

ORDINANCE № 08-42

AN ORDINANCE OF THE TOWN OF DEWEY-HUMBOLDT, ARIZONA, RELATING TO POLICY AND ADMINISTRATION; PROVIDING FOR SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the efficient development and administration of policies and procedures of the Town require certainty and clarity with respect to the levels of authority and scope of responsibility for different classes of policy.

NOW THEREFORE, be it ordained by the Mayor and Town Council of the Town of Dewey-Humboldt, Arizona that:

Section 1: Policy and Administration; definitions. The following terms shall have the following meanings for Sections 2 through 4 of this Ordinance:

- (a) **Town Council Policies.** A Town Council Policy is a written statement of policy adopted by the Town Council that outlines and defines Town matters within the powers and duties granted to the Town Council under state law and ordinance (and code, if codified). A Town Council Policy shall be in writing and may be adopted by motion. A Town Council policy may be modified within the exclusive determination of the Town Council.
- (b) **Administrative Procedures.** Administrative procedures are designed to be applied Town-wide and to be a written definition of those powers and duties granted to the Town Manager under ordinance (and code, if codified).
- (c) **Department Procedures.** These are specific written procedures implemented by a Town department or office that are designed to implement the powers and duties granted that department or delegated in accordance with Town Ordinance by the Town Manager. Departmental Procedures are not designed for Town-wide implementation but to address issues applicable to a particular department.

Section 2: Policy and Administration; Town Council Policies.

- (a) Town Council Policies shall be in writing and may be placed on the agenda and acted on in the same manner as other matters before the Town Council. Town Council Policies shall be in conformance with state law and ordinances (and codes, if codified) of the Town. The Town Attorney shall approve as to form Town Council Policies. Citizen comments will be encouraged at the time of consideration of adoption of a Town Council Policy.
- (b) The Town Manager or its designee shall maintain a codification of all policies adopted by the Town Council, with copies available for public inspection at the Office of the Town Clerk.

Section 3: Policy and Administration; Departmental Procedures; Municipal Court approval; public inspection.

- (a) The presiding judge of Superior Court for Yavapai County shall approve applicable Municipal Court Procedures in accordance with the administrative orders promulgated by the Arizona Supreme Court.
- (b) Copies of Departmental Procedures shall be on file with the adopting department or office and shall be available for public inspection.

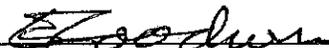
Section 4: Policy and Administration; Administrative Procedures; approval and implementation.

- (a) Administrative Procedures shall be developed by the Town Manager or its designee to provide written statements on those powers and duties granted to the Town Manager under prior Town Council action.
- (b) Prior to implementation, the procedure shall be reviewed by the Town Attorney as being within the powers and duties of the Town Manager or its designee.
- (c) Not less than ten (10) days prior to the implementation of an Administrative Procedure, the Town Manager shall provide written notice to the Town Council of the proposed revisions or new Administrative Procedure. The Council shall retain the right in its sole discretion and judgment to amend, repeal, or modify any of the above-designated regulations.
- (d) Upon approval by the Town Manager or Town Council, copies of the Administrative Procedure shall be available for public inspection at the Office of the Town Clerk.
- (e) The Town Manager shall maintain a codification of all administrative procedures promulgated by the Town Manager or Town Council.

Section 5: If any section, subsection, sentence, clause, phrase or portion of this ordinance 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.

Section 6: The provisions of sections 1 through 4 of this ordinance shall be effective as of the 1st day of January 2009.

PASSED AND ADOPTED by the Mayor and Council of the Town of Dewey-Humboldt, Arizona, this 2nd day of Sept., 2008.



Earl Goodwin, Mayor

ATTEST:



Judy Morgan, Town Clerk

APPROVED AS TO FORM:



Kenton Jones, Town Attorney