

ORDINANCE NO. 1198

AN ORDINANCE OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF WICKENBURG, ARIZONA AMENDING THE TOWN OF WICKENBURG CODE CHAPTER 1 GENERAL, BY ADDING ARTICLE 1-11 SCRIVENER AND FORMATTING ERRORS; AMENDING CHAPTER 4 ADMINISTRATION, ARTICLE 4-4 PURCHASING, SECTION 4-4-9 APPLICATION TO EMPLOYEES AND PROFESSIONAL SERVICES BY CLARIFYING THE DEFINITION OF "PROFESSIONAL SERVICES"; AMENDING CHAPTER 9 BUSINESS CODE, ARTICLE 9-1 BUSINESS LICENSE, SECTION 9-1-1 LICENSE PURPOSE AND REQUIREMENTS BY ADDING AN EXCEPTION FOR SMALL TOWN VENDORS; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; AND PROVIDING FOR SEVERABILITY.

BE IT ORDAINED by the Mayor and Common Council of the Town of Wickenburg, Arizona as follows:

Section 1. In General.

The Code of Wickenburg, Chapter 1 General, Article 1-11 Scrivener and Formatting Errors is hereby added to read as follows (deleted text appears in ~~strikeout~~; new text in ALL CAPS):

ARTICLE 1-11 SCRIVENER AND FORMATTING ERRORS

THE TOWN CLERK IS AUTHORIZED TO CORRECT SCRIVENER'S ERRORS IN ORDINANCES, THE TOWN CODE, RESOLUTIONS AND MINUTES ADOPTED BY THE TOWN COUNCIL TO CORRECT MISPELLINGS, GRAMMATICAL ERRORS, NUMBERING ERRORS, CROSS-REFERENCING ERRORS, ERRORS OF WORDING AND PUNCTUATION, AND STYLISTIC OR FORMATTING ERRORS, WITHOUT THE NEED FOR APPROVAL BY TOWN COUNCIL FOR CORRECTION OF SUCH SCRIVENER AND FORMATTING ERRORS. ANY SUCH CORRECTION SHALL BE ACCOMPANIED BY A SCRIVENER'S NOTE ON, ATTACHED TO, OR ON FILE WITH THE CORRECTED DOCUMENT TO INDICATE THE CHANGE.

The Code of Wickenburg, Chapter 4 Administration, Article 4-4 Purchasing, Section 4-4-9 Application to Employees and Professional Services is hereby added to read as follows (deleted text appears in ~~strikeout~~; new text in ALL CAPS):

Section 4-4-9 Application to Employees and Professional Services

- A. Nothing in Sections 4-4-8 through 4-4-10 shall be construed to apply to the hiring of Town employees or for independent contractors providing professional services for a monthly fee.

- B. Unless required by Council, the bidding and other requirements of Sections 4-4-8 through 4-4-10 shall not apply to professional services. For purposes of this Section, “professional services” ~~is a field for which a license or certification is required by Federal or State Law.~~ MEANS THE SERVICES OF LAWYERS, CERTIFIED PUBLIC ACCOUNTANTS, AUDITORS, ACTUARIES, INSURANCE CONSULTANTS, MEDICAL DOCTORS, PSYCHOLOGISTS, PSYCHIATRISTS, APPRAISERS, ENGINEERS, ARCHITECTS, LANDSCAPE ARCHITECTS, ASSAYERS, GEOLOGISTS, LAND SURVEYORS, PROFESSIONAL SERVICES PROCURED IN ACCORDANCE WITH A.R.S. § 34-603, AS AMENDED, AND SIMILAR PROFESSIONAL OCCUPATIONS INVOLVING SPECIALIZED KNOWLEDGE, LABOR, OR SKILL PREDOMINANTLY INVOLVING MENTAL OR INTELLECTUAL RATHER THAN PHYSICAL OR MANUAL SKILLS. QUESTIONS REGARDING WHETHER A SERVICE IS A PROFESSIONAL SERVICE UNDER THIS SECTION SHALL BE REFERRED TO THE PURCHASING OFFICER TO DETERMINE IN CONSULTATION WITH THE TOWN ATTORNEY.

The Code of Wickenburg, Chapter 9 Business Code, Article 9-1 Business License, Section 9-1-1 License Purpose and Requirements is hereby added to read as follows (deleted text appears in ~~strikeout~~; new text in ALL CAPS):

Section 9-1-1 License Purpose and Requirements

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- E. The only exceptions to the aforementioned Licensing requirements shall be:
1. Nonprofit organizations legally organized and able to provide documentation and agencies of any federal, state or local governments.
 2. Fundraising projects of nonprofit and bona fide religious organizations, not conducted on a regular basis.
 3. Newsboys for the sale of newspaper subscriptions.
 4. Title Companies per Arizona State Statutes.
 5. PERSONS, CORPORATIONS, FIRMS OR COMPANIES PROVIDING SERVICES EXCLUSIVELY TO THE TOWN OF WICKENBURG IN AN AMOUNT OF LESS THAN \$5,000 PER FISCAL YEAR.

Section II. Repeal of Conflicting Ordinances.

All ordinances and 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 III. Providing for Severability.

If any section, subsection, sentence, clause, phrase or portion of this Ordinance or any part of the 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 Town Council of the Town of Wickenburg, Arizona, this 3rd day of June, 2019.



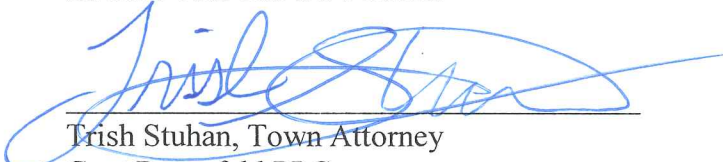
Everett Sickles, Mayor

ATTEST:



Amy Brown, Town Clerk

APPROVED AS TO FORM:

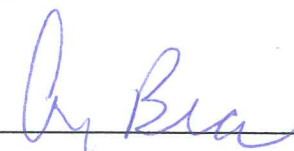


Trish Stuhan, Town Attorney
Gust Rosenfeld PLC

Number of Councilmembers Present: 5
Number of Votes For: 5
Number of Votes Against: 0
Number of Abstentions: 0

CERTIFICATION

I HEREBY CERTIFY that the foregoing Ordinance Number 1198 was duly passed and adopted by the Common Council of the Town of Wickenburg, Arizona, at a regular meeting held on the 3rd day of June, 2019, and that a quorum was present at the meeting.



Amy Brown, Town Clerk