

ORDER CANCELING AN ELECTION

AN ORDER CANCELING THE MAY 5, 2018 CITY OF ATHENS GENERAL ELECTION AND DECLARING EACH UNOPPOSED CANDIDATE ELECTED TO OFFICE; PROVIDING THAT THIS ORDER SHALL BE CUMULATIVE OF ALL ORDERS, PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Athens is located in Henderson County; and

WHEREAS, in accordance with law a general election has been ordered for May 5, 2018 for the purpose of electing one (1) Council Member, Place 2, one (1) Council Member, Place 3, one (1) Council Member, Place 4 to serve on the City Council of the City of Athens; and

WHEREAS, no proposition is to appear on the ballot in that election; and

WHEREAS, the City Secretary has certified in writing that each candidate on the ballot is unopposed for election to office; and

WHEREAS, the filing deadlines for placement on the ballot and declaration of write-in candidacy have passed; and

WHEREAS, in these circumstances Subchapter C of Chapter 2 of the Election Code authorizes a governing body to declare each unopposed candidate elected to office and cancel the election.

NOW, THEREFORE, BE IT ORDERED BY THE CITY COUNCIL OF THE CITY OF ATHENS, THAT:

SECTION 1

The following candidates, who are unopposed in the May 5, 2018 General Election, are hereby declared elected to office, and shall be issued a certificate of election:

Council Member, Place 2: Aaron “Bubba” Smith
Council Member, Place 3: Ed McCain
Council Member, Place 4: Robert Gross

SECTION 2

The City Secretary is directed to post a copy of this order at each designated polling place on May 5, 2018.

SECTION 3

This order shall be cumulative of all provisions of orders of the City of Athens, except where the provisions of this order are in direct conflict with the provisions of such orders, in which event the conflicting provisions of such orders are hereby repealed.

SECTION 4

It is hereby declared to be the intention of the City Council that the phrases, clauses, sentences, paragraphs, and sections of this order are severable, and if any phrase, clause, sentence, paragraph or section of this order 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 and sections of this order, since the same would have been enacted by the City Council without the incorporation in this order of any such unconstitutional phrase, clause, sentence, paragraph or section.

SECTION 5


This order shall be in full force and effect from and after its adoption.

PASSED AND APPROVED ON THIS THE 26TH DAY OF FEBRUARY, 2018.



Monte Montgomery, Mayor

ATTEST:



Bonnie Hambrick, City Secretary