

ORDINANCE NO. 995

AN ORDINANCE OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF WICKENBURG, COUNTY OF MARICOPA, STATE OF ARIZONA, AMENDING THE WICKENBURG TOWN CODE BY AMENDING CHAPTER 4 ADMINISTRATION, ARTICLE 4-2 OFFICERS, SECTION 4-2-1 TOWN MANAGER, BY AMENDING SUBSECTION H(3) RELATED TO THE POWERS AND DUTIES OF THE TOWN MANAGER OVER PERSONNEL MATTERS; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; AND PROVIDING FOR SEVERABILITY

WHEREAS, the Town desires to comply with the federal and state constitutions and grant Town employees the right to due process of law prior to termination;

WHEREAS, the Town desires to eliminate the Personnel Board currently contemplated by the Town's Personnel Rules and Regulations; and

WHEREAS, the Town believes it is in the best interests of the Town and its employees to grant the Town Manager the power to conduct pre-termination hearings and render the final decision on whether employment termination is warranted.

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 4 Administration, Article 4-2 Officers, Section 4-2-1 Town Manager, is amended by amending Subsection H(3) to read as follows (deleted text appears in ~~strikeout~~; new text in ALL CAPS):

Section 4-2-1 Town Manager

* * *

H. Powers and Duties. The Town Manager shall be the Chief Administrative Officer of the Town government and shall be responsible to the Council for the proper administration of all affairs of the Town under the specific direction and control of the Council. In addition to the general powers as the Chief Executive Officer and the head of the administrative branch of the Town government, and not as a limitation thereon, it shall be the Manager's responsibility and duty and the Manager shall have the power:

* * *

3. To appoint, DISCIPLINE and ~~remove~~ TERMINATE any officers and employees of the Town ~~except the elected officers and their respective staffs. , subject to ratification by the Council in the case of Department Heads.~~ IN ACCORDANCE WITH THE TOWN'S PERSONNEL RULES AND REGULATIONS.

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in conflict with the provisions of this ordinance or any part of the code adopted herein by reference are hereby repealed.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 3 day of March, 2008.

By: R. R. Badowski
R. R. Badowski, Mayor

Date Signed: 3/3/08

ATTEST:

By: Donna Riffel
Donna Riffel, Town Clerk

Date Signed: 3/3/08

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

CERTIFICATION

I HEREBY CERTIFY that the foregoing Ordinance Number 995 was duly passed and adopted by the Common Council of the Town of Wickenburg, Arizona, at a regular meeting held on the 3 day of March, 2008, and that a quorum was present at the meeting.

Donna Riffel
Donna Riffel, Town Clerk