

ORDINANCE NO. 1128

AN ORDINANCE OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF WICKENBURG, ARIZONA AMENDING THE TOWN OF WICKENBURG CODE CHAPTER 3 BOARDS AND COMMISSIONS, ARTICLE 3-1 GENERAL DUTIES, ARTICLE 3-2 PLANNING AND ZONING ADVISORY COMMISSION, ARTICLE 3-3 AIRPORT ADVISORY COMMISSION, ARTICLE 3-4 PARKS AND RECREATION ADVISORY COMMISSION, ARTICLE 3-5 ECONOMIC DEVELOPMENT ADVISORY COMMISSION, ARTICLE 3-6 BOARD OF ADJUSTMENT, ARTICLE 3-7 FINANCE AND AUDIT COMMITTEE, ARTICLE 3-8 TRAILS ADVISORY COMMISSION, ARTICLE 3-9 BED TAX COMMITTEE AND ARTICLE 3-10 LIBRARY ADVISORY BOARD; ALL REGARDING RECRUITMENT, MEMBERSHIP AND DUTIES OF BOARD AND COMMISSION MEMBERS 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 I. In General.

The Code of Wickenburg, Chapter 3 Boards and Commissions is amended to read as follows (deleted text appears in ~~strikeout~~; new text in ALL CAPS):

Article 3-1 General Duties

Section 3-1-2 Membership

Unless otherwise provided in this Chapter, each Board and Commission shall be composed of eight (8) members. One (1) member, non-voting shall be an elected member of the Council, appointed by the Mayor, and subject to approval of the Council. Seven (7) other members shall be citizen members, appointed by the Mayor and subject to the approval of the Council. At least six (6) of the members shall be residents of the Town. All out of town members must live within ten (10) miles of the Town limits **HAVE THEIR PRIMARY RESIDENCE IN THE MUNICIPAL PLANNING AREA OF WICKENBURG.**

Section 3-1-3 Terms and Removal

b. Commencing on the effective date of this Ordinance, citizen members shall serve no more than two (2) 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 incumbents. The Mayor shall notify the Council in writing of this determination.~~ **THAT THE TOWN CLERK CONDUCTS A PUBLIC CALL FOR APPLICANTS AND NO QUALIFIED APPLICANTS RESPOND, THE MAYOR MAY WAIVE THIS LIMITATION.**

Section 3-1-3 Terms and Removal

d. The unexcused or unexplained absence of a member from three (3) 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 (6) month period shall operate as an automatic forfeiture of a member's position on the Board/Commission, ~~subject to appeal to the Council.~~ **STAFF LIAISON SHALL REPORT IN WRITING SAID ABSENCES TO THE TOWN CLERK, WHO WILL SEND THE MEMBER A NOTICE OF TERMINATION.**

Section 3-1-6 Procedures

Each Board/Commission, ~~SHALL MEET REGULARLY AND with the exception of the Board of Adjustment, may hold at least one (1) regular meeting each month,~~ **WILL SET ITS OWN MEETING SCHEDULE at such times and places as may be fixed by the Board/Commission TO INCLUDE MEETING DATE, TIME AND PLACE.** Special meetings may be called at any time by the Chairperson, or in his/her absence, by the Vice Chairperson, or by three (3) members making written request to the Town Manager. Four (4) members of the Board/Commission shall constitute a quorum and the affirmative vote of four (4) members shall be required for passage of any matter before the Board/Commission. Each member of the Board/Commission shall have one (1) vote.

Section 3-1-7 Reports

~~Each Board/Commission shall make an annual written report on or before April 30 of each year to the Council setting forth the status and progress of its work, and such other information as the Board/Commission may deem proper or as requested by Council.~~

Article 3-2-1 Planning and Zoning Advisory Commission

Section 3-2-2 Membership, Terms and Removal, Compensation, Organization and Reports

Membership, terms and removal, compensation, organization and reports of the Commission shall be as set forth in Sections 3-1-1 through 3-1-7 6. If inconsistent with this Section, the specific requirements of this Article shall apply.

Section 3-2-4 Duties

~~D. The Commission shall review and make recommendations regarding annexation of territory into the corporate limits of the Town within sixty (60) days of receipt by the Town of a complete application.~~

~~E. D.~~ The Commission shall be responsible for assisting the Council and the administrative staff in preparation of programs for public works improvements and for the financing thereof, and for such other administrative procedures and regulations as may, in its opinion, provide effective means for furthering the objectives of the Master Plan.

~~F. E.~~ The Commission shall promote public interest in and understanding of the studies and plans it prepares and, to that end, may publish and distribute copies of the Master Plan or any report relative thereto, and may employ such other means of publicity and public information as it may determine with prior approval of the Town Council.

~~G. F.~~ The Commission shall consult and advise public officials and agencies; public utilities; civic, educational, professional and other organizations and citizens in relation to the Plan it prepares and the implementation or effectuation thereof.

Article 3-3 Airport Advisory Commission

Section 3-3-2 Membership, Terms and Removal, Compensation, Organization, Procedures and Reports

Membership, terms and removal, compensation, organization, procedures and reports of the Commission shall be as set forth in Sections 3-1-1 through 3-1-7 6. If inconsistent with this Section, the specific requirements of this Article shall apply.

Article 3-4 Parks and Recreation Advisory Commission

Section 3-4-2 Membership, Terms and Removal, Compensation, Organization, Procedures and Reports

Membership, terms and removal, compensation, organization, procedures and reports of the Commission shall be as set forth in Sections 3-1-1 through 3-1-7 6. If inconsistent with this Section, the specific requirements of this Article shall apply.

Section 3-4-3 Functions and Duties

~~It shall be the function of the Commission to serve in an advisory capacity in matters of the planning and functioning of the Department of Parks and Recreation and to promote such interests as are consistent with those of its recommendations which are duly adopted by the Council as objectives and policies of the Department.~~

- A. **ACT IN ADVISORY CAPACITY TO THE COUNCIL AND TOWN MANAGER IN ALL MATTERS PERTAINING TO PARKS AND RECREATION.**
- B. **ASSIST IN THE PLANNING OF RECREATIONAL PROGRAMS FOR THE CITIZENS OF THE TOWN; PROMOTE AND STIMULATE PUBLIC INTEREST THEREIN**
- C. **ADVISE THE PARKS AND RECREATION DIRECTOR WITH RESPECT TO THE ACCEPTANCE OF MONEY, PERSONAL PROPERTY OR REAL ESTATE DONATED OR OFFERED TO THE TOWN FOR PARK OR RECREATIONAL PURPOSES.**
- D. **PERFORM SUCH OTHER DUTIES NOT INCONSISTENT WITH THIS CHAPTER AS MAY BE REQUESTED BY THE COUNCIL.**

Article 3-5 Economic Development Advisory Commission

Section 3-5-2 Membership, Terms and Removal, Compensation, Organization, Procedures and Reports

~~Following adoption of Ordinance No. 1067, the membership of the Commission shall consist of members of the Economic Development Advisory Commission and the members of the Downtown Revitalization Advisory Commission as of the date of adoption of Ordinance No. 1067. Thereafter, as vacancies occur, new members shall not be appointed until the number of voting members is less than seven (7). Except as otherwise provided herein, membership, terms and removal, compensation, organization AND procedures and reports of the Commission shall be as set forth in Sections 3-1-1 through 3-1-76, providing, however, that the Mayor, with consent of the Council, may, upon request of the Wickenburg Chamber of Commerce, appoint ex-officio, non-voting memberS chosen by the Wickenburg Chamber of Commerce, FROM ECONOMIC DEVELOPMENT ORGANIZATIONS SERVING THE TOWN OF WICKENBURG, to serve as an additional member(S) of the Commission. If inconsistent with Sections 3-1-1 through 3-1-7 6, the specific requirements of this Article shall apply.~~

Article 3-6 Board of Adjustment

Section 3-6-2 Membership, Terms and Removal, Compensation and Organization

Membership, terms and removal, compensation and organization of the Board shall be as set forth in Sections 3-1-1 through 3-1-7 6, except that no member of the Board shall, at the same time, be a member of the Council and except that all members of the Board shall, at all times while serving thereon, be a resident of the Town. If inconsistent with this Section, the specific requirements of this Article shall apply.

~~Article 3-7 Finance and Audit Committee~~ ARTICLE 3-7 RESERVED

~~3-7-1 Creation~~

~~3-7-2 Membership~~

~~3-7-3 Functions And Duties~~

~~Section 3-7-1 Creation~~

~~There shall be established, as a standing committee of the Council, a Finance and Audit Committee.~~

~~Section 3-7-2 Memberships~~

~~The Committee shall be composed of not less than three (3) Councilmembers, one of whom shall be the Vice Mayor.~~

~~Section 3-7-3 Functions and Duties~~

~~A. It shall be the duty of the Committee to prepare, not less than quarterly, reports to the Council containing~~

~~recommendations of the Committee regarding Town finances and budget preparation.~~

~~B. It shall be the duty of each member of the Committee to examine records of payment of municipal monies and to recommend monthly to the Council in the matter of ratification of such expenditures.~~

~~C. It shall be the duty of the Committee to oversee the revenues generated from the use of the transaction privilege tax generated from transient lodging pursuant to §9A-447 of the Town Code and to prepare recommendations to the Council regarding the use of such taxes generated.~~

Article 3-8 Trails Advisory Commission

Section 3-8-2 Membership, Terms and Removal, Compensation, Organization, Procedures and Reports

Membership, terms and removal, compensation, organization, procedures and reports of this Commission shall be as set forth in Sections 3-1-1 through 3-1-7 6. If inconsistent with this Section, the specific requirements of this Article shall apply.

Section 3-8-4 Functions and Duties

K. ASSIST THE PARKS, RECREATION & FACILITIES DEPARTMENT IN PLANNING OUTDOOR RECREATIONAL ACTIVITIES TO HELP PROMOTE TRAILS AND YOUTH ACTIVITIES.

L. ASSIST THE PARKS, RECREATION & FACILITIES DEPARTMENT IN PROMOTING TRAILS AND EVENTS FOR ALL AGES AND INCOME LEVELS.

~~Article 3-9 Bed Tax Committee~~ ARTICLE 3-9 RESERVED

~~3-9-1 Creation~~

~~3-9-2 Membership, Terms & Removal, Compensation, Organization, Procedures & Reports~~

~~3-9-3 Functions & Duties~~

Section 3-9-1 Creation

~~There shall be established, as a Standing Committee of the Council, a Bed Tax Committee.~~

~~Section 3-9-2 Membership, Terms & Removal, Compensation, Organization, Procedures & Reports~~

~~A. The Committee shall be comprised of not less than three (3) Council members and two (2) owners or operators of transient lodging facilities located within the Town.~~

~~B. Terms and removal, compensation, organization, procedures and reports of the Committee shall be as set forth in Sections 3-1-1 through 3-1-7. If inconsistent with this Article, the specific requirements of this Article shall apply.~~

~~Section 3-9-3 Functions & Duties~~

~~A. It shall be the duty of the Committee to prepare, not less than Quarterly Reports to the Council containing recommendations of the Committee regarding revenues generated from the local transaction privilege tax on transient lodging and promotion of the community as a destination for conventions and vacations.~~

~~B. It shall be the duty of each member of the Committee to examine trends in transient lodging occupancy rates, tax revenues generated from transient lodging as a whole, information about visitors, local attractions and events, and efforts to promote tourism within the Town.~~

Article 3-10 Library Advisory Board

Section 3-2-2 Membership, Terms and Removal, Compensation, Organization and Reports

Membership, terms and removal, compensation, organization and reports of the commission shall be as set forth sections 3-1-1 through 3-1-7 6. If inconsistent with this section, the specific requirements of this article apply.

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 6 day of January, 2014.


JOHN COOK, MAYOR

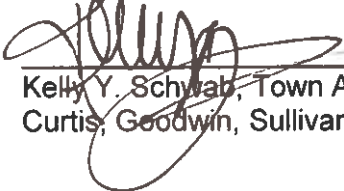
Date Signed: 1/20/14

ATTEST:


Gloria Leija, MMC
Interim Town Clerk

Date Signed: 1/21/14

APPROVED AS TO FORM:



Kelly Y. Schwab, Town Attorney
Curtis, Goodwin, Sullivan, Udall & Schwab, P.L.C.

CERTIFICATION

I, Gloria Leija, Town Clerk, HEREBY CERTIFY that the foregoing Ordinance Number 1128 was duly passed and adopted by the Common Council of the Town of Wickenburg, Arizona, at a regular meeting held on the 6th day of January 2014, and that a quorum was present at the meeting.



Gloria Leija, Interim Town Clerk