

ORDINANCE NUMBER 13-14

**AN ORDINANCE OF THE MAYOR AND CITY COUNCIL OF
THE CITY OF MARICOPA, ARIZONA, AMENDING SECTION
2-52 OF THE MARICOPA CITY CODE REGARDING THE
RESIGNATION OF OTHER OFFICE OR POSITION AND
PROVIDING FOR SEVERABILITY AND THE EFFECTIVE
DATE THEREOF.**

WHEREAS, on June 1, 2004, the City of Maricopa adopted Chapter 2 Mayor and Council as part of the City Code, which was amended on November 30, 2009 by Ordinance 09-10 and on September 4, 2012 by Ordinance 12-08; and

WHEREAS, the Arizona State Legislature in 2013 amended A.R.S. §38-296 to state that an incumbent of a salaried elected office must resign to run upon filing nomination papers for another salaried office but not upon formally declaring his or her candidacy; and

WHEREAS, the Mayor and City Council of the City of Maricopa believe, after consultation with its staff, that amending Section 2-52 of the Maricopa City Code would be in the best interest of the City of Maricopa.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF MARICOPA, ARIZONA, AS FOLLOWS:

SECTION 1. That the language contained in Section 2-52 of the Maricopa City Code regarding Resignation of Other Office or Position and all amendments thereto are hereby repealed in its entirety and replaced with the following:

- (a) In accordance with A.R.S. §38-296, except during the final year of the term being served, an incumbent of a salaried elective office, whether holding by election or appointment, shall resign his position upon filing a nomination paper for election to any salaried local, state or federal office.
- (b) Except during the final year of the term being served, a non-salaried member of any committee, commission, task force or administrative board of the city, whether elected or appointed, shall resign his position upon filing a nomination paper for election to any salaried local, state or federal office. This provision shall not apply to member of the council who, by law, policy, or this Code, are required to act as members of other committees, commissions or administrative boards.
- (c) A city employee shall resign his position upon filing a nomination paper for election to the council.

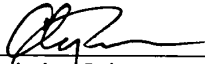
SECTION 2. To the extent of any conflict between other City Ordinances and this Ordinance, this Ordinance shall be deemed to be controlling; provided, however, that this Ordinance is not intended to amend or repeal any existing City Ordinance, Resolution or regulation except as expressly set forth herein.

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.

SECTION 4. This Ordinance shall become effective thirty (30) days from the date of adoption by the City Council for the City of Maricopa.

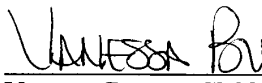
PASSED AND ADOPTED by the Mayor and Council of the City of Maricopa, Arizona, this 19th day of November, 2013.

APPROVED:

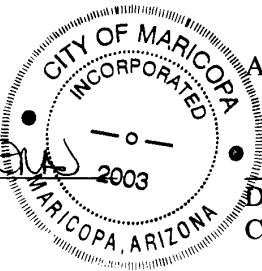


Christian Price
Mayor

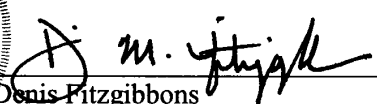
ATTEST:



Vanessa Bueras, CMC
City Clerk



APPROVED AS TO FORM:



Denis Fitzgibbons
City Attorney