

ORDINANCE NO. 807

AN ORDINANCE OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PRESCOTT VALLEY, A MUNICIPAL CORPORATION OF ARIZONA, ADOPTING BY REFERENCE A DOCUMENT ENTITLED "AMENDMENTS TO CHAPTER 2 "MAYOR AND COUNCIL" (DECLARED BY RESOLUTION NO. 1925 TO BE A PUBLIC RECORD), WHICH AMENDS SECTIONS 2-01-040 "VACANCIES IN COUNCIL" AND 2-01-070 "BOND" IN ARTICLE 2-01 "COUNCIL", SECTIONS 2-03-010 "PRIMARY ELECTION," 2-03-030 "GENERAL ELECTION NOMINATION," 2-03-040 "ELECTION TO OFFICE," 2-03-050 "CANDIDATE FINANCIAL DISCLOSURE," AND 2-03-060 "NOMINATION MATERIALS" IN ARTICLE 2-03 "COUNCIL ELECTION", AND SECTIONS 2-06-030 "TIME OF FILING PETITIONS" AND 2-06-040 "STATEMENT IN CIRCULATOR'S AFFIDAVIT" IN ARTICLE 2-06 "SPECIAL ELECTIONS" IN CHAPTER 2 "MAYOR AND COUNCIL" OF THE TOWN CODE TO CONFORM TO RECENT ARIZONA STATUTORY REVISIONS AND OTHERWISE UPDATE THE CODE; PROVIDING THAT ALL OTHER ARTICLES, SECTIONS AND SUBSECTIONS 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 March 30, 2015, the Governor of Arizona signed into law H.B. 2214 (amending A.R.S. §9-821.01), which reformulates the manner of determining the majority of votes cast in city/town council or mayoral elections and establishes guidelines for candidates to be elected at the primary or advance to the general or runoff election; and

WHEREAS, the Council desires now to amend Chapter 2 of the Town Code to correlate with A.R.S. §9-821.01, as amended, and to make certain other changes as a matter of housekeeping; and

WHEREAS, the Council finds that these revisions to the Town's election procedures are in the best interest of the community and will further the health, safety and welfare of the community; and

WHEREAS, ARS §9-802 provides for adoption by reference of certain lengthy documents designated as "public records" (in order to save on publication costs); and

WHEREAS, the document entitled "Amendments to Chapter 2 "Mayor and Council" has been declared by Resolution No. 1925 to be such a "public record";

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

SECTION ONE. That certain document entitled "Amendments to Chapter 2 "Mayor and Council" declared to be a "public record" by Resolution No. 1925 (and available for public inspection in the Office of the Town Clerk, 7501 East Civic Circle, Prescott Valley, Arizona, 86314), is hereby referred to, adopted and made a part hereof as if fully set forth herein.

SECTION TWO. That all other Chapters, Articles, and Sections of the Town Code, not herein amended, shall remain in full force and effect.

SECTION THREE. 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 FOUR. 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 August, 2015.

Harvey C. Skoog, Mayor

ATTEST:

Diane Russell, Town Clerk

APPROVED AS TO FORM:

Ivan Legler, Town Attorney