



ORDINANCE NO. 1173

AN ORDINANCE OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF WICKENBURG, ARIZONA AMENDING THE TOWN OF WICKENBURG CODE, CHAPTER 2 MAYOR AND COUNCIL, ARTICLE 2-1 COUNCIL; BY AMENDING SECTIONS 2-1-1 ELECTED OFFICERS AND 2-1-4 VACANCIES IN COUNCIL; AND ARTICLE 2-3 COUNCIL ELECTION; BY AMENDING SECTION 2-3-1 TIME OF ELECTIONS; RELATED TO VACANCIES ON THE COUNCIL AND COUNCIL ELECTIONS; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; AND PROVIDING FOR SEVERABILITY

NOW THEREFORE 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 2 Mayor and Council is hereby amended by amending Article 2-1 Council; Section 2-1-1 Elected Officers to read as follows (deleted text appears in strikeout; new text in ALL CAPS):

Section 2-1-1 Elected Officers

* * *

The elected officers of the Town shall be six (6) Councilmembers and a Mayor. The Mayor shall hereafter be directly elected by the qualified electors of the Town. ~~provided that if a candidate, at any election of the Mayor receives at the Primary Election a majority of all valid ballots cast for Mayor. Majority being fifty percent (50%) plus one (1), he or she shall be declared to be elected to the Office of Mayor at the Primary Election, and said candidate shall not be required to run for Mayor at the subsequent General Election. If there are more than two (2) candidates running for Mayor in any Primary Election and no candidate receives more than fifty percent (50%) of the valid ballots cast, then and in such event, the candidates in the next General Election shall be those not elected at the Primary Election and shall be equal to twice the number to be elected for any given office and the one (1) thereof receiving the greatest number of valid ballots shall be deemed elected to the Office of Mayor in the General Election. The term of Office of the Mayor shall be for four (4) years. The Mayor and Councilmembers shall constitute the Council and shall continue in office until assumption of duties of office by their duly elected successors. Councilmembers shall serve four (4) year~~

overlapping terms in the manner provided by State law; ~~however, the terms for the Councilmembers elected in 2002 and 2004 shall be extended until their successors are officially seated following the 2006 and 2008 general elections, respectively.~~

* * *

Section II. In General.

The Code of Wickenburg, Chapter 2 Mayor and Council is hereby amended by amending Article 2-1 Council; Section 2-1-4 Vacancies in Council to read as follows (deleted text appears in strikeout; new text in ALL CAPS):

Section 2-1-4 Vacancies in Council

* * *

~~The Council shall fill, by appointment for the unfinished term, any Councilmember vacancy that may occur for any reason. If the Mayor's seat should be vacated for any reason, and he/she is unable to finish his/her term, the currently seated Council shall appoint from the Council a Mayor to fill the vacant seat and assume the duties until the next regularly scheduled Town election is held to allow the qualified electors of Wickenburg to vote and elect a Mayor of their choice.~~ THE COUNCIL SHALL FILL A VACANCY THAT MAY OCCUR IN THE OFFICE OF MAYOR OR ANY COUNCILMEMBER BY APPOINTMENT UNTIL THE NEXT REGULARLY SCHEDULED COUNCIL ELECTION IF THE VACANCY OCCURS MORE THAN THIRTY DAYS BEFORE THE NOMINATION PETITION DEADLINE. IF THE VACANCY OCCURS THIRTY DAYS OR LESS BEFORE THE NOMINATION PETITION DEADLINE, THE VACANCY SHALL BE FILLED BY APPOINTMENT FOR THE UNEXPIRED TERM.

* * *

Section III. In General.

The Code of Wickenburg, Chapter 2 Mayor and Council is hereby amended by amending Article 2-3 Council Election; Section 2-3-1 Time of Elections to read as follows (deleted text appears in strikeout; new text in ALL CAPS):

Section 2-3-1 Time of Elections

* * *

Commencing with the year 2006, and every second year thereafter, the date of the general election shall be the first Tuesday after the first Monday in November. Prior to the general election date, the primary election shall be held on the ~~eight~~ TENTH Tuesday before the first Tuesday after the first Monday in November. However, that if such election date falls on a legal holiday the election shall be held on the next succeeding business day. ~~Prior to each general election date, a primary election shall be held not later than the third Tuesday in September and not less than thirty (30) days prior to the date of the general election.~~

* * *

Section IV. Repeal of Conflicting Ordinance.

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 V. Providing for Severability.

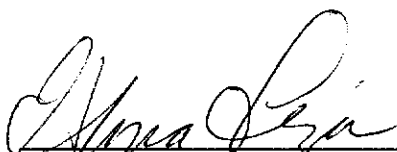
If any section, subsection, sentence, clause, phrase or portion of this Ordinance or any part of the Code adopted herein by reference, is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining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

PASSED AND ADOPTED by the Town Council of the Town of Wickenburg, Arizona, this 16 day of January, 2017.



Everett Sickles, Mayor

Date Signed: 1-16-17

ATTEST: 

Gloria Leija, MMC
Town Clerk

Date Signed: 1/16/17

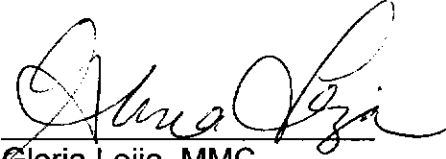
APPROVED AS TO FORM:


Susan Goodwin, Town Attorney
Gust Rosenfeld PLC

Date Signed: 1-16-17

CERTIFICATION

I HEREBY CERTIFY that the foregoing Ordinance Number 1173 was duly passed and adopted by the Common Council of the Town of Wickenburg, Arizona, at a regular meeting held on the 16th day of January, 2017, and that a quorum was present at the meeting.


Gloria Leija, MMC
Town Clerk