

ORDINANCE NO. 999

AN ORDINANCE OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF WICKENBURG, ARIZONA AMENDING THE TOWN OF WICKENBURG CODE BY AMENDING CHAPTER 3 BOARDS AND COMMISSIONS, ARTICLE 3-1 GENERAL DUTIES, BY AMENDING SECTION 3-1-3 TERMS AND REMOVAL, TO ESTABLISH TERM LIMITS FOR MEMBERS OF TOWN BOARDS AND COMMISSIONS; 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 3 Boards and Commissions, Article 3-1 General Duties, by amending Section 3-1-2 Membership, to read as follows (deleted text appears in ~~strikeout~~; new text in ALL CAPS):

Section 3-1-3 Terms and Removal

- A. The term of the council member shall be two years ~~and shall not extend past their term of office.~~ The term of each citizen member shall be three years provided, however, that all initial appointments to boards and commissions hereinafter created pursuant to this article shall allow for staggered terms wherein one-third of the citizen members shall first be appointed to serve a term that shall expire at the next first regular council meeting in June after the board or commission is created; one third shall first be appointed to serve a term that shall expire at the first regular council meeting in June of the second year after the board or commission is created; and the remaining one-third shall first be appointed to serve a term that shall expire at the first regular council meeting in June of the third year after the board or commission is created. All appointments, except those occasioned by a vacancy before the regular expiration of a citizen member's term, and other than the first appointments, shall thereafter be for the full three-year term. THE TERM OF ALL MEMBERS SHALL EXTEND UNTIL THEIR SUCCESSORS ARE APPOINTED AND QUALIFIED.
- B. COMMENCING ON THE EFFECTIVE DATE OF THIS ORDINANCE, CITIZEN MEMBERS SHALL SERVE NO MORE THAN TWO FULL TERMS, PROVIDED HOWEVER, THAT THE MAYOR MAY WAIVE THIS LIMITATION ON TERMS IF HE DETERMINES THAT THERE ARE NO QUALIFIED APPLICANTS FOR THE BOARD OR COMMISSION WHO ARE NOT ENCUMBANTS. THE MAYOR SHALL NOTIFY THE COUNCIL IN WRITING OF THIS DETERMINATION.
- C. Vacancies occurring other than through the expiration of a term shall be filled by appointment by the council for the unexpired portion of the term of the office created by the vacancy.
- D. ~~The term of all members shall extend until their successors are appointed and qualified, provided, however, that~~ The unexcused or unexplained absence of a member from three successive regular or special meetings of the board/commission shall be grounds for termination at the will and pleasure of the appointing authority without the necessity of a hearing or notice, and such action shall be final. Absence for any reason

from one-half or more of the regularly scheduled meetings of the board/commission over a six month period shall operate as an automatic forfeiture of a member's position on the board/commission, subject to appeal to the council.

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 7 day of April, 2008.

By: R. R. Badowski
R. R. BADOWSKI, MAYOR

Date Signed: 4/15/08

ATTEST:

By: Donna Riffel
Donna Riffel, Town Clerk

Date Signed: 4-15-08

APPROVED AS TO FORM:

By: Susan D. Goodwin
Susan D. Goodwin, Town Attorney
Curtis, Goodwin, Sullivan, Udall & Schwab, P.L.C.

Number of Councilmembers Present: 7
Number of Votes For: 5
Number of Votes Against: 2
Number of Abstentions: 0

CERTIFICATION

I, Donna Riffel, Town Clerk, HEREBY CERTIFY that the foregoing Ordinance Number 999 was duly passed and adopted by the Common Council of the Town of Wickenburg, Arizona, at a regular meeting held on the 7th day of April, 2008, and that a quorum was present at the meeting.

Donna Riffel
Donna Riffel, Town Clerk