

**ORDINANCE NO. 21-163**

**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 31, SECTION 31.17 ENTITLED APPOINTMENTS, ALLOWING NON-RESIDENT BUSINESS OWNERS TO BE MEMBER OF THE GENERAL PLAN STEERING COMMITTEE.**

**WHEREAS**, the Town Council has determined that nonresident business owners within the Town Limits on the General Plan Steering Committee will be effective and quality voting members;

**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 revised by modifying subsection (C) to Chapter 31, Section §31.17 as shown below (strike out text indicates deletions and UPPERCASE text indicates ADDITIONS to text):

**§ 31.17 APPOINTMENTS.**

(A) All voting members of town boards, commissions, or Citizen Committees shall be appointed by Council action (by motion or resolution) and shall serve at the pleasure of the Town Council.

(B) The motion, ordinance, or resolution establishing boards, commissions, or Citizen Committees shall include the number of members, the purpose for which the board, commission, or Citizen Committee is organized, and the duties thereof.

(C) EXCEPT THE MEMBERS OF THE *AD HOC* STEERING COMMITTEE FORMED AS PART OF THE PUBLIC PARTICIPATION PLAN FOR ANY UPDATE OF THE TOWN'S GENERAL PLAN, members of town boards and commissions shall be residents of the town. UP TO 25% OF THE MEMBERS OF THE *AD HOC* STEERING COMMITTEE FORMED AS PART OF THE PUBLIC PARTICIPATION PLAN MAY BE VOTING MEMBERS OF THE GENERAL PLAN STEERING COMMITTEE EVEN IF NON-RESIDENTS OF THE TOWN AS LONG AS, WHILE SERVING AS A MEMBER OF THE GENERAL PLAN STEERING COMMITTEE, THEY ARE OWNERS OF COMMERCIAL FACILITIES CONDUCTING A COMMERCIAL ENTERPRISE WITHIN THE TOWN LIMITS. ON ALL CITIZEN COMMITTEES OR BOARDS OTHER THAN THE GENERAL PLAN STEERING COMMITTEE, NONRESIDENTS MAY BE MEMBERS OF CITIZEN COMMITTEES but ARE NON-VOTING MEMBERS. ~~Non-voting members Citizen Committee members may be nonresidents.~~

(D) All appointees should bring the skill, integrity, knowledge, interest and commitment to evaluating issues in the broad context of the public interest. To the extent possible, appointees should be selected to represent a broad cross-section of the community relative to the purpose of the agency.

(E) Appointees may serve an unlimited number of consecutive terms on a given board, commission or Citizen Committee (except where specifically limited), at the discretion of the Town Council.

(F) The Town Clerk shall provide application forms and maintain a composite listing of all applications on file which have been received. Applications shall be retained for one year.

**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.

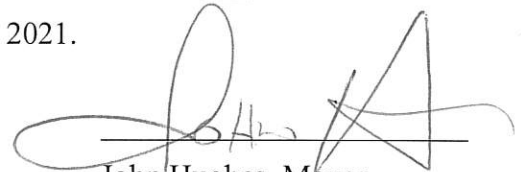
**SECTION III. Providing Severability.**

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 Mayor and Common Council of the Town of Dewey-Humboldt, Arizona, this 4<sup>th</sup> day of May, 2021, by the following vote:

AYES: 6 NAYS: 0 ABSENT: 1 EXCUSED: 0 ABSTAINED: 0

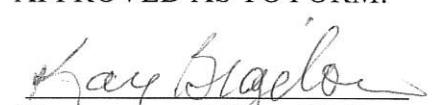
APPROVED this 4<sup>th</sup> day of May, 2021.

  
John Hughes, Mayor

ATTEST:

  
Beth Evans, Interim Town Clerk

APPROVED AS TO FORM:

  
Bigelow Law Offices, PLC  
Town Attorney  
By: Kay Bigelow

I, BETH EVANS, INTERIM TOWN CLERK, DO HEREBY CERTIFY THAT A TRUE AND CORRECT COPY OF THE ORDINANCE NO. 21-163 ADOPTED BY THE COMMON COUNCIL OF THE TOWN OF DEWEY-HUMBOLDT, ARIZONA ON THE 4<sup>th</sup> DAY OF May, 2021, WAS POSTED IN THREE PLACES ON THE 17<sup>th</sup> DAY OF May, 2021.

  
Beth Evans, Interim Town Clerk