

ORDINANCE NO. 13-09

AN ORDINANCE OF THE MAYOR AND CITY COUNCIL OF THE CITY OF MARICOPA, ARIZONA, AMENDING SECTION 2-54 OF THE CITY CODE OF MARICOPA TO CHANGE THE BASIS FOR CALCULATION OF A MAJORITY OF VOTES CAST AT THE PRIMARY ELECTION.

WHEREAS, the Arizona State Legislature has provided an alternative method for calculation of the votes cast at a city/town election for purposes of determining whether a candidate for mayor or council has received a majority of the votes cast at a primary election; and

WHEREAS, the City has consolidated its elections with the State election cycle pursuant to A.R.S. §16-204 as amended by the Arizona State Legislature in 2012 resulting in the calculation of votes cast based on the total number of ballots cast unless the alternative is enacted by the City; and

WHEREAS, the City find that the adoption of the alternative allowed by State law may reduce election expenses; and

WHEREAS, the adoption of the alternative method requires amending Section 2-54 of the City Code of Maricopa to change the basis for calculation of a majority of votes cast at the primary election.

NOW THEREFORE BE IT RESOLVED by the Mayor and City Council of the City of Maricopa, Arizona:

SECTION 1. Section 2-54 of the City Code of Maricopa is hereby deleted in its entirety and replaced with the following language:

Sec. 2-54 Primary Election

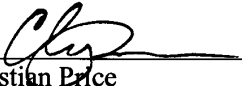
Any candidate who shall receive at the primary election a majority of all the votes cast shall be declared to be elected to the office for which he is a candidate effective as of the date of the general election, and no further election shall be held as to said candidate; provided that if more candidates receive a majority than there are offices to be filled then those equal in number to the offices to be filled receiving the highest number of votes shall be declared elected. In calculating the votes cast for purposes of this Section, the basis shall be the number of votes cast for the office of mayor at that election.

SECTION 2. To the extent of any conflict between other City Ordinances and this Ordinance, this Ordinance shall be deemed to be controlling; provided, however, that this Ordinance is not intended to amend or repeal any existing City Ordinance, Resolution or regulation except as expressly set forth herein.

SECTION 3. 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

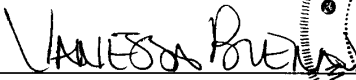
competent jurisdiction, such decision shall not affect the validity of the remaining portions thereof.

PASSED AND ADOPTED by the Mayor and City Council of the City of Maricopa, Arizona, on this 17th day of September, 2013.



Christian Price
Mayor

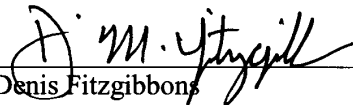
ATTEST:



Vanessa Bueras
City Clerk



APPROVED AS TO FORM:



Denis Fitzgibbon
City Attorney