

ORDINANCE: O-2024-08-01

AN ORDINANCE OF THE TOWN 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 TOWN AT A RATE OF TWO PERCENT (2%) PURSUANT TO CHAPTER 321 OF THE TEXAS TAX CODE, SETTING THE TOWN ELECTION FOR NOVEMBER 5, 2024 WHEREIN VOTERS WILL BE ASKED TO IMPOSE A TWO PERCENT (2%) TOWN 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, Town Council of the Town of Weston, Texas ("Town Council") deems it advisable to call the election herein ordered; and

WHEREAS, the current sales and use tax rate within the Town of Weston ("Town") is 7.25% and comprised of the following: the State of Texas sales and use tax (6.25%) and the Town'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 Town and other political subdivisions having territory in the Town exceeding 2%; and

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

WHEREAS, the Town 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 TOWN: COUNCIL OF THE TOWN 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 to be held on November 5, 2024, a uniform election date, in the Town of Weston, Texas, for the purpose of submitting a proposition to the qualified voters of the Town 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 Town 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 Town 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 Town 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 Town 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 Town shall be eligible to vote at the election.

Section 7.
AUTHORITY OF MAYOR AND TOWN SECRETARY

The Mayor and the Town Secretary of the Town, in consultation with the Town 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.
SECTIONS 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.

Passed and approved August 14, 2024.



ATTEST:

Kristina Dean
Kristina Dean
Town Secretary

APPROVED:

Jerry Randall
Jerry Randall
Mayor