

ORDINANCE NO. 2011-21

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF PROVIDENCE VILLAGE, DENTON, COUNTY, TEXAS ORDERING PROPOSITIONS TO BE PLACED ON THE BALLOT OF THE SPECIAL ELECTION TO BE HELD ON THE 8th NOVEMBER, 2011 FOR VOTER CONSIDERATION OF ADOPTING CERTAIN SALES AND USE TAXES; ESTABLISHING PROCEDURES, RULES AND REGULATIONS FOR CONDUCTING SUCH ELECTION; REPEALING ORDINANCE NO. 2011-16; PROVIDING FOR NOTICE OF SUCH ELECTION AND PROVIDING FOR SEVERABILITY.

WHEREAS, the Town Council of the Town of Providence Village, Texas ("Town") has determined that ballot propositions related to sales and use taxes should be presented to the qualified voters of the Town of Providence Village for their determination; and

WHEREAS, the Town Council adopted Ordinance No. 2011-16 on August 8, 2011 ordering a special election for a 1% sales tax and has since determined it is eligible to adopt an additional one half of one percent (1/2%) to reduce property tax and is therefore repealing Ordinance No. 2011-16 and ordering the special election for both ballot propositions by this Ordinance.

NOW, THEREFORE, BE IT ORDAINED by the Town Council of the Town of Providence Village, Texas;

SECTION 1: An election shall be held in and throughout the Town of Providence Village, Texas on Tuesday, November 8, 2011 at which election there shall be submitted to the resident registered voters of said Town, to vote "For" or "Against" the following propositions:

"A ONE PERCENT (1%) SALES AND USE TAX IS ADOPTED WITHIN THE TOWN."

"THE ADOPTION OF AN ADDITIONAL SALES AND USE TAX WITHIN THE TOWN AT THE RATE OF ONE HALF OF ONE PERCENT (1/2%)."

SECTION 2: The Polls shall open from 7:00 a.m. to 7:00 p.m. on November 8, 2011, Election Day. Voting on Election Day shall be held at the Aubrey Area Community Center, 226 Countryside Dr., Aubrey, Texas 76227.

SECTION 3: The presiding officer for said election shall be appointed in accordance with the Texas Election Code. The Mayor or Mayor Pro-tem, in consultation with an attorney for the Town, are hereby authorized and directed to take any and all actions necessary to comply with any state or federal law in carrying out the election, whether or not expressly authorized herein, including but not limited to contracting with Denton County to perform election services and appointment of election officials and clerks.

SECTION 4: Early voting shall be conducted in accordance with the Texas Election Code and notice of the dates and hours for early voting shall be published in accordance with law. Early voting shall be held at the Steven Everett Copeland Government Center, F.M. 424, Cross Roads, Texas 76227.

SECTION 5: That said election shall be held in accordance with the Constitution and laws of the United States of America and the State of Texas, and all duly qualified resident voters of the Town of Providence Village, Texas shall be qualified to vote.

SECTION 6: Notice of the election hereby ordered and called shall be given by publication one time in a newspaper published in, Denton County, Texas not less than ten (10), nor more than thirty (30) days prior to the date set herein for such election. It is hereby found and determined that the Pilot Point Post Signal is a newspaper published within the Town of Providence Village and is a newspaper of general circulation within the Town of Providence Village.

SECTION 7: Ordinance No. 2011-16 is hereby repealed in its entirety.

SECTION 8: If any section, paragraph, subdivision, clause, phrase or provision of this Ordinance shall be adjudged invalid or held unconstitutional, the same shall not affect the validity of this Ordinance, as whole or part of provisions thereof, other than the part so decided to be invalid or unconstitutional.

PASSED AND APPROVED this the 22nd day of August, 2011.

ATTEST:

APPROVED:



City Secretary



Brian Roberson, Mayor

