



**ORDINANCE NO. 2020-02**

**A ORDINANCE ESTABLISHING THE USE OF ELECTRONIC VOTE COUNTING DEVICES**

**WHEREAS**, Chapter 7 of Title 17 of the Alabama Code of 1975, and the regulations adopted pursuant thereto by the Alabama Electronic Voting Committee, provide for the use of electronic Vote Counting System; and

**WHEREAS**, that Section 17-7-21 of the Code of Alabama 1975 provides that a municipality may, in its discretion, by adoption of an appropriate resolution, authorize, adopt, and direct the use of electronic vote counting systems for use in all elections held in such municipality, and

**WHEREAS**, Ordinance 2015-03 approving the use of "AutoMARK" electronic voting devices was adopted by the Town Council of the Town of Magnolia Springs and filed with the Alabama Secretary of State and,

**WHEREAS**, Baldwin County has purchased "Express Vote" from the nation's largest voting system vendor.

**NOW THEREFORE, BE IT RESOLVED** that the Town Council of the Town of Magnolia Springs, Alabama as follows:

**SECTION 1:** Hereby rescinds Ordinance No. 2015-03. .

**SECTION 2:** That for all elections held subsequent to the passage of this resolution, the use of the Express Vote Electronic Voting Machine and the DS200 electronic vote tabulator machine, a system which complies with Section 17-7-21 of the Code of Alabama and any regulations adopted pursuant thereto, is hereby authorized for the reporting, counting, and tabulating of any and all 2020 election results.

**SECTION 3:** That for all election held subsequent of the 2020 municipal election further authorizes the use of the same electronic vote counting machines and/or devices, that the Baldwin County Commission uses and approves the Baldwin County Municipalities to use which complies with Section 17-7-21 of the Code of Alabama and any regulations adopted pursuant thereto, is hereby authorized for the reporting, counting, and tabulating of any and all election results.

**SECTION 4:** That the Mayor of the Town of Magnolia Springs is hereby directed to file a copy of this resolution with the Secretary of State as provided in Section 17-7-21 of the Code of Alabama 1975.

**SECTION 5:** This Ordinance shall become effective immediately upon its adoption as required by law.

**REPEAL OF ORDINANCE NO. 2015-03**

Ordinance No. 2015-03 adopted by the Town of Magnolia Springs, Alabama on December 15, 2015, is hereby, repealed, such a repeal to become effective on the effective date of ordinance.

**PASSED, APPROVED AND ADOPTED** this 24th day of March 2020.

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**Kim Koniar – Mayor**

**ATTEST**

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**Jenny Opal White – Town Clerk/Treasurer**

Town of Magnolia Springs, Alabama, certificate of publication. This is to certify that Ordinance No. 2020-02, Town of Magnolia Springs, Alabama, was published by posting on at least three (3) bulletin boards in the Town of Magnolia Springs Post Office, United Bank and Magnolia Springs Town Hall from March 25, 2020 to April 23, 2020.

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**Jenny Opal White - Town Clerk/Treasurer**