

ORDINANCE 2017-008

AN ORDINANCE OF THE MAYOR AND CITY COUNCIL OF THE CITY OF SIERRA VISTA, COCHISE COUNTY, ARIZONA; AMENDING CHAPTER 38, ELECTIONS OF THE CODE OF THE CITY OF SIERRA VISTA, ARIZONA; REPEALING ALL ORDINANCES AND CODE PROVISIONS IN CONFLICT HERewith AND PROVIDING FOR SEVERABILITY; AND AUTHORIZING AND DIRECTING THE CITY MANAGER, CITY CLERK, CITY ATTORNEY, OR THEIR DULY AUTHORIZED OFFICES AND AGENTS TO CARRY OUT THE PURPOSES AND INTENT OF THIS ORDINANCE.

WHEREAS, it is the established policy to periodically review and update the City Code of Ordinances; and

WHEREAS, following a Citizen inquiry, the Mayor and Council reviewed Chapter 38 of the City Code relating to elections; and

WHEREAS, the City Council has determined that changes to the Ordinance would result in the potential for increased voter participation and cost savings in the City Council Election process.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF SIERRA VISTA, ARIZONA, AS FOLLOWS:

SECTION 1

That the provisions of the Sierra Vista City Code, Chapter 38 are amended to eliminate the Primary Election process for candidates as set forth in Attachment A.

SECTION 2

All other ordinances or parts of ordinances in conflict with this ordinance, to the extent of such conflict and no further, are hereby repealed. Should any section, clause or provision of this Ordinance be declared by the courts to be invalid, such invalidity shall not affect other provisions, which can be given effect without the invalid provision, and to this end, the provisions of this Ordinance are declared to be severable.


SECTION 3

All ordinances or parts of ordinances in conflict with the provisions of this ordinance, are hereby repealed. Should any section, clause or provision of this Ordinance be declared by the courts to be invalid, such invalidity shall not affect other provisions, which can be given effect without the invalid provision, and to this end, the provisions of this Ordinance are declared to be severable.

SECTION 4

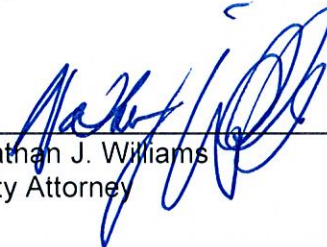
That the City Manager, City Clerk, City Attorney, or their duly authorized officers and agents are hereby authorized and directed to take all steps necessary to carry out the purposes and intent of this Ordinance.

PASSED AND ADOPTED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF SIERRA VISTA, ARIZONA, THIS 14th DAY OF DECEMBER 2017.




Frederick W. Mueller
Mayor

Approved as to Form:



Nathan J. Williams
City Attorney

Attest:



Jill Adams
City Clerk

Prepared by:
Jill Adams, City Clerk

CHAPTER 38: ELECTIONS

[38.01](#) Nonpolitical ballot

[38.02](#) General Election Nomination

[38.03](#) Election to office

[38.04](#) Direct election of Mayor

[38.05](#) Initiative and Referendum Elections

§ 38.01 NONPOLITICAL BALLOT.

Nothing on the ballots at any election held by the City of Sierra Vista shall be indicative of the source of the candidacy or of the support of any candidate.

('76 Code, § 2-1-3) (Ord. 83, passed 6-8-67)

§ 38.02 GENERAL ELECTION NOMINATION.

(A) All Candidates shall be placed on the General Election ballot.

(B) The general election shall be scheduled to conform to the provisions of A.R.S. Title 16, § 211, and Title 16, § 204(B)(4).

('76 Code, § 2-1-4) (Ord. 363, passed 7-14-77; Am. Ord. 2004-001, passed 2-26-04)

§ 38.03 ELECTION TO OFFICE.

The candidates equal in number to the offices to be filled who shall receive the highest number of votes at the general election shall be declared elected to such office or offices.

('76 Code, § 2-1-5) (Ord. 83, passed 6-8-67)

§ 38.04 DIRECT ELECTION OF MAYOR.

(A) The Mayor shall be directly elected by the people by a majority vote of the qualified electors.

(B) The term of the Mayor shall be for four years.

(C) The provisions of [§ 38.02](#) and [§ 38.03](#) are applicable under this section.

(D) A candidate cannot run for both Mayor and Council member at the same election.

(E) Council members who desire to run for Mayor must resign their position on the Council as of the day they submit their nomination papers, unless they are in the last year of their term.

(G) All other provisions of the code of the City of Sierra Vista or Arizona State statutes dealing with Municipal elections are hereby declared to be applicable to the direct election of the Mayor for the City of Sierra Vista.

('76 Code, § 2-1-2) (Ord. 681, passed 8-6-84; Am. Ord. 848, passed 11-9-89)

§ 38.05 INITIATIVE AND REFERENDUM ELECTIONS.

There is reserved to the qualified electors of the city the power of the initiative and the referendum as prescribed by the state constitution. Any initiative or referendum matter may be voted on at the next ensuing primary or general election, or at a special election called by the council for such purpose.

(Ord. 1096, passed 7-27-99)