

ORDINANCE NO. 11-755

AN ORDINANCE OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF CHINO VALLEY, ARIZONA, AMENDING THE TOWN OF CHINO VALLEY, ARIZONA, TOWN CODE, TITLE III "ADMINISTRATION" CHAPTER 30 "GOVERNING BODY" SECTIONS 30.004 "VACANCIES" AND 30.006 "OATH OF OFFICE"

WHEREAS, Section 30.004 of the Town of Chino Valley, Arizona, Town Code, entitled "Vacancies," provides for establishing a procedure to fill vacancies on the Town Council; and

WHEREAS, Section 30.006 of the Town of Chino Valley, Arizona, Town Code, entitled "Oath of Office," provides for the time wherein the Mayor and each Councilmember shall take and subscribe to the oath of office; and

WHEREAS, changes to Arizona Revised Statutes Sections 9-235 and 38-232 make it necessary to amend these Sections of the Town Code;

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

Section 1. The text of Town Code, Chapter 30 "GOVERNING BODY," Section 30.004 "VACANCIES," is hereby amended as follows:

§ 30.004 VACANCIES.

The Council shall fill ~~by appointment for the unexpired term~~ any vacancy that may occur for whatever reason. **AS PROVIDED BY STATE LAW.**

Section 2. The text of Town Code, Chapter 30 "GOVERNING BODY," Section 30.004 "VACANCIES," is hereby amended as follows:

§ 30.006 OATH OF OFFICE.

~~At least one day before commencement of the term of office,~~ The Mayor and each Council member shall take and subscribe to the oath of office **AT THE TIME PRESCRIBED BY STATE LAW.**

Section 3. All other Chapters and Sections of the Town Code, not herein amended or abrogated, shall remain in full force and effect.

Section 4. 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 8th day of November, 2011.

Chris Marley, Mayor

ATTEST:

APPROVED AS TO FORM:

Jami C. Lewis, Town Clerk

Musgrove, Drutz & Kack, P.C.
Town Attorney