

ORDINANCE 508-11

AN ORDINANCE OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF QUEEN CREEK, ARIZONA, AMENDING TOWN CODE, CHAPTER 2, MAYOR AND COUNCIL, ARTICLE 2-3, ELECTIONS, SECTION 2-3-10, SAMPLE BALLOTS AND PUBLICITY PAMPHLETS; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY.

WHEREAS, Arizona Revised Statutes § 9-802 provides a procedure whereby a municipality may enact the provisions of a code or public record by reference, without setting forth such provisions, providing that the adopting ordinance is published in full;

NOW THEREFORE BE IT ORDAINED by the Mayor and Common Council of the Town of Queen Creek, Arizona, as follows:

Section 1: The document attached hereto as Exhibit "A", titled "Town Code Chapter 2 Mayor and Council, Article 2-3 Elections, Section 2-3-10 Sample Ballots and Publicity Pamphlets" is hereby declared to be a public record;

Section 2: Three (3) copies of Exhibit "A" are ordered to remain on file with the Town Clerk;

Section 3: The document titled "Town Code Chapter 2 Mayor and Council, Article 2-3 Elections, Section 2-3-10 Sample Ballots and Publicity Pamphlets" which has been made a public record, is hereby referred to, adopted, and made a part of the Queen Creek Town Code as if fully set out in the Ordinance and Article 2-3 Section 2-3-10 is amended as set forth in "Exhibit A";

Section 4: If any section, subsection, clause, phrase or portion of this ordinance or any part of these amendments to the Town Code is for any reason held invalid or unconstitutional by the decision of any court or competent jurisdiction, such decision shall not affect the validity of the remaining portions thereof.

PASSED AND ADOPTED by the Mayor and Common Council of the Town of Queen Creek, Arizona, this 7th day of December 2011.

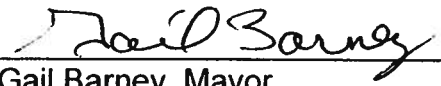
EXHIBIT 'A'

SECTION 2-3-10 Sample Ballots and Publicity Pamphlets

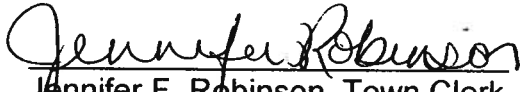
The following procedures relating to sample ballots and publicity pamphlets are hereby adopted for conducting elections at which an initiative or referendum is to be voted on:

- A. A publicity pamphlet, containing the entire text of the official ballot, shall be mailed by the town clerk to each household within the town in which a registered voter resides, ~~not less than ten days prior to the election to which the sample ballot pertains.~~ **BEFORE THE EARLIEST DATE FOR RECEIPT BY REGISTERED VOTERS OF ANY REQUESTED EARLY BALLOT FOR THE ELECTION AT WHICH THE MEASURE(S) ARE TO BE VOTED ON BUT NOT LESS THAN 10 DAYS BEFORE THE ELECTION SUBJECT TO STATE LAW**
- C. Arguments supporting and opposing propositions appearing on the ballot shall be filed with the office of the town clerk by 5:00 p.m. not less than ~~sixty~~ **NINETY** days prior to the election at which the propositions are to be voted upon. If time does not permit compliance with the ~~sixty~~ **NINETY** day deadline, the town clerk may establish a separate deadline for filing referendum ballot arguments. Arguments supporting or opposing propositions appearing on the ballot shall meet the following requirements:
1. Arguments must relate to the propositions proposed by initiative or referred by referendum which will appear on the ballot.
 2. Arguments must identify the proposition to which they refer and indicate whether the argument is in support of or opposition to the proposition.
 3. Arguments may not exceed three hundred words in length.
 4. Arguments must contain the original **NOTARIZED** signature of each person sponsoring it. Arguments submitted by organizations shall be signed by two executive officers of the organization, or if the argument is sponsored by a political committee, it must be signed by the committee's chairman or treasurer. All persons signing documents shall indicate their residence or post office address and a telephone number, which information shall not appear in the publicity pamphlet.
 5. No person or organization shall submit more than one argument for each proposition to be voted on.
 6. Each argument shall be accompanied by a deposit in the amount of ~~\$400.00~~ **\$200.00** to offset proportional costs of printing. This requirement shall not be waived on any account.

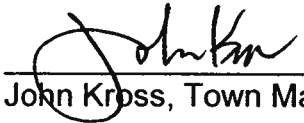
FOR THE TOWN OF QUEEN CREEK:


Gail Barney, Mayor

ATTESTED TO:


Jennifer F. Robinson, Town Clerk

REVIEWED BY:


John Kross, Town Manager

APPROVED AS TO FORM:


Mariscal, Weeks, McIntyre &
Friedlander, PA
Attorneys for the Town