

Ordinance No. 2006.03
Village of Salado
County of Bell
State of Texas
February 2, 2006

NEW VOTING MACHINES

AN ORDINANCE OF THE BOARD OF ALDERMEN OF THE VILLAGE OF SALADO, TEXAS ESTABLISHING A VOTING SYSTEM AND EXTENDING EARLY VOTING HOURS; AND PROVIDING FOR PREAMBLE INCORPORATION; CONFLICTING PROVISIONS; GOVERNING LAW; SEVERABILITY; AN EFFECTIVE DATE; AND AN AUTHORIZATION TO EXECUTE.

WHEREAS, section 61.012 of the Texas Election Code requires the Village of Salado Board of Aldermen (Board) must provide at least one accessible voting system in each polling place used in a Texas election on or after January 1, 2006; and

WHEREAS, the accessible voting system must comply with state and federal laws setting the requirements for voting systems that permit voters with physical disabilities to cast a secret ballot; and

WHEREAS, the Office of the Texas Secretary of State has certified that the AutoMARK v.1.0. is an accessible voting system that may be legally used in Texas elections; and

WHEREAS, sections 123.032 and 123.035 of the Texas Election Code authorize the acquisition of voting systems by local political subdivisions and further mandate certain minimum requirements for contracts relating to the acquisition of such voting systems; and

WHEREAS, section 123.001 of the Texas Election Code requires the Board to adopt a voting system before it can be used in an election; and

WHEREAS, section 85.005(d) of the Texas Election Code requires early voting by personal appearance be conducted at the main early voting polling place for at least twelve hours for a certain number of weekdays; and

WHEREAS, the meeting to adopt this Ordinance was open to the public, and public notice of the time, place, and purpose of the meeting was given, all as required by Chapter 551 of the Government Code, as amended;

THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE VILLAGE OF SALADO:

1. That the Village shall provide at least one AutoMARK v.1.0. in each polling place in every polling location used to conduct any election ordered on or after January 1, 2006. The AutoMARK v.1.0. may be acquired by any legal means available to the Board, including but not limited to lease or rental from the County of Bell or from any other legal source, as authorized or required by sections 123.032 and 123.035, Texas Election Code.
2. That the Village, in an election ordered by the Village on or after January 1, 2006, and as may be required by Election Code section 85.005(d), as amended, shall conduct early voting by personal appearance at the main early voting polling place for at least twelve (12) hours:
 - (a) on one weekday, if the early voting period consists of less than six weekdays; or
 - (b) on two weekdays, if the early voting period consists of six or more weekdays.
3. That the recitals contained in the preamble hereof are hereby found to be true and correct, and such recitals are hereby made a part of this Ordinance for all purposes and are adopted as part of the judgment and findings of the Board of Aldermen.
4. That all ordinances, orders and resolutions, or parts thereof, which are in conflict or inconsistent with any provision of this Ordinance are hereby repealed to the extent of such conflict, and the provisions of this Ordinance shall be and remain controlling as to the matters ordered herein.
5. That it is the intention of the Board of Aldermen of the Village of Salado that the sections, paragraphs, sentences, clauses, and phrases of this Ordinance are severable and, if any phrase, clause, sentence, paragraph, or section of this Ordinance should be declared invalid by the final judgment or decree of a court of competent jurisdiction, such invalidity 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 Board of Aldermen without the incorporation in this Ordinance of any such invalid phrase, clause, sentence, paragraph, or section.
6. That this Ordinance is effective immediately upon its passage and approval.
7. That the Mayor of the Village is authorized to execute and the City Secretary of the Village is authorized to attest this Ordinance on behalf of the Board.

PASSED AND APPROVED this 2nd day of February, 2006.

The Village of Salado



Rick Ashe, Mayor

CERTIFICATE

THE STATE OF TEXAS
COUNTY OF BELL

I, Dianna Zulauf, being the current Village Secretary of the Village of Salado, Texas, do hereby certify that the attached is a true and correct copy of Ordinance No. 2006.03, passed and approved by the Board of Aldermen of the Village of Salado, Texas, on the 2 day of February, 2006, and such Ordinance was duly adopted at a meeting open to the public and notice of said meeting, giving the date, place and subject thereof, was posted as prescribed by Government Code 551.043.

Witness my hand and seal of office this 2 day of Feb., 2006.


Dianna Zulauf
Village Secretary

