

ORDINANCE NO. 2021--02

AN ORDINANCE OF THE COMMISSION OF THE TOWN OF BROCK, TEXAS CANVASSING AND DECLARING THE RESULTS OF THE MAY 1, 2021 ELECTION TO VOTE FOR OR AGAINST THE LEGAL SALE OF ALL ALCOHOLIC BEVERAGES INCLUDING MIXED BEVERAGES; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, by previous order, the Commission of the Town of Brock ("Brock or the Town") verified and accepted the petition of the residents and timely ordered a Special Election to submit to the voters the option to to vote for or against the legal sale of all alcoholic beverages including mixed beverages; and

WHEREAS, Brock did properly hold the election on Saturday, May 1, 2021 with the ballot reading as follows:

For or against the legal sale of all alcoholic beverages including mixed
beverages
For
Against

WHEREAS, the election officers who administered the election have duly made the returns of the result thereof, and said returns have been duly delivered to the Commission; and

WHEREAS, the Commission has canvassed the returns of this election which was submitted to all resident qualified voters of Brock to vote for or against the legal sale of all alcoholic beverages including mixed beverages noted above as follows:

FOR	79
AGAINST	41

WHEREAS, the Commission finds and determines that the holding of the election and canvassing of the returns was conducted in accordance with the provisions of the Texas Election Code, Texas Local Government Code and applicable law;

NOW THEREFORE BE IT ORDAINED BY THE COMMISSION OF THE TOWN OF BROCK, TEXAS:

SECTION 1. INCORPORATION OF RECITALS. The Commission finds that the statements set forth in the recitals of this Ordinance are true and correct, and are incorporated as a part of this Ordinance.

SECTION 2. FINDINGS The Commission officially finds and determines that said election was duly ordered; proper notice of said election was duly given; proper election officers were duly appointed prior to said election; said election was duly held; the Town has complied

with applicable law; returns of the result of said election have been made and delivered; and the Commission has duly canvassed said returns, all in accordance with applicable law.

SECTION 3. VOTES CAST. The Commission officially finds and declares that the following votes were cast at said election on the submitted measure by the resident, qualified electors of the Town who voted at the election:

**ELECTION FOR THE TOWN OF BROCK, TEXAS
TO VOTE FOR OR AGAINST
THE LEGAL SALE OF ALL ALCOHOLIC BEVERAGES INCLUDING
MIXED BEVERAGES**

FOR	79	65.83%
AGAINST	41	34.17%
TOTAL VOTES	120	100.00%

SECTION 4. DECLARATION OF RESULTS. The Commission officially finds, determines and declares the result of said election to be that the measure to legalize the sale of all alcoholic beverages including mixed beverages was approved and passed by a majority vote of those qualified voters of Brock voting at such election voting and such measure is hereby approved.


SECTION 5. EFFECT OF ELECTION Pursuant to state law, the legal sale of all alcoholic beverages including mixed beverages is allowed in the Town of Brock, Texas. Those persons or entities wishing to sell alcohol including mixed beverages in the Town of Brock shall apply for application with the Town and Texas Alcoholic Beverage Commission (TABC) and comply with all applicable federal, state and local rules and regulations regarding the sale of alcohol. Notice of the passing of the measure to legalize the sale of alcoholic beverages including mixed beverages in the Town of Brock will be sent to both the Texas Secretary of State and the TABC.

SECTION 6. ORDINANCE TO CONTROL. All ordinances and resolutions, or parts thereof, which conflict or are inconsistent with any provision of this Ordinance are hereby repealed to the extent of such conflict, and the provisions of this Ordinance shall be and remain controlling as to the matters ordained herein.

SECTION 7. SEVERABILITY. If any provision of this Ordinance or the application thereof to any circumstance shall be held to be invalid, the remainder of this Ordinance and the application thereof to other circumstances shall nevertheless be valid, and this governing body hereby declares that this Ordinance would have been enacted without such invalid provision.

SECTION 8. EFFECTIVE DATE. This Ordinance shall be in full force and effect from and after its passage.

**PASSED AND APPROVED BY THE COMMISSION OF THE TOWN OF BROCK,
TEXAS ON THIS 11TH DAY OF MAY, 2021.**

BROCK, TEXAS

MAYOR JAY HAMILTON

Attest


KERRI PRENTICE, Town Clerk