

## ORDINANCE NO. 2023-08-02

AN ORDINANCE OF THE CITY OF WESTON, COLLIN COUNTY, TEXAS, AUTHORIZING THE SETTING OF AN ELECTION TO CONSIDER A PROPOSITION TO INCREASE THE GENERAL PURPOSE SALES AND USE TAX WITHIN THE CITY AT A RATE OF TWO PERCENT PURSUANT TO CHAPTER 321 OF THE TEXAS TAX CODE, SETTING THE CITY ELECTION FOR NOVEMBER 7, 2023 WHEREIN VOTERS WILL BE ASKED TO IMPOSE A TWO PERCENT CITY SALES TAX; PROVIDING FOR REPEALING, SAVINGS AND SEVERABILITY CLAUSES; PROVIDING FOR AN EFFECTIVE DATE OF THIS ORDINANCE; AND PROVIDING FOR THE PUBLICATION OF THE CAPTION HEREOF.

**WHEREAS**, City Council of the City of Weston, Texas ("City Council") deems it advisable to call the election herein ordered; and

**WHEREAS**, the current sales and use tax rate within the City of Weston ("City") is 7.25% and comprised of the following: the State of Texas sales and use tax (6.25%) and the City's general purpose sales and use tax (1 %),

**WHEREAS**, adoption of the sales and use tax will not result in the combined rate of all sales and use taxes imposed by the City and other political subdivisions having territory in the City exceeding 2%; and

**WHEREAS**, it is hereby officially found and determined that the City hold the hereinafter election on the date set forth below is in the public interest; and

**WHEREAS**, the City Council finds that all legal notices, hearings, procedures and publishing requirements for the adoption of the ordinance have been performed or completed in the manner and form set forth by law.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WESTON, TEXAS;**

### **SECTION 1 FINDINGS INCORPORATED**

The findings set forth above are incorporated into the body of this Ordinance as if fully set forth herein.

### **SECTION 2 ELECTION ORDERED**

An election is hereby ordered be held on November 7, 2023, a uniform election date, in the City of Weston, Texas, for the purpose of submitting a proposition to the qualified voters of the City of Weston regarding the imposition of the sales and use tax of two percent (2%).

### **SECTION 3 ELECTION DAY**

The polling place for the voting precincts in the City of Weston for this election shall be established by the Collin County Elections Administrator. Polling places will be publicly posted on the Collin County Elections Department and City of Weston Municipal internet sites.

### **SECTION 4 OFFICIAL BALLOTS**

The official ballots for said election shall be prepared in accordance with the Texas Election Code and Texas Tax Code so as to permit all eligible voters of Weston to vote "For" or "Against" the proposition, with the ballots to contain such provisions, markings and language as required by law and with such propositions to be expressed substantially as follows:

#### PROPOSITION NO. 1

The adoption of a local sales and use tax in the City of Weston at the rate of two percent (2%).



**SECTION 5  
VOTING EQUIPMENT AND MATERIALS**

The Election Officer is hereby authorized and instructed to provide and furnish all necessary election supplies to conduct the election.

**SECTION 6  
ELECTION TO COMPLY WITH APPLICABLE LAWS**

The City 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 this election. The election, including providing notice of the election shall be conducted in accordance with the Texas Election Code and other applicable law, and all resident qualified and registered voters of the City shall be eligible to vote at the election.

**SECTION 7  
AUTHORITY OF MAYOR AND CITY SECRETARY**

The Mayor and the City Secretary of the City, in consultation with the City Attorney, are hereby authorized and directed to take any and all actions necessary to comply with the provisions of the Texas Election Code and any other state or federal law in carrying out and conduction the election, whether or not expressly authorized herein.

**SECTION 8  
SAVINGS/REPEALING CLAUSE**

All provisions of any ordinance in conflict with this Ordinance are hereby repealed; but such repeal shall not abate any pending prosecution for violation of the repealed Ordinance, nor shall the repeal prevent prosecution from being commenced for any violation if occurring prior to the repeal of the Ordinance. Any remaining portions of conflicting ordinances shall remain in full force and effect.

**SECTION 9  
SEVERABILITY**

Should any section, subsection, sentence, clause or phrase of this Ordinance be declared unconstitutional or invalid by a court of competent jurisdiction, it is expressly provided that any and all remaining portions of this Ordinance shall remain in full force and effect. Weston hereby declares that it would have passed this Ordinance, and each section, subsection, sentence, clause, or phrase thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases be declared unconstitutional or invalid.

**SECTION 10  
EFFECTIVE DATE**

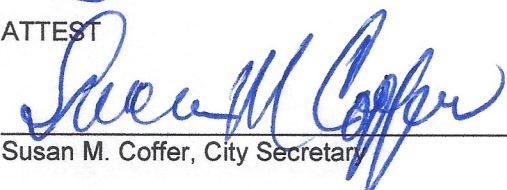
This Ordinance shall become effective from and after its adoption and publication as required by law.

PASSED AND APPROVED by the Council this, the 5th day of August, 2023.

APPROVED

  
Jerry Randall, Mayor

ATTEST

  
Susan M. Coffey, City Secretary