

# VILLAGE OF WEBBERVILLE

## ORDINANCE NO. 2021-03

**AN ORDINANCE OF THE VILLAGE OF WEBBERVILLE, TEXAS, CALLING FOR A LOCAL OPTION ELECTION TO BE HELD ON MAY 1, 2021, ON A PROPOSITION TO DETERMINE WHETHER OR NOT TO PERMIT THE LEGAL SALE OF ALL ALCOHOLIC BEVERAGES WITHIN THE VILLAGE OF WEBBERVILLE, TEXAS; PROVIDING FOR THE FOLLOWING: FINDINGS OF FACT; ENACTMENT; REPEALER; SEVERABILITY; PUBLICATION; PENALTIES; PROPER NOTICE AND MEETING; PROVIDING AN EFFECTIVE DATE**

WHEREAS, the Village Commission of the Village of Webberville, Texas, has received a petition in due form wherein the requisite number of qualified voters have requested a local option election to legalize the sale of alcoholic beverages pursuant to Texas Alcoholic Beverage Code Chapter 251; and

WHEREAS, the Village Commission finds and determines that the petition is in the form required by the law; that all legal requirements and prerequisites have been met and are satisfied regarding the form of the petition and the manner of its circulation, signing and submission; that the petition contains the requisite minimum number of valid signatures of qualified voters of the Village of Webberville; and, that the Village Commission is authorized to call a local option election in accordance with the petition and law; and

WHEREAS, by majority vote of the Village Commission, the Village Commission of the Village of Webberville, Texas, herein orders a local option election to be held on May 1, 2021, to consider the legalization of the sale of all alcoholic beverages for consumption within the Village. Now, Therefore:

**NOW, THEREFORE, BE IT ORDAINED BY THE VILLAGE COMMISSION OF THE VILLAGE OF WEBBERVILLE, TEXAS:**

**SECTION 1.** That all of the above premises are found to be true and correct and are incorporated.

**SECTION 2.** That the ballot for the election shall be printed and prepared in a manner that the voters may vote “for” or “against” the following proposition: “The legal sale of all alcoholic beverages including mixed drinks in Webberville, Texas.”

**SECTION 3.** That notice of the election shall be posted on the bulletin board used to publish notice of the Village Commission meetings and be published in a newspaper of general

circulation published in the Village. Said notice must be published at least once, not earlier than the 30<sup>th</sup> day or later than the 10<sup>th</sup> day before Election Day. A copy of the published notice that contains the name of the newspaper and the date of publication shall be retained as a record of such notice, and the person posting the notice shall make a record of the time of posting, starting date, and the place of posting, which shall be the bulletin board used to post notice of Village Commission meetings.

**SECTION 4.** That polls shall be open from 7:00 a.m. until 7:00 p.m. on Election Day. The election will be conducted such that voters may vote at any polling place for early voting as well as on Election Day. The location, dates, and times for early voting by personal appearance shall be at the designated location, and at the dates and times.

**SECTION 5.** The Village Secretary is hereby authorized and directed to publish and/or post, in the time and manner prescribed by law, all notices required to be so published and/or posted in connection with the conduct of the election.

**SECTION 6** That this ordinance supersedes the provisions of any other ordinance on the same subject matter to the extent of a conflict.

**SECTION 7** That it is hereby officially found and determined that the meeting at which this ordinance is passed is open to the public as required by law and that public notice of the time, place and purpose of said meeting was given as required by law.

**SECTION 8.** That should any part, portion, section or provision of this ordinance be declared to be invalid or inoperative or void for any reason by a court of competent jurisdiction, such decision, opinion or judgment shall in no way affect the remaining parts, portions, sections or provisions of this ordinance which provisions shall remain and continue to be in full force and effect.

**SECTION 9.** That this ordinance shall become effective immediately upon its passage, approval, and publication.

**PASSED** this 10th day of February, 2021 by a vote of 3 (ayes) to 0 (nays) with 0 abstentions of the Village Commission of Webberville, Texas.

**Village of Webberville**

by:   
Mayor Hector Gonzales

**ATTEST:**

by:   
Carissa Cannaday, Village Clerk