

ORDINANCE NO. 16-04

AN ORDINANCE OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF QUARTZSITE, ARIZONA, AMENDING THE CODE OF QUARTZSITE, ARIZONA, CHAPTER 2 MAYOR AND COUNCIL, ARTICLE 2-3 COUNCIL ELECTION, BY AMENDING SECTION 2-3-1 PRIMARY ELECTION RELATED TO CALCULATING THE MAJORITY OF VOTES CAST; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY.

WHEREAS, in 2015, the Arizona legislature amended Arizona Revised Statutes Section 9-821.01 regarding the method to be used to calculate the majority of votes cast; and

WHEREAS, the Code of Quartzsite does not currently provide a method of calculating the majority of votes cast and the Town Council desires to clarify that State law shall determine the method of calculation,

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

Section I. In General.

The Code of the Town of Quartzsite, Arizona, Chapter 2 Mayor and Council, Article 2-3 Council Election is hereby amended by amending Section 2-3-1 Primary Election to read as follows (additions in ALL CAPS; deletions in ~~strikeout~~):

Section 2-3-1 Primary Election

Any candidate who ~~shall~~ receives at the primary election a majority of all the votes cast AT THAT ELECTION FOR THAT OFFICE shall be declared ~~to be~~ elected to the office for which ~~he~~ THAT PERSON is a candidate, effective as of the date of the general election, and no further election shall be held as to said candidate; provided that if more candidates receive a majority OF VOTES CAST than there are ~~offices~~ SEATS to be filled FOR THAT OFFICE then those CANDIDATES WHO RECEIVE ~~equal in number to the offices to be filled~~ receiving the highest number of votes EQUAL TO THE NUMBER OF SEATS TO BE FILLED FOR THE OFFICE shall be declared elected TO THAT OFFICE. THE MAJORITY OF VOTES CAST SHALL BE DETERMINED PURSUANT TO ARIZONA STATE LAW.

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in conflict with the provisions of this Ordinance or any part of the Code adopted herein by reference, are hereby repealed.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 for 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.

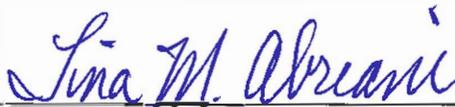
PASSED AND ADOPTED by the Common Council of the Town of Quartzsite, Arizona, this 12TH day of APRIL, 2016, by the following vote:

(7) AYES: MAJOR FOSTER, VM SIMPSON, CM KELLEY, CM WARNER, CM ORGERON, CM DAVIDSON, CM ST. GERMAIN
NAYES: _____ ABSENT: _____
EXCUSED: _____ ABSTAINED: _____

APPROVED this 12TH day of APRIL, 2016.


Ed Foster, Mayor

ATTEST:


Tina Abriani, Town Clerk

APPROVED AS TO FORM:


Susan D. Goodwin, Town Attorney

I, TINA ABRIANI, TOWN CLERK, DO HEREBY CERTIFY THAT A TRUE AND CORRECT COPY OF THE ORDINANCE NO. 110-04 ADOPTED BY THE COMMON COUNCIL OF THE TOWN OF QUARTZSITE ON THE 12TH DAY OF APRIL, 20 16, WAS POSTED IN THREE PLACES ON THE 15TH DAY OF APRIL, 20 16.


Tina Abriani, Town Clerk