ORDINANCE NO. 2023-18

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FLAGSTAFF, AMENDING THE FLAGSTAFF CITY CODE, TITLE 1 ADMINISTRATIVE, CHAPTER 1-16 CITY ELECTIONS, TO PROVIDE FOR THE MANNER OF CONDUCTING ELECTIONS FOR INITIATIVE AND REFERENDUM MEASURES; PROVIDING FOR SEVERABILITY, AUTHORITY FOR CLERICAL CORRECTIONS, AND ESTABLISHING AN EFFECTIVE DATE

RECITALS:

WHEREAS, Article IV, Part 1, Section 1 (8) of the Arizona Constitution makes the initiative and referendum process applicable to all incorporated municipalities; and

WHEREAS, an initiative is the process used by voters to propose a new law or amend an existing law and place the issue on the ballot for a public vote; and

WHEREAS, a referendum is the process used by voters to refer to the ballot for a public vote a measure, ordinance, resolution, item, or any part of any measure, ordinance, resolution, or item enacted by the Council; and

WHEREAS, the City desires to have the ability to conduct special elections for the purpose of initiatives or referendums.

ENACTMENTS:

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF FLAGSTAFF AS FOLLOWS:

SECTION 1. The Flagstaff City Code Title 1, Administrative, Section 1-16 City Elections, is hereby amended as follows:

1-16-001-0005 INITIATIVE AND REFERENDUM:

THERE IS RESERVED TO THE QUALIFIED ELECTORS OF THE CITY/TOWN THE POWER OF THE INITIATIVE AND THE REFERENDUM AS PRESCRIBED BY ARTICLE IV, PART 1, SECTION 1 OF THE ARIZONA 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.

SECTION 2. Repeal of Conflicting Ordinances

All ordinances and parts of ordinances in conflict with the provisions of the code adopted herein are hereby repealed.

SECTION 3. Severability

If any section, subsection, sentence, clause, phrase or portion of this ordinance or any part of the code adopted herein by reference 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 portions thereof.

SECTION 4. Clerical Corrections

The City Clerk is hereby authorized to correct clerical and grammatical errors, if any, related to this ordinance, and to make formatting changes appropriate for purposes of clarity, form, or consistency with the Flagstaff City Code.

SECTION 5. Effective Date

This Ordinance shall be effective thirty (30) days following adoption by the City Council.

PASSED AND ADOPTED by the City Council of the City of Flagstaff this 3rd day of July, 2023.

_____
MAYOR

ATTEST:

_____
CITY CLERK

APPROVED AS TO FORM:

_____
CITY ATTORNEY