

ORDINANCE 134-98

AN ORDINANCE OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF QUEEN CREEK, ARIZONA, AMENDING THE TOWN CODE CHAPTER 2, ARTICLE 2-6, INITIATIVE AND REFERENDUM BY AMENDING SECTION 2-6-1 TO PROVIDE FOR A SPECIAL ELECTION; AND DECLARING AN EMERGENCY.

BE IT ORDAINED BY THE MAYOR AND COMMON COUNCIL OF THE TOWN OF QUEEN CREEK, ARIZONA:

Section 1. That the Town Code Section 2-6-1 be amended to read as follows:

Section 2-6-1

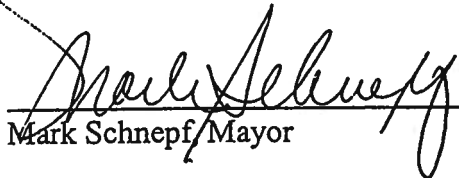
- A. There is reserved to the qualified electors of the town the power of initiative and the referendum as prescribed by the state constitution, Arizona Revised Statutes and this code.
- B. Any proper initiative matter shall be voted on by all qualified electors at the next ensuing town primary or general election pursuant to subsection A of Section 2-6-3.
- C. That upon presentation of a certificate to the council by the town clerk that all steps required by the constitution and the state statutes concerning referendum have been complied with, the council may call a special election on the matter referred on any future consolidated election date as set forth in A.R.S. 16-204 B as it exists now or as it may be amended. The special election must comply with all other provisions of law regarding elections.
- D. The call of a special election for referendum matters shall be valid only upon the affirmative vote of four members of the council voting on said request and call. Should the required number of votes to call the special election not be obtained then the referendum matter shall appear on the ballot at the next regular town primary or general election.
- E. If a special election on a referendum matter is called for by the council pursuant to subsection D of this section, then in addition to all other notices required by law, the clerk shall notify the person or organization that requested the referendum petition of the council decision by first class mail, postage prepaid at the address shown upon the request for referendum petition number.
- F. The provisions of this section shall apply to all referendum matters whether or not the petitions have already been presented to the clerk, and it is the intention of the

council that this section be retroactive in nature as to any and all referendum petitions in existence at the time of this amendment to this code.

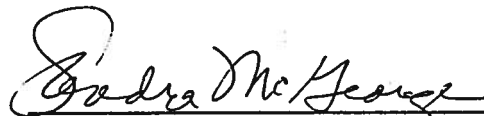
Section 2. That in order to preserve and protect the public health, welfare and safety the Council declares and finds that an emergency exists and upon the affirmative vote of six or more members of the Council, this Ordinance shall become effective immediately upon its passage and shall not be subject to the power of referendum.

PASSED AND ADOPTED by the Mayor and Common Council of the Town of Queen Creek, Arizona, this 10th day of November 1998.

FOR THE TOWN OF QUEEN CREEK:


Mark Schnepf, Mayor

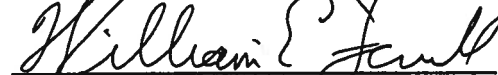
ATTESTED TO:


Sandra McGeorge, Town Clerk

REVIEWED BY:


Cynthia Seelhammer, Town Manager

APPROVED AS TO FORM


William E. Farrell, Town Attorney