

ORDINANCE No. 12-91

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 1 GENERAL PROVISIONS, CHAPTER 10 RULES OF CONSTRUCTION; GENERAL PENALTY, BY AMENDING SECTION 10.05 DEFINITIONS TO ADD DEFINITIONS OF "MOTION", "ORDINANCE", "PROCLAMATION" AND "RESOLUTION" AND SECTION 10.15 EFFECTIVE DATE OF ORDINANCES TO CONFORM TO STATE LAW; AND AMENDING TITLE II ADMINISTRATION, CHAPTER 30 TOWN COUNCIL AND OFFICIALS, BY AMENDING SECTION 30.018 COUNCIL ACTIONS RELATED TO THE PROCEDURE TO ADOPT ORDINANCES; PROVIDING FOR A SAVINGS CLAUSE; AND PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES

Now, Therefore, 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 1 General Provisions, Chapter 10 Rules of Construction; General Penalty, Section 10.05 Definitions is hereby amended to add the following definitions as follows (additions in ALL CAPS; deletions in ~~strikeout~~):

§ 10.05 Definitions.

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MOTION. A PROPOSAL BY A MEMBER OF THE COUNCIL TO TAKE OFFICIAL ACTION.

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ORDINANCE. A LAW PASSED BY THE COUNCIL.

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PROCLAMATION. A PUBLIC OR OFFICIAL ANNOUNCEMENT MADE BY THE MAYOR THAT IDENTIFIES PARTICULAR DAYS OR EVENTS OF SPECIAL INTEREST.

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RESOLUTION. AN OFFICIAL EXPRESSION OF THE OPINION OR WILL OF THE COUNCIL.

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The Town of Dewey-Humboldt, Arizona Code of Ordinances, Title 1 General Provisions, Chapter 10 Rules of Construction; General Penalty, Section 10.15 Effective Date of Ordinances is hereby amended to read as follows (additions in ALL CAPS; deletions in ~~strikeout~~):

§ 10.15 Effective Date of Ordinances.

(A) All ordinances, RESOLUTIONS AND FRANCHISES ~~passed~~ APPROVED by the legislative body ~~requiring publication shall take effect from and after the due publication thereof, unless otherwise expressly provided. Ordinances not requiring publication shall take effect from their passage, unless otherwise expressly provided.~~ SHALL NOT BECOME OPERATIVE UNTIL 30 DAYS AFTER ITS PASSAGE BY THE COUNCIL AND APPROVAL BY THE MAYOR, EXCEPT EMERGENCY MEASURES NECESSARY FOR THE IMMEDIATE PRESERVATION OF THE PEACE, HEALTH OR SAFETY OF THE TOWN.

(B). ALL ORDINANCES AND RESOLUTIONS EXCEPT EMERGENCY ORDINANCES AND RESOLUTIONS, SHALL REQUIRE THE AFFIRMATIVE VOTE OF A MAJORITY OF A QUORUM OF THE 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.

The Town of Dewey-Humboldt, Arizona Code of Ordinances, Title II Administration, Chapter 30 Town Council and Officials, Section 30.018 Council Actions is hereby amended to read as follows (additions in ALL CAPS; deletions in ~~strikeout~~):

§ 30.018 Council Actions

(A) Legislative actions by the Town Council ~~can~~ MAY be taken by means of ordinance, resolution, or ~~minute action~~ MOTION duly made and passed by thea majority OF THE COUNCILMEMBERS PRESENT (unless, otherwise ~~provided~~REQUIRED IN THIS CODE OR BY STATE OR FEDERAL LAW). ALL AMENDMENTS TO THE TOWN CODE SHALL BE ACCOMPLISHED BY APPROVAL BY

THE TOWN COUNCIL OF AN ORDINANCE SETTING FORTH THE AMENDMENT IN FULL OR ADOPTING THE AMENDMENT BY REFERENCE, AS AUTHORIZED BY ARIZONA LAW.

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 12th day of June, 2012, by the following vote:

AYES: 7

NAYES: 0 ABSENT: 0

EXCUSED: 0 ABSTAINED: 0

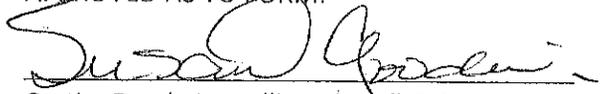
APPROVED this 12th day of June, 2012.


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. _____ ADOPTED BY THE COMMON COUNCIL OF THE TOWN OF DEWEY-HUMBOLDT, ARIZONA ON THE ____ DAY OF _____, 2012, WAS POSTED IN THREE PLACES ON THE ____ DAY OF _____, 2012.

Judy Morgan, Town Clerk