

ORDINANCE 595

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF BENSON, ARIZONA, AMENDING THE BENSON CITY CODE, CHAPTER 2 "MAYOR AND COUNCIL," ARTICLE 2-1 "COUNCIL," SECTION 2-1-4(A) "VACANCIES IN COUNCIL"

WHEREAS, the City of Benson has adopted a City Code for the efficient administration of the City; and

WHEREAS, the Mayor and Council have amended the City Code from time to time; and

WHEREAS, within the City Code there is a Chapter 2, Article 2-1, Section 2-1-4(A), concerning vacancies on the City Council; and

WHEREAS, the City Council has reviewed Chapter 2, Article 2-1, Section 2-1-4(A), and find that amending it to allow up to 60 days for the appointment of a qualified applicant, according to A.R.S. §9-232, to the Council is in the best interests of the City and its residents.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the City of Benson, Arizona, as follows:

Section 1: That the Benson City Code, Chapter 2, Article 2-1, Section 2-1-4(A), is hereby amended as follows:

Section 2-1-4 Vacancies in Council

- A. The Council shall fill any vacancy that may occur, by appointment until the next regularly scheduled Council election if the vacancy occurs more than thirty days before the nomination petition deadline, otherwise the appointment is for the unexpired term. The appointment shall be made within ~~thirty~~ **sixty** days of the date the vacancy occurs.

Section 2: The penalty provision of this Ordinance is found in Chapter 1, Article 1-8, and reads as follows: "Any person found guilty of violating any provisions of this code, except as otherwise provided in this code, shall be guilty of a misdemeanor, and upon conviction shall be punished by a fine of not to exceed two thousand five hundred dollars or by imprisonment for a period not to exceed six months, or by both such fine and imprisonment. Each day that a violation continues shall be a separate offense punishable as hereinabove described."

Section 3: All ordinances and parts of ordinances in conflict with the provisions of this Ordinance are hereby repealed.

Section 4: 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 portion thereof.

Section 5: The City Clerk is directed to publish the text of this Ordinance in the San Pedro Valley News Sun for two (2) consecutive weeks, and further to post a copy of this Ordinance in three (3) or more public places within the City.

PASSED AND ADOPTED BY THE MAYOR AND COUNCIL OF THE CITY OF BENSON, ARIZONA, this 11th day of March, 2019.



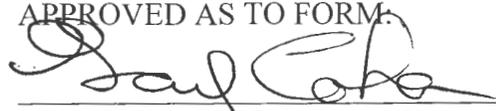
TONEY D. KING, SR., Mayor

ATTEST:



VICKI L. VIVIAN, CMC, City Clerk

APPROVED AS TO FORM:



MESCH CLARK ROTHSCHILD

By Gary J. Cohen
City's Attorney

Published in the San Pedro Valley News Sun for two (2) consecutive weeks with the date of first publication being on the 20th day of March, 2019.