

ORDINANCE NO. 1163

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 2-3 COUNCIL ELECTION, BY AMENDING SECTION 2-3-2 PRIMARY ELECTION, RELATED TO CALCULATING A MAJORITY OF VOTES CAST; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; AND PROVIDING FOR SEVERABILITY

WHEREAS, in 2015, the Arizona legislature amended Arizona Revised Statutes Section 9-821.01 regarding the method to be used to calculate the majority of votes cast; and

WHEREAS, the Code of Wickenburg does not currently provide a method of calculating the majority of votes cast and the Town Council desires to clarify that State law shall determine the method of calculation,

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, Article 2-3 Council Election, Section 2-3-2 Primary Election, is hereby amended to read as follows (deleted text appears in ~~strikeout~~; new text in ALL CAPS):

Section 2-3-2 Primary Election

Any candidate who shall receiveS at the Primary Election a majority of all the valid—ballots VOTES cast AT THAT ELECTION for that office shall be declared to be elected to the office for which heTHAT PERSON is a candidate effective as of the date of the general election, and no further election shall be held as to said candidate. If more candidates receive a majority OF VOTES CAST than there are offices SEATS to be filled FOR THAT OFFICE, then

those CANDIDATES WHO RECEIVE equal in number to the offices to be filled receiving the highest number of vailed ballots cast VOTES EQUAL TO THE NUMBER OF SEATS TO BE FILLED FOR THE OFFICE shall be declared elected TO THAT OFFICE. THE MAJORITY OF VOTES CAST SHALL BE DETERMINED PURSUANT TO ARIZONA STATE LAW.

Section II. 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in conflict with the provisions of this ordinance or any part of the code adopted herein by reference are hereby repealed.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 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.

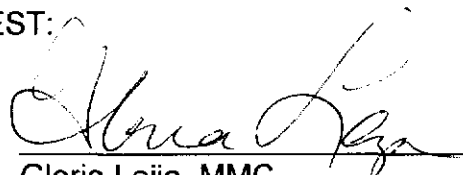
PASSED AND ADOPTED by the Town Council of the Town of Wickenburg, Arizona, this 2nd day of May 2016.

By:


John H. Cook, Mayor

ATTEST:

By:


Gloria Leija, MMC
Town Clerk

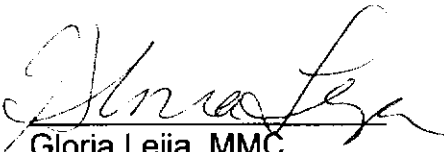
APPROVED AS TO FORM:

By:


Susan Goodwin, Town Attorney
Gust Rosenfeld, PLC

CERTIFICATION

I HEREBY CERTIFY that the foregoing Ordinance Number 1163 was duly passed and adopted by the Common Council of the Town of Wickenburg, Arizona, at a regular meeting held on the 2nd day of May 2016, and that a quorum was present at the meeting.


Gloria Leija, MMC
Town Clerk