

MARANA ORDINANCE NO. 2020.004

RELATING TO ELECTIONS; ADOPTING REVISIONS TO MARANA TOWN CODE TITLE 2 (MAYOR AND COUNCIL); REVISING SECTION 2-2-1 (PRIMARY ELECTION; DATE; DECLARATION OF ELECTED CANDIDATE) TO AMEND THE PRIMARY ELECTION DATE FOR TOWN ELECTIONS TO CONFORM TO STATE LAW; REVISING SECTION 2-2-7 (INITIATIVE AND REFERENDUM) TO CLARIFY THE PROCEDURE FOR CALCULATING THE REQUIRED NUMBER OF SIGNATURES FOR AN INITIATIVE PETITION; AND DESIGNATING AN EFFECTIVE DATE

WHEREAS in 2012 the Arizona state legislature amended A.R.S. § 16-204 to consolidate all regular candidate elections in Arizona to the fall of even-numbered years; and

WHEREAS in 2019 the Arizona state legislature amended A.R.S. §§ 16-201, 16-204, and 16-206 to provide that primary elections in Arizona shall be held on the first Tuesday in August in any election year; and

WHEREAS A.R.S. §19-143 provides the basis for computing the number of necessary signatures for an initiative petition, but further provides that the Town has the authority by charter or ordinance to provide an alternative basis for the computation; and

WHEREAS on August 19, 1997, the Town Council adopted Ordinance No. 97.26 providing an alternative basis for computing the number of necessary signatures for an initiative petition; however, it appears a clause was omitted from the ordinance text; and

WHEREAS the Town Council finds that revising Title 2 of the Marana Town Code regarding elections as set forth in this ordinance is in the best interests of the Town and its residents.

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE TOWN OF MARANA, as follows:

Section 1. Marana Town Code Title 2 (Mayor and Council) is hereby amended to revise section 2-2-1 (Primary election; date; declaration of elected candidate) as follows (with deletions shown with ~~strikeouts~~ and additions shown with double underlining):

2-2-1 Primary election; date; declaration of elected candidate

A. The date of the primary election of the town shall be ~~the tenth Tuesday before the first Tuesday after the first Monday in November~~ in August of even-numbered years.

[No revisions to paragraph B]

Section 2. Marana Town Code Title 2 (Mayor and Council) is hereby amended to revise section 2-2-7 (Initiative and referendum) as follows (with additions shown with double underlining):

2-2-7 Initiative and referendum

[No revisions to paragraph A]

B. Number of signatures

1. 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.
2. The basis upon which the number of qualified electors of the town required to file a referendum petition is calculated shall be as determined by state law.

[No revisions to paragraphs C and D]

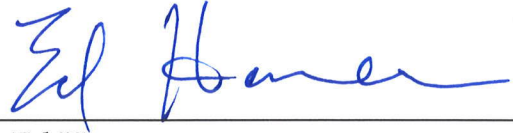
Section 3. The various town officers and employees are authorized and directed to perform all acts necessary or desirable to give effect to this ordinance.

Section 4. All ordinances, resolutions, or motions and parts of ordinances, resolutions, or motions of the Council in conflict with the provisions of this ordinance are hereby repealed, effective as of the effective date of this ordinance.

Section 5. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, the decision shall not affect the validity of the remaining portions of this ordinance.

Section 6. This ordinance shall become effective on the thirty-first day after its adoption.

PASSED AND ADOPTED BY THE MAYOR AND COUNCIL OF THE TOWN OF MARANA, ARIZONA, this 21st day of January, 2020.



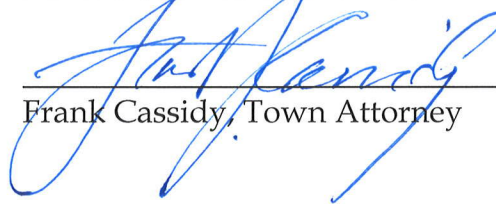
Mayor Ed Honea

ATTEST:



Cherry L. Lawson, Town Clerk

APPROVED AS TO FORM:



Frank Cassidy, Town Attorney