

**CITY OF JOSHUA, TEXAS**

**ORDINANCE NO. 603-2014**

**AN ORDINANCE CANCELING THE NOVEMBER 4, 2014, SPECIAL ELECTION IN THE CITY OF JOSHUA, TEXAS; DECLARING EACH UNOPPOSED CANDIDATE ELECTED TO OFFICE; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the City of Joshua, Texas, is a home-rule law municipality located in Johnson County, created in accordance with the provisions of the Texas Local Government Code and operating pursuant to the Home Rule Amendment to the Texas Constitution; and

**WHEREAS**, in accordance with law a special election has been ordered for November 4, 2014, for the purpose of electing one (1) Councilmember to serve the remaining term for Place 6 on the City Council in the City of Joshua; and

**WHEREAS**, no proposition is to appear on the ballot in either election; and

**WHEREAS**, the City Secretary has certified in writing that each candidate on the ballot is unopposed for election to office; and

**WHEREAS**, the filing deadlines for placement on the ballot and declaration of write-in candidacy have passed; and

**WHEREAS**, in these circumstances Subchapter C of Chapter 2 of the Texas Election Code authorizes a governing body to declare each unopposed candidate elected to office and cancel the election.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF JOSHUA, TEXAS, THAT:**

**SECTION 1**

The following candidate, who is unopposed in the November 4, 2014, special election, is hereby declared elected to office, and shall be issued a certificate of election following the time the election would have been canvassed:

Merle Breitenstein – Councilmember, Place 6  
(Term to expire May 2015)

**SECTION 2**

The City Secretary is directed to post a copy of this Ordinance at each designated polling place on November 4, 2014.

**SECTION 3**

This Ordinance shall be cumulative of all provisions of ordinances of the City of Joshua, Texas, except where the provisions of this Ordinance are in direct conflict with the provisions of such ordinances, in which event the conflicting provisions of such ordinances are hereby repealed.

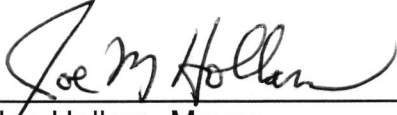
**SECTION 4**

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 any phrase, clause, sentence, paragraph or section of this Ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of 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 any such unconstitutional phrase, clause, sentence, paragraph or section.

**SECTION 5**

This Ordinance shall be in full force and effect from and after its passage, and it is so ordained.

**DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF JOSHUA, TEXAS, ON THIS THE 18<sup>TH</sup> DAY OF SEPTEMBER, 2014.**

  
\_\_\_\_\_  
Joe Hollarn, Mayor

**ATTEST:**

  
\_\_\_\_\_  
Jeanné Heard, City Secretary

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Terrence S. Welch, City Attorney