

ORDINANCE NO. 13-763

AN ORDINANCE OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF CHINO VALLEY, ARIZONA, AMENDING CHAPTER 10: RULES OF CONSTRUCTION; GENERAL PENALTY, TOWN OF CHINO VALLEY, ARIZONA, CODE OF ORDINANCES, BY ADDING A PROVISION RELATING TO AUTHORITY TO CORRECT SCRIVENER'S ERRORS

WHEREAS the Town Council finds that granting the Town Attorney and the Town Clerk the authority to correct certain types of scrivener's errors without the need for formal Town Council action is in the best interests of the Town, in that it will allow for the prompt correction of the Town Code, the Unified Development Ordinance, and ordinances and resolutions adopted by the Town Council, without the need to take unnecessary Town Council and staff time to make a formal correction;

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Common Council of the Town of Chino Valley, Arizona, as follows:

Section 1. Chapter 10, of the Town of Chino Valley, Arizona, Code of Ordinances ("Town Code"), entitled Rules of Construction; General Penalty, is hereby amended by adding a new Section 10.20, entitled "Authority to Correct Scrivener's Errors," as follows:

CHAPTER 10. RULES OF CONSTRUCTION; GENERAL PENALTY

Section 10.20 AUTHORITY TO CORRECT SCRIVENER'S ERRORS.

- A. THE TOWN ATTORNEY AND TOWN CLERK ARE HEREBY EACH INDIVIDUALLY AUTHORIZED TO CORRECT SCRIVENER'S ERRORS IN THE TOWN CODE, THE UNIFIED DEVELOPMENT ORDINANCE, AND ORDINANCES, RESOLUTIONS, AND MINUTES ADOPTED BY THE COUNCIL OR OTHER PUBLIC BODY WITHOUT THE NEED FOR RE-ADOPTION OF THE CHINO VALLEY TOWN CODE PROVISION, UNIFIED DEVELOPMENT ORDINANCE PROVISION, ORDINANCE, RESOLUTION, OR MINUTES.
- B. FOR THE PURPOSES OF THIS SECTION, A SCRIVENER'S ERROR INCLUDES ONE OR MORE OF THE FOLLOWING:
 - 1. MISSPELLING;
 - 2. GRAMMATICAL ERROR;
 - 3. NUMBERING ERROR;

4. CROSS-REFERENCING ERROR; OR
5. INCONSISTENCY WITH THE RULES OF STYLE ADOPTED FOR THE REFORMATTED TOWN CODE AND UNIFIED DEVELOPMENT ORDINANCE.

C. A CORRECTION TO AN ORDINANCE, RESOLUTION, OR MINUTES SHALL BE ACCOMPANIED BY A SCRIVENER'S NOTE ON OR ATTACHED TO THE CORRECTED ORDINANCE, RESOLUTION, OR MINUTES. ANY SUCH CORRECTION SHALL BE REPORTED WITHIN THREE MONTHS OF SUCH CORRECTION AT A REGULAR MEETING OF THE COUNCIL.

D. CORRECTIONS TO COMPLETE SECTIONS OF THE TOWN CODE/UNIFIED DEVELOPMENT ORDINANCE SHALL BE NOTED THEREIN.

Section 2. All other Chapters and Sections of the Town Code, not herein amended or abrogated, shall remain in full force and effect.

Section 3. If any provision of this Ordinance is held invalid by a Court of competent jurisdiction, the remaining provisions shall not be affected but shall continue in full force and effect.

PASSED AND ADOPTED by the Mayor and Common Council of the Town of Chino Valley, Arizona, this 22nd day of January, 2013.

Chris Marley, Mayor

ATTEST:

APPROVED AS TO FORM:

Jami C. Lewis, Town Clerk

Musgrove Drutz & Kack, P.C.
Town Attorney