

**ORDINANCE NO. 021-01-01**

**AN ORDINANCE OF THE MAYOR AND COMMON COUNCIL OF THE CITY OF EL MIRAGE, ARIZONA, AMENDING TITLE III (ADMINISTRATION) OF THE CODE OF EL MIRAGE, ARIZONA BY AMENDING SECTION 32.066 (INITIATIVES AND REFERENDUMS) CONFORMING THE NUMBER OF SIGNATURES REQUIRED FOR INITIATIVE PETITIONS WITH STATE STATUTE.**

**WHEREAS**, A.R.S. § 19-143 provides that the whole number of votes at the city election at which a mayor or councilman was chosen last preceding the submission of the application for an initiative petition is the basis for computing the number of qualified electors of the city or town required to sign an initiative petition; and

**WHEREAS**, A.R.S. § 19-143 also allows cities to use alternative bases for computing the number of qualified electors required to sign an initiative petition; and

**WHEREAS**, the El Mirage City Code currently requires, as an alternative to State statute, that the total number of registered voters qualified to vote at the last municipal election is the basis for computing the number of qualified electors of the city or town required to sign an initiative petition; and

**WHEREAS**, the Council wishes to amend the basis for computing the number of qualified electors of the city or town required to sign an initiative petition to conform with State statute and be computed based on the number of votes at the city election at which a mayor or councilman was chosen, as opposed the total number of registered voters qualified to vote;

**NOW THEREFORE, BE IT ORDAINED** by the Common Council of the City of El Mirage, Arizona, as follows:

- Section 1. That certain document made public record by Resolution R21-01-01 amending Title III, Section § 32.066, is hereby referred to, adopted and made part of the El Mirage City Code as if fully set out in this Ordinance.
- Section 2. All ordinances, resolutions, or codes in conflict with the provisions of this Ordinance or Code adopted by this Ordinance are repealed.
- Section 3. If any section, subsection, sentence, clause, phrase or portion of this Ordinance in any part of this addition adopted here by reference is for any reason held 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. The City Clerk is hereby directed to publish this adopting ordinance in full and will become effective at the time and manner prescribed by law.

**PASSED AND ADOPTED** by the City of El Mirage City Council this 21<sup>st</sup> day of January, 2021.

**FOR THE CITY OF EL MIRAGE:**

**ATTESTED TO:**

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Alexis Hermosillo, Mayor

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Sharon Antes, City Clerk

**REVIEWED BY:**

**APPROVED AS TO FORM:**

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Crystal Dyches, City Manager

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Pierce Coleman, PLLC, City Attorney