

ORDINANCE NO. 634-17

AN ORDINANCE OF THE MAYOR AND CITY COUNCIL OF THE CITY OF PAGE, COCONINO COUNTY, ARIZONA, AMENDING THE CODE OF THE CITY OF PAGE, ARIZONA, § 30.075 EFFECTIVE DATE OF ORDINANCES.

WHEREAS, § 30.075 EFFECTIVE DATE OF ORDINANCES of the Page City Code establishes a thirty (30) day delay before ordinances, resolutions or franchises become effective; and

WHEREAS, the purpose of the thirty (30) day delay is to allow for referenda; and

WHEREAS, under the Constitution of Arizona, only legislative acts of the City Council are subject to referendum (Ariz. Const. art. 4, pt. 1, § 1(8) and Wennerstrom v. City of Mesa, 169 Ariz. 485, 821 P.2d 146 (Ariz., 1991)); and

WHEREAS, some resolutions passed by Council are not legislative acts and are therefore not subject to referendum; and

WHEREAS, in order to bring § 30.075 of the Page City Code into conformance with the Constitution of Arizona and allow for effective executive and administrative functions of the government, the Mayor and City Council desire to amend § 30.075.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF PAGE, COCONINO COUNTY, ARIZONA, as follows:

SECTION 1. That § 30.075 EFFECTIVE DATE OF ORDINANCES of the Page City Code is hereby amended and adopted as follows:

§ 30.075 EFFECTIVE DATE OF ORDINANCES.

No ordinance, resolution CONSTITUTING A LEGISLATIVE ACT or franchise shall become operative until 30 days after its passage by the Council and approval by the Mayor, except measures necessary for the immediate preservation of the peace, health or safety of the city, but such an emergency measure shall not become immediately operative unless it states in a separate section the reason why it is necessary that it should become immediately operative and, unless it is approved by the affirmative vote of three-fourths of all the members elected to the Council, taken by ayes and nays.

SECTION 2. That the City Clerk be authorized to correct typographical and grammatical errors, as well as errors of wording and punctuation, as necessary;

and that the City Clerk be authorized to make formatting changes needed for purposes of clarity and form, if required, to be consistent with the Page City Code.

PASSED AND ADOPTED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF PAGE, COCONINO COUNTY, ARIZONA this 14th day of June, 2017, by the following vote:

Ayes	<u>7</u>
Nays	<u>0</u>
Abstentions	<u>0</u>
Absent	<u>0</u>



CITY OF PAGE

By William P. Deak
Mayor

ATTEST:

Kim L. Larson
CITY CLERK

APPROVED AS TO FORM:

[Signature]
CITY ATTORNEY