

ORDINANCE NO.: 1995

**AN ORDINANCE RESCHEDULING THE MUNICIPAL
ELECTION THAT WAS SCHEDULED TO BE HELD ON
AUGUST 28, 2012 IN THE CITY OF PRICHARD, ALABAMA**

WHEREAS, a municipal election for mayor and members of the city council was scheduled to be held in the City of Prichard, Alabama, on August 28, 2012;

WHEREAS, due to the impending approach of Tropical Storm/Hurricane Isaac to coastal Alabama, including the City of Prichard, the governing body of the City of Prichard, acting pursuant to its police powers contained in §11-45-2 of the Code of Alabama 1975, cancelled said election on grounds that the storm posed an imminent threat to the health and safety of electors if the municipal election was conducted as scheduled on August 28, 2012; and

WHEREAS, the governing body now desires to reschedule the municipal election in the City of Prichard pursuant to the authority contained in §11-46-72 of the Code of Alabama 1975.

**NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE
CITY OF PRICHARD, ALABAMA, as follows:**

Section 1. Regular Election. The regular municipal election that was scheduled to be held in the City of Prichard on August 28, 2012, is hereby rescheduled to and will be conducted on Tuesday, **September 11, 2012**, during the regular hours for elections as heretofore provided by Alabama law.

Section 2. Runoff Election. In the event that no candidate receives a majority of all the votes cast in the election provided for in Section 1 hereof, for any one office or offices for the election to which there were more than two candidates, then a second or runoff election shall be held on **October 23, 2012** during the regular hours for elections as heretofore provided by Alabama law.

Section 3. Conduct of Election. Except for the date of the elections which had to be changed due to Tropical Storm/Hurricane Isaac, the Regular Election in Section 1 hereof and, if necessary, the Runoff Election in Section 2 hereof, shall be conducted pursuant to and in accordance with the election laws of the State of Alabama applicable to municipalities in general and the City of Prichard, in particular.

Section 4. Notice of Rescheduled Election. Immediately upon the adoption of this ordinance, the City Clerk is hereby authorized and directed to post notice of the new date for the

regular election and the date for the runoff election on the bulletin board at City Hall where notices are typically posted and on or immediately adjacent to all entrance ways to City Hall. A notice of the rescheduled election shall be advertised in the Mobile Press Register and the Mobile Beacon newspapers and a copy shall be forwarded to the radio and television entities serving Mobile County, Alabama.

Section 5. New Government Take Office, etc. The newly elected government shall take office on **Monday, November 5, 2012** at 9:00 a.m., with the swearing-in of the newly elected members. Immediately following the swearing-in, the city council shall assemble, organize the council and take such as may be contained in the agenda and notice of said meeting posted in accordance with the Alabama Open Meetings Act.

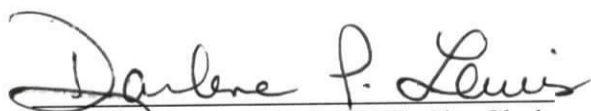
Section 6. Preclearance. As soon as is practicable after the adoption of this ordinance, the change in voting herein contained shall be submitted to the United States Department of Justice for preclearance.

Section 7. Effective Date. This ordinance shall become effective immediately upon its adoption and publication as required by law.

ADOPTED this the 30th day of August, 2012.


HERMAN TOWNER, SR., Council President

ATTEST:


DARLENE PALMER LEWIS, City Clerk

APPROVED this the 30th day of August, 2012.


RONALD K. DAVIS, Mayor