

**ORDINANCE NO. 20-04-02-07**

**AN ORDER OF THE CITY COUNCIL OF THE CITY OF CORINTH, TEXAS, AND THE TEMPORARY BOARD OF DIRECTORS, ("TEMPORARY BOARD"), OF THE PROPOSED CITY OF CORINTH FIRE CONTROL, PREVENTION, AND EMERGENCY MEDICAL SERVICES DISTRICT, ("DISTRICT"), ORDERING THE JOINT ELECTION ORDER ORDERING A SPECIAL ELECTION TO BE HELD ON MAY 2, 2020, FOR THE PURPOSE OF SUBMITTING TO THE QUALIFIED VOTERS OF THE PROPOSED DISTRICT, COMPRISING THE CITY OF CORINTH, A BALLOT PROPOSITION SERVING AS A CONFIRMATION ELECTION ORDER FOR THE DISTRICT AND ADOPTING A SALES AND USE TAX FOR THE DISTRICT AT A RATE OF ONE-FOURTH OF ONE PERCENT, AND A BALLOT PROPOSITION TO DESIGNATE THAT THE CITY COUNCIL MAY, BY RESOLUTION, BE APPOINTED TO SERVE AS THE PERMANENT BOARD OF DIRECTORS OF THE DISTRICT, BE POSTPONED TO TUESDAY, NOVEMBER 3, 2020; PROVIDING FOR THE INCORPORATION OF PREMISES; PROVIDING FOR POSTPONEMENT OF THE JOINT SPECIAL ELECTION; PROVIDING FOR A CUMULATIVE CLAUSE; PROVIDING SEVERABILITY; 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 for 2020 only to the next uniform election date, November 3, 2020 without otherwise adjusting the election date; and

**WHEREAS**, on or about February 13, 2020, the City adopted Ordinance No. 20-02-13, which, in part, ordered a joint special election for the purpose of submitting to the qualified voters of the proposed District, comprising the City of Corinth, a ballot proposition serving as a confirmation election order for the District and adopting a sales and use tax for the District at a rate of one-fourth of one percent dedicated to fire control, prevention, and emergency medical services programs, and a ballot proposition to designate that the City Council may, by resolution, be appointed to serve as the permanent board of directors of the District, for Saturday, May 2, 2020; and

**WHEREAS**, on or about February 13, 2020, the Temporary Board of the District, as part of a duly conducted meeting, ordered a joint special election for the purpose of submitting to the qualified voters of the proposed District, comprising the City of Corinth, a ballot proposition serving as a confirmation election order for the District and adopting a sales and use tax for the District at a rate of one-fourth of one percent dedicated to fire control, prevention, and emergency medical services programs, and a ballot proposition

to designate that the City Council may, by resolution, be appointed to serve as the permanent board of directors of the District, for Saturday, May 2, 2020; 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 joint special election from Saturday, May 2, 2020, to Tuesday, November 3, 2020; and

**WHEREAS**, Ordinance No. 20-02-13 remains effective, but pursuant to this Ordinance, the special election date provided for in Ordinance No. 20-02-13 shall be postponed.

**NOW, THEREFORE, BE IT ORDERED BY THE CITY COUNCIL OF THE CITY OF CORINTH, TEXAS, AND THE TEMPORARY BOARD OF DIRECTORS OF THE PROPOSED CITY OF CORINTH FIRE CONTROL, PREVENTION, AND EMERGENCY MEDICALS SERVICES DISTRICT:**

**SECTION 1**  
**INCORPORATION OF PREMISES**

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**  
**POSTPONEMENT OF SPECIAL ELECTION DATE**

The special election scheduled for Saturday, May 2, 2020 for the purpose of submitting to the qualified voters of the proposed District, comprising the City of Corinth, a ballot proposition serving as a confirmation election order for the District and adopting a sales and use tax for the District at a rate of one-fourth of one percent dedicated to fire control, prevention, and emergency medical services programs, and a ballot proposition to designate that the City Council may, by resolution, be appointed to serve as the permanent board of directors of the District, is hereby postponed until Tuesday, November 3, 2020, pursuant to the authority referenced in the recitals to this Ordinance, and it is hereby so ordered.

**SECTION 3**  
**ADDITIONAL FINDINGS**

Pursuant to Election Advisory No. 2020-12, issued by the Texas Secretary of State's Office on or about March 18, 2020, this Ordinance also makes the following findings, and incorporates them by reference into this Ordinance: (1) 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 (2) the major relevant dates for the November 3,

2020, special election are as follows: deadline for registration to vote in the November 3, 2020, special 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**  
**CUMULATIVE CLAUSE**

This Ordinance shall be cumulative of all provisions of Ordinances of the City of Corinth, 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 5**  
**SEVERABILITY CLAUSE**

It is hereby declared to be the intent of the City Council of the City of Corinth 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, or sections of this Ordinance, since the same would have been enacted by the City Council without incorporation of any such unconstitutional phrase, clause, sentence, paragraph, or section.

**SECTION 6**  
**EFFECTIVE DATE**

This Ordinance shall become effective from and after its passage.

DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF CORINTH, TEXAS, ON THE 2 DAY OF April, 2020, AND BY THE TEMPORARY BOARD OF DIRECTORS OF THE CITY OF CORINTH FIRE CONTROL, PREVENTION, AND EMERGENCY MEDICAL SERVICES DISTRICT ON THIS THE 2 DAY OF April, 2020.

CITY OF CORINTH

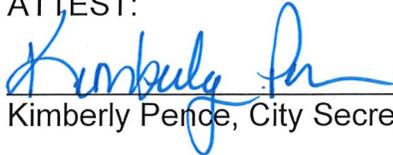
\_\_\_\_\_  
Bill Heidemann, Mayor

TEMPORARY BOARD OF DIRECTORS OF THE  
PROPOSED CITY OF CORINTH FIRE CONTROL,  
PREVENTION, AND EMERGENCY MEDICAL  
SERVICES DISTRICT



By:

ATTEST:

  
Kimberly Pence, City Secretary



APPROVED AS TO FORM:

  
Patricia Adams, City Attorney