

ORDINANCE NO. 21-158

AN ORDINANCE OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF DEWEY HUMBOLDT, COUNTY OF YAVAPAI COUNTY, ARIZONA, AMENDING THE CODE OF DEWEY HUMBOLDT, ARIZONA BY AMENDING CHAPTER 10, SECTION 10.15 ENTITLED ORDINANCES AND RESOLUTIONS; FORM; EFFECTIVE DATE, REQUIRING TWO PUBLIC HEARINGS FOR ALL ORDINANCES

WHEREAS, the Town Council has determined that increasing the public meetings in which new ordinances are considered or changes to existing ordinances are considered will increase transparency and citizens' ability to participate in the Town Council's legislative actions;

NOW THEREFORE, BE IT ORDAINED by the Common Council of the Town of Dewey Humboldt, Arizona as follows:

SECTION I.

The Code of Dewey Humboldt, Arizona is hereby amended by adding a new subsection (B) to Chapter 10, Section §10.15 and renumbering subsequent subsections of §10.15 accordingly as follows (strike out text indicates deletions and underlined UPPERCASE text indicates ADDITIONS to text):

§ 10.15 ORDINANCES AND RESOLUTIONS; FORM; EFFECTIVE DATE.

(A) Form of ordinances and resolutions. All ordinances and resolutions shall be in writing, with a copy provided to each member of the Council and the Town Clerk. If a proposed ordinance or resolution is amended by Council during the meeting at which it is approved, the Town Clerk shall record the amendments and read the amended provisions back to Council prior to the final vote.

(B) ALL ORDINANCES SHALL BE INTRODUCED IN ONE TOWN COUNCIL OR STUDY SESSION MEETING WITH PRESENTATION BY THE STAFF AND DISCUSSION BY COUNCIL AND INPUT FROM THE PUBLIC BUT NOT VOTED ON DURING THAT PRESENTATION. ALL ORDINANCES SHALL THEN RETURN TO A SUBSEQUENT REGULAR TOWN COUNCIL MEETING FOR DISCUSSION, CONSIDERATION, AND THE ADOPTING VOTE, IF ANY. THIS TWO-PART PROCESS SHALL BE REQUIRED FOR ORDINANCES THAT ARE TO BE CODIFIED, ARE REPEALING EXISTING ORDINANCES, SUPPLEMENTING EXISTING ORDINANCES, OR MODIFYING EXISTING ORDINANCES.

(C) Record of vote. For any resolution or ordinance approved by Council, the Town Clerk shall record the yeas, nays and abstentions. If the Council approves extensive or complicated amendments to a proposed ordinance or resolution, the Town Clerk shall prepare a revised version as approved by Council, and obtain the Mayor's signature as soon as practicable.

(D) Effective date. No ordinance, resolution or franchise shall become operative until 30 days after its passage by the Council and signature by the Mayor, except emergency measures necessary for the immediate preservation of the peace, health, or safety of the town.

(E) Votes required for approval. All ordinances and resolutions, except emergency ordinances and resolutions, shall require the affirmative vote of a majority of all Councilmembers present at any regular or special Council meeting in order to become effective. Emergency ordinances and resolutions shall require the affirmative vote of three-fourths of all the members of the Council. No ordinance shall be passed unless all Councilmembers present at the meeting are in possession of copies of such ordinance.

SECTION II. Providing for Repeal of Conflicting Ordinances.

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 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 Common Council of the Town of Dewey Humboldt, Arizona, this 19th day of January, 2021, by the following vote:

AYES: 7 NAYES: 0 ABSENT: 0 EXCUSED: 0 ABSTAINED: 0

APPROVED this 18th day of February, 2021.



John Hughes, Mayor

ATTEST:



Beth Evans, Interim Town Clerk

APPROVED AS TO FORM:



Kay Bigelow, Bigelow Law Offices, PLC, Town Attorney

I, BETH EVANS, INTERIM TOWN CLERK, DO HEREBY CERTIFY THAT A TRUE AND CORRECT COPY OF THE ORDINANCE NO. 21.158 ADOPTED BY THE COMMON COUNCIL OF THE TOWN OF DEWEY HUMBOLDT ON THE 19th DAY OF January, 2021, WAS POSTED IN THREE PLACES ON THE 18th DAY OF February, 2021.

Beth Evans
Beth Evans, Interim Town Clerk