

TOWN OF CAREFREE, ARIZONA

ORDINANCE NO. 2010-09

AN ORDINANCE OF THE TOWN OF CAREFREE, MARICOPA COUNTY, ARIZONA, ADOPTING AMENDMENTS TO CHAPTER 2, ARTICLE 2-6, THE TOWN OF CAREFREE CODE; PROVIDING FOR REPEAL OF CONFLICTING PROVISIONS OF THE TOWN CODE; PROVIDING FOR SEPARABILITY; AND DECLARING THAT THE IMMEDIATE OPERATION OF THE PROVISION OF THIS ORDINANCE IS NECESSARY FOR THE IMMEDIATE PRESERVATION OF THE PUBLIC PEACE, HEALTH AND SAFETY, THAT AN EMERGENCY EXISTS, AND THAT THIS ORDINANCE SHALL BE EFFECTIVE IMMEDIATELY AND IN FULL FORCE AND EFFECT FROM AND AFTER ITS PASSAGE, ADOPTION AND APPROVAL BY THE MAYOR AND COMMON COUNCIL OF THE TOWN AS REQUIRED BY LAW AND DIRECTING THE TOWN CLERK OF THE TOWN OF CAREFREE TO INCORPORATE THIS AMENDMENT INTO THE TOWN OF CAREFREE TOWN CODE.

BE IT ORDAINED BY THE MAYOR AND COMMON COUNCIL OF THE TOWN OF CAREFREE, MARICOPA COUNTY, ARIZONA AS FOLLOWS:

Section 1. All ordinances or portions of ordinances in conflict with the provisions of this Ordinance, or inconsistent with the regulations of this Ordinance, are hereby repealed to the extent necessary to give this Ordinance full force and effect.

Section 2. If any section, subsection, sentence, clause, phrase or portion of this Ordinance or any part of the amendments of this Ordinance 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 3. The amendments are made to Chapter 2, Article 2-6 of the Town of Carefree Code, amended as follows (added language is shown in **bold letters**, deleted language is shown ~~crossed out~~):

Section 2-6-2 Number of Signatures and Procedures for Verifying Signatures

~~A. The total number of registered voters qualified to vote at the last municipal election, whether regular or special, immediately preceding the date upon which any initiative petition is filed shall be the basis upon which the number of qualified electors of the town required to file an initiative petition shall be computed.~~

A. The basis upon which the number of qualified electors of the town required to file an initiative petition shall be fifteen percent (15%) of total ballots cast at the town election at which a mayor or council member was chosen last preceding the submission of the application as determined by the Maricopa County Elections Department.

~~B. The basis upon which the number of qualified electors of the town required to file a referendum petition shall be as determined by state law.~~

B. The basis upon which the number of qualified electors of the town required to file a referendum petition shall be ten percent (10%) of total ballots cast at the town election at which a mayor or council member was chosen last preceding the submission of the application as determined by the Maricopa County Elections Department.

C. The procedure for verifying signatures on initiative and referendum petitions shall be as set forth in A.R.S. § 19-121.01 and 19-121.02.

Section 4. The immediate operation of the provision of this Ordinance is necessary for the immediate preservation of the public peace, health and safety; an emergency is hereby declared to exist; and this ordinance shall be effective immediately in full force and effect from and after its passage, adoption and approval by the Mayor and the Common Council of the Town of Carefree as required by law.

Section 5. The Town Clerk of the Town of Carefree shall incorporate the Amendment set forth herein into the Town Code of the Town of Carefree, Arizona.

PASSED AND ADOPTED by the Mayor and Common Council of the Town of Carefree, Arizona, this 7th day of September, 2010.

Ayes 7 Noes 0 Abstentions 0 Absent 0

TOWN OF CAREFREE



Mayor, David Schwan

ATTEST:



Elizabeth L. Wise, Town Clerk

APPROVED AS TO FORM:



Thomas K. Chenal, Town Attorney