

ORDINANCE NO. 14-781

AN ORDINANCE OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF CHINO VALLEY, ARIZONA, AMENDING THE CODE OF ORDINANCES OF THE TOWN OF CHINO VALLEY, ARIZONA, TITLE III: ADMINISTRATION, CHAPTER 30: GOVERNING BODY, BY AMENDING SECTIONS 30.065: REGULAR MEETINGS AND 30.066: SPECIAL MEETINGS, RELATED TO CALLING SPECIAL MEETINGS AND STUDY SESSIONS; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR PENALTIES

WHEREAS, Town Code provisions for calling special meeting may conflict with the Open Meeting Law and

WHEREAS, The Town Code does not provide for Town Council to call and hold study sessions,

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

Section 1. In General.

The Town Chino Valley, Arizona, Code of Ordinances, Title III: Administration, Chapter 30: Governing Body, Sections 30.065 Regular Meetings and 30.066 Special Meetings are hereby amended to read as follows (additions shown in ALL CAPS; deletions shown in ~~strikeout~~):

30.065 ~~Regular Meetings~~

(A) REGULAR MEETINGS: The Council shall hold regular meetings on the second and fourth Tuesday of each month at 6:00 p.m. When deemed appropriate, any regular meeting date of the Council may be canceled or rescheduled by the affirmative vote of a majority of the Council, except that at least 1 regular meeting a month must be held, and ~~that the~~ notice of the canceled or rescheduled meeting shall be given to the public as is reasonable and practicable under the circumstances. All regular meetings of the Council shall be held in the Town Hall of Chino Valley, or in such other locations as Council may determine.

30.066 ~~Special Meetings~~

(B) SPECIAL MEETINGS: ~~The Mayor may, or at the request of 4 members of the Council shall, by giving notice thereof to all members of the Council then in the town, call a~~ special meeting of the Council MAY BE CALLED ~~for a~~ AT ANY time and not earlier than ~~BY: (1) THE MAYOR, (2) ANY THREE COUNCIL MEMBERS, OR (3) A MAJORITY VOTE OF THE COUNCIL AT A PUBLIC MEETING, AND BY GIVING NOTICE THEREOF TO ALL OTHER COUNCIL MEMBERS OF THE DATE, TIME, PLACE AND PURPOSE OF THE SPECIAL~~

MEETING. PUBLIC NOTICE OF SUCH MEETING SHALL BE MADE PURSUANT TO STATE LAW. ~~24 hours after the notice is given. Special meetings of the Council may also be held at any time by the common consent of all members of the Council provided proper notice is given. Whenever a special meeting is called, the Clerk shall prepare an agenda and post the agenda no less than 24 hours prior to the special meeting in 3 public places within the town.~~

(C) STUDY SESSIONS: A STUDY SESSION OF THE COUNCIL MAY BE CALLED AT ANY TIME BY: (1) THE MAYOR, (2) ANY THREE COUNCIL MEMBERS, OR (3) A MAJORITY VOTE OF THE COUNCIL AT A PUBLIC MEETING, AND BY GIVING NOTICE THEREOF TO ALL OTHER COUNCIL MEMBERS OF THE DATE, TIME, PLACE AND PURPOSE OF THE STUDY SESSION. PUBLIC NOTICE OF THE STUDY SESSION SHALL BE MADE PURSUANT TO STATE LAW APPLICABLE TO COUNCIL MEETINGS.

30.066 RESERVED

Section 2. 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 3. 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.

Section 4. Providing for Penalties

Any person found responsible for violating any provision of this Ordinance section shall be subject to the civil sanctions and habitual offender provisions set forth in Section 10.99 of the Town Code of Ordinances of the Town of Chino Valley, Arizona.

PASSED AND ADOPTED by the Mayor and Common Council of the Town of Chino Valley, Arizona this 11th day of February, 2014 by the following vote:

AYES:	<u>6</u>	ABSENT:	<u>1</u>
NAYS:	<u>0</u>	ABSTAINED:	<u>0</u>

APPROVED this 11th day of February, 2014.

Chris Marley, Mayor

ATTEST:

Jami C. Lewis, Town Clerk

APPROVED AS TO FORM:

Curtis, Goodwin, Sullivan, Udall & Schwab, PLC
Town Attorneys
By: Phyllis L.N. Smiley

I, JAMI C. LEWIS, TOWN CLERK, DO HEREBY CERTIFY THAT A TRUE AND CORRECT COPY OF THE ORDINANCE NO. 14-781 ADOPTED BY THE COMMON COUNCIL OF THE TOWN OF CHINO VALLEY ON THE 11th DAY OF FEBRUARY, 2014, WAS POSTED IN THREE PLACES ON THE _____ DAY OF FEBRUARY, 2014.

Jami Lewis, Town Clerk