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AN ORDINANCE PROVIDING FOR PROCEDURES FOR RECALL OF CITY OFFICERS; PRESCRIBING THE FORM OF THE PETITION; SETTING FORTH THE PROCEDURES TO BE USED IN CIRCULATING PETITIONS AND IN PRESENTING PETITIONS TO CITY CLERK FOR APPROVAL; AND PROVIDING FOR THE CONDUCT OF RECALL ELECTIONS AND FOR THE FILLING OF VACANCIES

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

Any elected officer of the City of El Paso may be recalled and removed from office by the voters qualified to vote for a successor to the officer, as herein provided. The procedure to effect the recall shall be as follows:

Prior to circulation of a petition demanding that the question of recalling such officer be submitted to the qualified voters, a notice of intent to circulate a petition for recall shall be filed with the City Clerk. The completed petition must be filed with the City Clerk within sixty days of such notice and shall be signed in ink by a number of registered voters equal to at least 20% of the total number of votes cast in the election of the officer whose recall is sought; however, the number of votes cast in any run-off election shall not be used in determining this 20%. The signatures to the petition need not be appended to one paper, but each sheet or paper shall contain the words, written, typed or printed, plainly and legibly "We, the undersigned, favor the recall and removal of _____, for the following reason(s): _____,"

_____," naming the officer sought to be recalled and removed and the reasons for such recall and removal. Each signer shall add to his signature his place of residence, giving the street and number, his voter registration number, and the date the petition was signed. One of the signers to each of such papers shall make oath before an officer competent to administer oaths that each signature is that of the person whose name it purports to be.

Within ten days from the filing of such petition, the City Clerk shall examine it, and, from the list of qualified voters,

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ascertain whether said petition is signed by the requisite number of qualified electors. If necessary the Council shall allow extra help for that purpose. After examination, the Clerk shall attach to said petition a certificate showing the result. If, by the Clerk's certificate, the petition is shown to be insufficient, it may be amended within ten days from the date of the certificate.

The City Clerk shall within ten days after said amendment is filed, examine the amended petition, and if his certificate shall show the same to be insufficient, it shall be returned to the person who filed it. The return, however, shall be without prejudice to the filing of a new petition.

If the petition shall be found sufficient, the City Clerk shall submit the petition to the City Council without delay, and the City Council, in the event the officer fails to resign, shall order that the recall election be held at the next permitted election date under the laws of Texas. If the officer in question resigns no recall election shall be held. In the event the officer resigns prior to the holding of a recall election or in the event the officer who is the subject of a recall election is successfully recalled by the voters, the office held by the officer prior to resignation or successful recall shall become vacant. The vacancy shall then be filled in the manner for filling other cases of vacancy as prescribed by this Charter. No recall petition shall be filed against any elective officer within six months after taking of office, nor, in case of an officer who was the subject of an unsuccessful recall election, until six months after that election.

PASSED AND APPROVED this 5th day of JUNE, 1984.

ATTEST:

U. W. Regis
City Clerk

W. E. ...
Mayor

APPROVED AS TO FORM:

...
Assistant City Attorney