

**Ordinance No. 793**

AN ORDINANCE OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PRESCOTT VALLEY, A MUNICIPAL CORPORATION OF ARIZONA, AMENDING SECTIONS 18-01-040, "ESTABLISHMENT" AND 18-01-050 "TERMS IN OFFICE " IN ARTICLE 18-01 "PRESCOTT VALLEY ARTS AND CULTURE" IN CHAPTER 18 "ARTS AND CULTURE" OF THE TOWN CODE ELIMINATE THE TWO (2) TERM LIMITATION AND ALLOW COMMISSION MEMBERS TO REAPPLY FOR REINSTATEMENT TO THE COMMISSION AT THE COMPLETION OF THEIR TERM, PROVIDING THAT ALL OTHER CHAPTERS, ARTICLES, AND SECTIONS OF THE TOWN CODE, NOT HEREIN AMENDED, SHALL REMAIN IN FULL FORCE AND EFFECT; PROVIDING THAT, IF ANY PROVISION IN THIS ORDINANCE IS HELD INVALID BY A COURT OF COMPETENT JURISDICTION, THE REMAINING PROVISIONS SHALL NOT BE AFFECTED BUT SHALL CONTINUE IN FULL FORCE AND EFFECT; AND PROVIDING THAT THIS ORDINANCE SHALL BE EFFECTIVE THIRTY (30) DAYS AFTER ITS PASSAGE AND APPROVAL ACCORDING TO LAW.

WHEREAS, on October 22, 1987 the Mayor and Council of the Town of Prescott Valley adopted Ordinance 160, which created Article 16-1 of the Town Code, providing for a Prescott Valley Arts and Humanities Commission with the responsibility for advancing the visual arts and other cultural art forms in Prescott Valley, including commissioning works of art and incorporating art into public works projects; and

WHEREAS, the recodification of the Town code by Ordinance No. 375 on December 28, 1995 renumbered Article 16-1 to Article 18-01 and placed it in its own Chapter 18 entitled Arts and Culture; and

WHEREAS, on December 19, 2002 the Mayor and Council adopted Ordinance 540 of the Town Code that standardized the administration of the Town's various board and commissions which amended Section 18-01-050 "Terms in Office", of Article 18-01, "Prescott Valley Arts and Culture" of Chapter 18, "Arts and Culture"; and

WHEREAS, the Town Council now desires to amend the Town Code and have the Arts and Culture Commission members serve at the pleasure of the Town Council, which is consistent with that of the other Town Boards and Commissions; and

WHEREAS, the Town Council now desires to amend the Town Code by eliminating the two (2) term limitation and allow Commission Members who desire to continue their service to the community to reapply to the Council for reinstatement on the Commission;

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PRESCOTT VALLEY, ARIZONA, AS FOLLOWS:

SECTION ONE. That Section 18-01-040 "ESTABLISHMENT" in Article 18-01 "PRESCOTT VALLEY ARTS AND CULTURE" in Chapter 18 "ARTS AND CULTURE" of the Town Code of the Town of Prescott Valley, Arizona, is hereby amended to read as follows:

**18-01-040 Establishment.**

- A. There is hereby established a Prescott Valley Arts and Culture Commission. The Commission shall be composed of seven (7) voting members appointed by the Town Council. All Commission members shall serve at the pleasure of the Town Council.

...

(Ord. No. 160, Enacted, 10/22/87; Ord. No. 375, Renumbered, 12/28/95, 16-01-040; Ord. No. 495, Amended, 02/22/01; Ord. No. , Amended, \_\_/\_\_/\_\_\_\_)

SECTION TWO. That Section 18-01-050 “TERMS IN OFFICE” in Article 18-01 “PRESCOTT VALLEY ARTS AND CULTURE” in Chapter 18 “ARTS AND CULTURE” of the Town Code of the Town of Prescott Valley, Arizona, is hereby amended to read as follows:

**18-01-050 Terms in Office.**

The terms in office for members of the Commission shall be three (3) years, staggered terms. Initially, two (2) members shall serve for one (1) year, two (2) members shall serve for two (2) years, and three (3) members shall serve for three (3) years. ~~No Commission members may be appointed to more than two (2) consecutive terms, full or partial.~~ The Town Council shall fill vacancies for the ~~unexpired~~ term of any Commission member. If a Commission member is absent for three (3) meetings in any twelve (12) month period, that member shall be deemed to have vacated his or her membership and may be replaced by the Town Council. Any Commission member may be removed prior to the completion of his or her term by the affirmative vote of four (4) Council members.

(Ord. No. 160, Enacted, 10/22/87; Ord. No. 375, Renumbered, 12/28/95, 16-01-050; Ord. No. 495, Amended, 02/22/01; Ord. No. 540, Amended, 12/19/02; Ord. No. , Amended, \_\_/\_\_/\_\_\_\_)

SECTION THREE. That all other Chapters, Articles and Sections of the Town Code not herein repealed, re-enacted and amended shall remain in full force and effect.

SECTION FOUR. That, if any provision in this Ordinance is held invalid by a Court of competent jurisdiction, the remaining provisions shall not be affected but shall continue in full force and effect.

SECTION FIVE. That this Ordinance shall be effective thirty (30) days after its passage and approval according to law.

PASSED AND APPROVED by the Mayor and Common Council of the Town of Prescott Valley, Arizona, this \_\_\_\_ day of \_\_\_\_\_, 2014.

---

Harvey C. Skoog, Mayor

ATTEST:

---

Diane Russell, Town Clerk

APPROVED AS TO FORM:

---

Ivan Legler, Town Attorney