

ORDINANCE 545-14

AN ORDINANCE OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF QUEEN CREEK, ARIZONA AMENDING THE QUEEN CREEK TOWN CODE, CHAPTER 2, MAYOR AND COUNCIL, ARTICLE 2-3 ELECTIONS – SECTION 2-3-2 PRIMARY ELECTION; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY.

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

Whereas, the State Legislature has provided an alternative method for the calculation of the votes cast at a city/town election for determining whether a candidate for mayor or council has received a majority of votes cast at a primary election; and

Whereas, the Town of Queen Creek has consolidated its elections with the state election cycle resulting in the calculation of votes cast based on the total number of ballots cast unless the alternative is enacted by the Town Council;

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

Section 1:

Section 2-3-2 Primary Election

IN CALCULATING THE VOTES CAST IN THE TOWN PRIMARY ELECTION FOR PURPOSES OF DETERMINING IF A CANDIDATE FOR THE OFFICE OF MAYOR OR COUNCIL HAS RECEIVED A MAJORITY OF THE VOTES CAST, THE BASIS SHALL BE THE NUMBER OF VOTES CAST FOR THE OFFICE OF MAYOR AT THAT ELECTION.

Any candidate who shall receive at the primary election a majority of all the votes cast shall be declared to be elected to the office for which he is a candidate effective as of the date of the general election, and no further election shall be held as to said candidate; provided that if more candidates receive a majority than there are offices to be filled, those equal in number to the offices to be filled receiving the highest number of votes shall be declared elected.

Section 2: 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.

Section 3: Providing for Repeal of Conflicting Ordinances

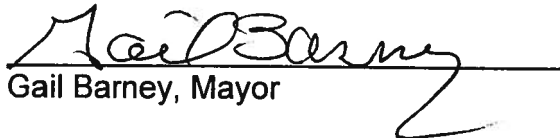
All ordinances or parts of ordinances in conflict with the provisions of this Ordinance or any part of the Code adopted herein by reference are hereby repealed.

Section 4: Providing for Severability

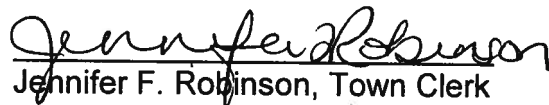
If any section, subsection, sentence, clause, phrase or portion of this Ordinance or any part of this Code adopted herein by reference, is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions thereof.

PASSED AND ADOPTED by the Mayor and Common Council of the Town of Queen Creek, Arizona this 2nd day of April 2014.

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:


Dickinson Wright Mariscal Weeks
Attorneys for the Town