Chapter 30 ELECTIONS

Sec. 30-1. State law and Charter to govern; voter qualification.

All elections pertaining to municipal affairs in the city shall be governed by the laws of the state and this Code and the Charter of the city to the extent they are not in conflict with such laws. Only qualified voters who are residents within this city shall be qualified to vote. The approved list of qualified voters will be obtained from the Harris County Voter Registrar's office.

(Code 1991, § 7-1; Code 2003, § 30-1; Code 2014, § 30-1)

Sec. 30-2. General duties of mayor, city secretary, chief of police, city council; ordering and holding election.

In all city elections, the mayor, city secretary, chief of police, and the city council shall do and perform each act in other elections required to be done and performed respectively by the county judge, the county clerk, sheriff, or the commissioners court. In all elections, the city council shall order the election, order notices be given, and appoint election officers to hold the election.

(Code 1991, § 7-2; Code 2003, § 30-2; Code 2014, § 30-2)

Sec. 30-3. Date of general elections; runoff prescribed.

All general elections for officers shall be held on the first Saturday in May in each year (or on the day of the week authorized by the State of Texas for a May general election), with a runoff election, if necessary, to be held in accordance with State of Texas law pursuant to the date and time set by the Secretary of State (HB 357). Pursuant to section 3.09 of the Charter, at such elections, the candidate receiving a majority of the votes cast for the office which he seeks at such election shall be declared elected to such office. Should no candidate for an office receive a majority of the votes cast for such office at the regular election held on the above mentioned date, then a runoff election shall be held on the date set by the Secretary of State for runoff elections per HB 357, at which runoff election only the names of the two candidates who, receiving the highest number of votes at the regular election, shall be submitted to the voters for election. The candidate receiving the majority of the votes cast at such runoff election shall be declared elected to such office.

(Code 1991, § 7-3; Code 2003, § 30-3; Code 2014, § 30-3)

Sec. 30-4. Official ballot; candidates for mayor or councilmember; application and fee.

Pursuant to section 3.07 of the Charter, any eligible and qualified person may have their name placed upon the official ballot as a candidate for the office of mayor or councilmember by filing his sworn application and a filing fee as provided in the fee schedule in appendix B to this Code or a nominating petition with the city secretary. All candidates for office shall pay any other filing fees set by law. Each candidate shall file a sworn application as required by the state election code. Each candidate shall specify the office which he seeks, such as "Councilmember, Position No. 2."

(Code 1991, § 7-4; Code 2003, § 30-4; Code 2014, § 30-4)

Sec. 30-5. Candidates' names posted; objections to candidates; preservation of records.

(a)   Pursuant to section 3.08 of the Charter, the names of all those who have filed their sworn applications to have their names placed on the official ballot as candidates shall be posted by the city secretary on the bulletin board for posting official notices for the inspection of the public for at least ten days before he orders the ballots to be printed. All objections to the regularity or validity of the application of any person shall be made within five days after such posting, by written notice filed with the city secretary, setting forth the grounds of objections. In case no such objection is filed within the time prescribed, the regularity or validity of the application of no person whose name is so posted shall be thereafter contested. The city secretary shall preserve for a period of two years all applications, notices of objections and other related papers.

(b)   Pursuant to section 3.08(d) of the Charter, the order in which the names appear on the ballot shall be determined by lot conducted by the city secretary, who shall post a notice in the city secretary's office at least three days before the drawing is held, stating the day, time and place of the drawing, and who shall also give personal notice of such drawing by mailing to any candidate, who furnishes the city secretary with a self-addressed stamped envelope.

(Code 1991, § 7-5; Code 2003, § 30-5; Code 2014, § 30-5)

Sec. 30-6. Placement of name on ballot; withdrawal of candidates; printing.

Pursuant to section 3.08 of the Charter, any person eligible to the office of mayor or councilmember who has filed his sworn application in accordance with the provisions of this chapter shall have their name placed on the official ballot. Any such person may cause their name to be withdrawn as provided in V.T.C.A., Election Code § 145.001 by filing in writing with the city secretary a request to that effect over their own signature, duly attested to by a notary public. No name so withdrawn shall be printed on the ballots. Not later than 20 days before the city general election, the city secretary shall have the official ballots printed.

(Code 1991, § 7-6; Code 2003, § 30-6; Code 2014, § 30-6)

Sec. 30-7. Voting machines, Vertity Scan, Controller, Duo and KNOWiNK poll pads.

(a)   All municipal elections shall be conducted using Hart InterCivic equipment, Verity Controller 2.7.2, Verity Scan 2.7.6, Verity Touch Writer Duo 2.7.2, and the KNOWiNK electronic poll pads, permanently replacing the previously used E-slate machine method.   The software version numbers may change as updates are approved by the Secretary of State's office.

(b)   The ballot shall be printed with the names of the several positions for which the election is being held in this order: Mayor (if in an odd-numbered year), councilmember position number 1 (or 4), councilmember position number 2 (or 5, etc.), and under the title of each such position shall be listed the several candidates therefor.

(Code 1991, § 7-7; Code 2003, § 30-7; Code 2014, § 30-7; Ord. No. 2880, § 1, 2-18-2003)

Sec. 30-8. Appointment of judges and clerk.

All municipal elections shall be conducted by one presiding judge and one alternate presiding judge, to be appointed by the city council. Each presiding judge is hereby authorized to appoint two clerks to assist in conducting such election, and as many more as is deemed necessary for the proper conduct of such election, up to a maximum of six. Judges and clerks shall be paid for their services as prescribed by City ordinance but not to overwrite the state election code. In years when a runoff election is necessary, the same election officers who served at the general election that year shall also serve for such runoff election, and the runoff election shall be held at the same places as the general election for the same voting precincts. Returns of all elections shall be made by the election officers to the city council, at which time the council shall canvass the votes and declare the results of such election.

(Code 1991, § 7-9; Code 2003, § 30-8; Code 2014, § 30-8)

Sec. 30-9. Hours of voting; voting early.

(a)   All general elections shall be held between the hours of 7:00 a.m. and 7:00 p.m.

(b)   Early voting shall be held on the days and times as set out in the state election code, with at least two early voting days to run from 7am to 7pm.

(Code 1991, § 7-10; Code 2003, § 30-9; Code 2014, § 30-9)

Sec. 30-10. Notice to be posted prior to election; publication time; runoff.

The city secretary is hereby directed and instructed to post a notice of each election at the city hall and such other places as set out in the state election code. Such notices shall be posted at least 21 days before the date of such election, and per City Charter Sec 3.05 (d) the notice shall be published in the official city newspaper once a week for two consecutive weeks not earlier than the 30th day or later than the tenth day before such election date. Notice of runoff election shall be the same, published once a week for two consecutive weeks between 30 days and 10 days before the runoff election (or per the State Election Code mandates).

(Code 1991, § 7-11; Code 2003, § 30-10; Code 2014, § 30-10)