

ORDINANCE No-15-111

AN ORDINANCE OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF DEWEY-HUMBOLDT, COUNTY OF YAVAPAI, ARIZONA, AMENDING THE TOWN OF DEWEY-HUMBOLDT, ARIZONA CODE OF ORDINANCES, TITLE III ADMINISTRATION, CHAPTER 30 TOWN COUNCIL AND OFFICIALS, § 30.109 PROTOCOL AT MEETINGS, PARAGRAPH (C) PROCEDURES RELATED TO COUNCIL PROCEDURES DURING COUNCIL MEETINGS; PROVIDING FOR A SAVINGS CLAUSE; AND PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES

Be it ordained by the Mayor and Common Council of the Town of Dewey-Humboldt, Arizona, as follows:

Section I. In General

The Town of Dewey-Humboldt, Arizona Code of Ordinances, Title III Administration, Chapter 30 Town Council and Officials, Section 30.109 Protocol at Meetings, Paragraph (C) Procedures is hereby amended to read as follows (additions in ALL CAPS; deletions in ~~strikeout~~):

§ 30.109 PROTOCOL AT MEETINGS.

\* \* \*

(C) *Procedures*. The presiding officer at any meeting ~~is responsible for interpreting and implementing the rules of order, and~~ shall rule on any point of order raised by a ~~member of the body~~ COUNCILMEMBER. ONLY COUNCILMEMBERS MAY RAISE POINTS OF ORDER. The presiding officer may request advice from other members of the body or an appointed parliamentarian before making a ruling. However, any member may, on a point of order, call for a vote on the ruling and specifying an alternative ruling. A vote is then to be called on the point of order and, if a majority of members vote in favor of the proposed alternative ruling, the presiding officer shall defer to the opinion of the majority of the members for that meeting of the body. Otherwise the presiding officer's ruling shall stand. The presiding officer may impose reasonable limits to the time allotted for each member during the discussion phase of the proceedings, but if additional time is requested by the member, the presiding officer must ask for a vote to extend additional time, and if a majority of members agree to additional time, the time shall be granted. The following protocol for each agenda item will ordinarily be observed during regular meetings, but actions of Council are legal whether or not every element of the following subsections are observed:

~~(1) Staff presentation of the item (e.g., a report, outline of the issue, summary of the requested action). STAFF OR COUNCIL MEMBER WHO IS PRESENTING THE AGENDA ITEM TO THE COUNCIL WILL STATE THE REASON FOR THE ISSUE COMING BEFORE THE COUNCIL.~~

~~(2) Questions of staff by the Council. AFTER ANY QUESTIONS OF STAFF, COUNCIL WILL THEN DISCUSS THE AGENDA ITEM AND RESOLVE ANY CLARIFICATION ISSUES.~~

~~(3) Request for comments from the public. No public comments will be requested regarding items that concern issues or actions that have been scheduled for an executive session as provided by state law. WHEN COUNCIL IS FINISHED DISCUSSING THE ITEM, PUBLIC COMMENT MAY BE TAKEN ON THE ITEM. PUBLIC COMMENT WILL BE LIMITED TO ONLY ONE 3 MINUTE COMMENT PER PERSON. ONE PERSON MAY NOT ASSIGN THEIR TIME TO ANOTHER PERSON.~~

~~(4) Possible additional discussion by the Council or presentation of information by staff appropriate to comments made by the public. AFTER PUBLIC COMMENT IS DONE, THE AGENDA ITEM THEN GOES BACK TO THE COUNCIL FOR FURTHER DISCUSSION IF NEEDED.~~

~~(5) Additional questions of staff by the Council, identification of possible modifications to the item. COUNCIL WILL THEN DECIDE WHAT ACTION TO TAKE, IF ANY, BY MAKING A MOTION.~~

~~(6) Request for a motion by the Mayor. ONCE A MOTION IS MADE AND SECONDED THEN A VOTE MUST BE TAKEN. THERE MAY BE MORE DISCUSSION BY THE COUNCIL BEFORE THE VOTE IS TAKEN. IF ANY COUNCIL MEMBER REQUESTS A ROLL CALL VOTE A ROLL CALL VOTE WILL BE TAKEN.~~

~~(7) Motion and second. Once there has been a second, a vote must be taken. If continuing discussion is preferred before committing to a course of action, then the motion should not be seconded. A MAJORITY VOTE ON THE MOTION PREVAILS. A TIE VOTE MEANS THE MOTION FAILED. AN ABSTENTION COUNTS AS A NO VOTE ONLY IN THE CASE OF A STRAIGHT UP OR DOWN VOTE.~~

~~(8) Council discussion.~~

~~(9) Call the question.~~

\* \* \*

Section II. Savings Clause

If any section, subsection, sentence, clause, phrase, or portion of this Ordinance as amended 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 remainder of this Ordinance.

Section III. Repeal of Conflicting Ordinance

All other code provisions, ordinances, or parts of ordinances in conflict with the provisions of this Ordinance are hereby repealed as of the effective date hereof.

**PASSED AND ADOPTED** by the Mayor and Common Council of the Town of Dewey-Humboldt, Arizona, this 3rd day of March, 2015, by the following vote:

AYES: 5

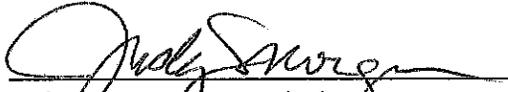
NAYES: 2 ABSENT: 0

EXCUSED: 0 ABSTAINED: 0

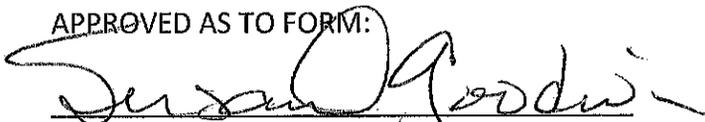
APPROVED this 3rd day of March, 2015.

  
Terry Nolan, Mayor

ATTEST:

  
Judy Morgan, Town Clerk

APPROVED AS TO FORM:

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

I, JUDY MORGAN, TOWN CLERK, DO HEREBY CERTIFY THAT A TRUE AND CORRECT COPY OF THE ORDINANCE NO. 15-111 ADOPTED BY THE COMMON COUNCIL OF THE TOWN OF DEWEY-HUMBOLDT, ARIZONA ON THE 3<sup>RD</sup> DAY OF March, 2015, WAS POSTED IN THREE PLACES ON THE 4<sup>TH</sup> DAY OF March, 2015.

  
Judy Morgan, Town Clerk