamation(s), order(s), or other forms of authorization from the Governor of the State of Texas provide alternative dates: the voter registration deadline, 30 days prior to the election day; the deadline to submit an application for a ballot by mail, 12 days prior to the election day; and the dates for early voting, two-week period beginning on the Monday two weeks prior to the election day and ending on the Friday immediately prior to the election day.

7.

This ordinance shall be and is hereby declared to be cumulative of all other ordinances of the City of Arlington; and this ordinance shall not operate to repeal or affect any of such other ordinances except insofar as the provisions thereof might be inconsistent or in conflict with the provisions of this ordinance, in which event such conflicting provisions, if any, in such other ordinance or ordinances are hereby repealed.

8.

If any section, subsection, sentence, clause, or phrase of this ordinance is for any reason held to be unconstitutional, such holding shall not affect the validity of the remaining portions of this ordinance.

9.

All of the regulations provided in this ordinance are hereby declared to be governmental and for the health, safety, and welfare of the general public. Any member of the City Council or any City official or employee charged with the enforcement of this ordinance, acting for the City of Arlington in the discharge of his/her duties, shall not thereby render himself/herself personally liable, and he/she is hereby relieved from all personal liability for any damage that might accrue to persons or property as a result of any act required or permitted in the discharge of his/her said duties.

10.

Any violation of this ordinance can be enjoined by a suit filed in the name of the City of Arlington in a court of competent jurisdiction, and this remedy shall be in addition to any penal provision in this ordinance or in the Code of the City of Arlington.

11.

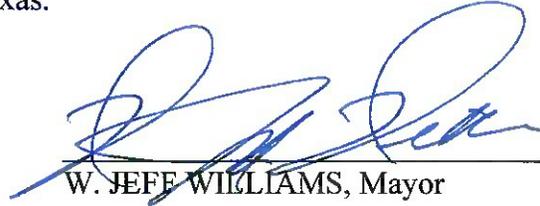
This is an ordinance for the immediate preservation of the public peace, property, health and safety, and is an emergency measure within the meaning of Article VII, Sections 11 and 12, of the City Charter; and the City Council, by the affirmative vote of all of its members present and voting, hereby declares that this ordinance is an emergency measure, and the requirement that it be read at two (2) meetings, as specified in Section 11, is hereby waived.

(2)

12.

This ordinance shall become effective from and after its passage upon signature of the Mayor.

PRESENTED, FINALLY PASSED, AND APPROVED on this the 24th day of March, 2020, by a vote of 9 ayes and 0 nays at a regular meeting of the City Council of the City of Arlington, Texas.



W. JEFF WILLIAMS, Mayor

ATTEST:



ALEX BUSKEN, City Secretary

APPROVED AS TO FORM:
TERIS SOLIS, City Attorney

BY: 