

**TOWN OF FAIRVIEW  
ORDINANCE 2020-05**

**AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF FAIRVIEW, TEXAS, ORDERING THAT THE GENERAL AND LOCAL OPTION ELECTIONS SCHEDULED TO BE HELD ON SATURDAY, MAY 2, 2020, BE POSTPONED TO TUESDAY, NOVEMBER 3, 2020; MAKING FINDINGS RELATED THERETO; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, on or about March 13, 2020, the Governor of the State of Texas certified that the novel coronavirus (COVID-19) poses an imminent threat of disaster and, under the authority vested in the Governor by Section 418.014 of the Texas Government Code, declared a state of disaster in every county in the State of Texas; and

**WHEREAS**, on or about March 18, 2020, the Governor issued a Proclamation suspending certain sections of the Texas Election Code, among others, to allow political subdivisions of the State that would otherwise hold elections on May 2, 2020, to postpone general and special elections to the next uniform election date, November 3, 2020; and

**WHEREAS**, on or about February 4, 2020, the Town adopted Ordinance No. 2020-02 Calling May 2, 2020 Local Option Election and Ordinance 2020-03 Calling May 2, 2020 General Election which, in part, ordered a general election for Saturday, May 2, 2020, to elect three (3) Councilmembers to the Town Council, Seats 2, 4 and 6; and

**WHEREAS**, it is pursuant to the authority of the Governor's March 13, 2020, disaster declaration and the March 18, 2020, proclamation that this Ordinance is adopted; *i.e.*, to postpone the Town Council general and local option elections in the Town from Saturday, May 2, 2020, to Tuesday, November 3, 2020.

**NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF FAIRVIEW, TEXAS, THAT:**

**SECTION 1**

All of the above findings are hereby found to be true and correct and are hereby incorporated into the body of this Ordinance as if fully set forth herein.

**SECTION 2**

The general election scheduled for Saturday, May 2, 2020, for Seat 2, Seat 4 and Seat 6 on the Fairview Town Council and the local option election is hereby postponed until Tuesday, November 3, 2020, pursuant to the authority referenced in the Preamble to this Ordinance, and it is hereby so ordered.


**SECTION 3**

Pursuant to Election Advisory No. 2020-12, issued by the Texas Secretary of State's Office on or about March 18, 2020, this Order also makes the following findings, and incorporates them by reference into this Ordinance: (1) all candidate filings for the May 2, 2020, general election shall remain valid for the November 3, 2020, general election; (2) the filing period will not be re-opened for the November 3, 2020, general election; (3) 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 remain valid for the postponed election whereas all applications for a ballot by mail based upon a voter's expected absence from the county will not be valid for the postponed election; and (4) the major relevant dates for the November 3, 2020, general election are as follows: deadline to register to vote in the November 3, 2020, election – October 5, 2020; the deadline to submit an application for a ballot by mail – October 23, 2020; and early voting – October 19, 2020, through October 30, 2020.

**SECTION 4**

This Ordinance shall become effective from and after its passage.

PASSED, APPROVED, AND EFFECTIVE on this 26<sup>th</sup> day of March 2020.

  
Henry Lessner, Mayor

**ATTEST:**

  
Tenitrus Bethel, Town Secretary

**APPROVED AS TO FORM:**

  
Clark McCoy, Town Attorney