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ORDINANCE 25-XX

**AN ORDINANCE AMENDING CHAPTER 2 THE ROSWELL CITY CODE
REGARDING CITY AUDITOR APPOINTMENT**

WHEREAS, the City of Roswell (the "City") has the authority and obligation under NMSA1978, §3-12-4 to provide for certain appointed officers; and

WHEREAS, the Attorney General in Opinion 22-02 has provided additional guidance on the interpretation of §3-12-4; and

WHEREAS, clarifications and additions regarding appointed officers and City Council procedures to the City's Administrative Code would be beneficial to efficient and ethical running of City business and will improve accountability and administrative functions of the City.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL AS THE GOVERNING BODY OF THE CITY OF ROSWELL, NEW MEXICO, that:

SECTION 1. Chapter 2 of the Roswell City Code is hereby amended as follows:

ARTICLE II. GOVERNING BODY

DIVISION 1. GENERALLY

Sec. 2-53 Creation of Offices Appointed Officers

(a) There shall be independent offices apart from City departments. These offices are the office the Clerk, Office of the Treasurer / Finance Officer, Office of the Chief of Police, [Internal City Auditor](#), and Office of the City Attorney.

(b) The appointive officers of the city shall be a city manager, city clerk, city treasurer / finance officer, chief of police, city auditor, and city attorney.

(c) The governing body, at its discretion, may in lieu of having an in-house office of the city attorney, contract with an outside individual or law firm for legal services.

(d) The governing body, at its discretion, may in lieu of having an in-house- [Internal City Auditor contract with a qualified individual or firm for such services.](#)

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1 Sec. 2-91. — Internal City Auditor.

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3 The office of Treasurer shall have an Internal City Auditor, separate from the state mandated
4 external auditor. The Internal City Auditor shall be nominated by the mayor for approval by the
5 governing body. If approved, the Internal City Auditor will be employed through the Treasurer's
6 office. The Auditor will report directly to the governing body and the treasurer.
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8 (a) Qualifications. The Internal City Auditor shall at minimum be a license CPA.
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11 SECTION 2. All ordinances or parts of ordinances in conflict or inconsistent herewith are hereby
12 repealed to the extent of such inconsistency. This repealer shall not be construed to revive any
13 ordinance or part of any ordinance heretofore repealed.
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15 SECTION 3. If any section, paragraph, clause or provisions of this ordinance for any reason shall
16 be held to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph,
17 clause or provision shall not affect any other part of this ordinance.
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19 SECTION 4. This ordinance shall be effective after five (5) days following its publication as
20 required by law.
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22 PASSED, ADOPTED, SIGNED and APPROVED _____, _____.
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24 CITY SEAL
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28 _____
Timothy Z. Jennings, Mayor

29 ATTEST
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34 _____
Amalia Martinez, Interim City Clerk
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