

ORDINANCE O25-03-01

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF EL MIRAGE, MARICOPA COUNTY, ARIZONA, AMENDING THE CITY OF EL MIRAGE CODE CHAPTER 32, SECTION § 32.003 (DUTIES OF OFFICE) AND § 32.041 (VICE MAYOR)

WHEREAS, the Mayor and City Council wish to update City code from time to time to more accurately reflect the current conditions and needs of the City; and

WHEREAS, the City of El Mirage seeks to amend Section § 32.003 to reflect Arizona Revised Statute § 9-821.01 and provide for the seating of candidates declared elected to an office held by an appointee, to be seated immediately following the canvass and certification of the results of a primary election; and

WHEREAS, the City of El Mirage seeks to amend Section §32.041 of the City Code to designate the Vice Mayor when all newly-elected council members are seated;

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF EL MIRAGE, ARIZONA, as follows:

Section 1. Section §32.003 Duties of Office is amended to read as follows:

The Mayor and members of the Council shall assume the duties of office at the first regularly scheduled meeting in the month of December following the election at which the Mayor or Council Member was elected, **except that if the person holding the office of Mayor or City Council at the time of the Primary Election is holding that office by appointment as prescribed by A.R.S. § 9-235, a candidate for a new term or the remainder of that term in office who receives a majority of all votes cast at the Primary Election shall be declared elected after the canvass and certification of the results of that Primary Election and on taking the Oath of Office and shall be seated immediately. If more than one candidate receives a majority of all votes cast at the primary for an office that is currently being served by a person who is appointed as prescribed by A.R.S. § 9-235, the order of seating the candidates shall be determined by the highest number of votes.**

Section 2. Section 32.041 Vice Mayor is amended to read as follows:

At the first regular meeting **in January** after the general election, the Council shall designate one of its members as Vice Mayor, who shall serve at the pleasure of the Council. The Vice Mayor shall perform the duties of the Mayor during his or her absence or disability.

Section 3. All ordinances, resolutions, or codes in conflict with the provisions of this Ordinance or Code adopted by this Ordinance are repealed.

Section 4. 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 5. 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, ADOPTED AND APPROVED by the Mayor and Council of the City of El Mirage this 4th day of March 2025.

Alexis A. Hermosillo, Mayor

ATTEST:

APPROVED AS TO FORM

Jill A. Boltz, City Clerk

Justin Pierce, City Attorney

CERTIFICATION OF CITY CLERK

STATE OF ARIZONA)
County of Maricopa) ss.

I, the undersigned, Jill Boltz, being the duly appointed, qualified City Clerk of the City of El Mirage, Maricopa County, Arizona, certify that the foregoing Ordinance O25-03-01 is a true, correct and accurate copy of Ordinance O25-03-01, passed and adopted at a public meeting of the Council of the City of El Mirage, Maricopa County, Arizona, held on the _____ day of March, 2025, at which a quorum was present and, by a vote of _____ in favor, _____ opposed to said Ordinance.

Given under my hand and sealed this _____ day of _____, 2025.

Seal

City Clerk