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ORDINANCE NUMBER 692

**AN ORDINANCE OF THE TOWN OF PARADISE VALLEY,
ARIZONA AMENDING THE PARADISE VALLEY TOWN
CODE, CHAPTER 2, ARTICLE 2-3, COUNCIL ELECTION**

**BE IT ORDAINED BY THE MAYOR AND TOWN COUNCIL OF THE TOWN OF
PARADISE VALLEY, ARIZONA:**

Section 1. Article 2-3, Council Election is hereby amended (with deletions shown as
~~strikethroughs~~ and additions shown in **bold type**):

Section 2-3-1 Consolidated Election Dates

All elections shall be held pursuant to A.R.S. §16-204, as amended.

Section 2-3-2 Primary Election⁶⁶⁸

A. Any candidate who shall receive at the primary election a majority of all the votes cast shall be declared to be elected to the office for which he is a candidate effective as of the date of the general election, and no further election shall be held as to said candidate. If more candidates receive a majority than there are offices to be filled then those candidates equal in number to the offices to be filled who have received the highest number of votes shall be declared elected.

~~B. Pursuant to A.R.S. § 9-821.01, as amended, the total of all votes tabulated for the candidates for the office of Mayor shall constitute the total number of votes cast at the election and shall be the basis for calculating whether a candidate for the office of Mayor or the office of Council Member has received a majority of all votes cast at the election.~~

B. **The majority of all the votes cast shall be determined pursuant to A.R.S. §9-821.01.**

~~Section 2-3-4~~ General Election Nomination

~~If at any primary election held as above provided there be any office or offices for which no candidate or an insufficient number is elected, then as to such office or offices for which no~~

1 candidate, or an insufficiencies number is elected, said election shall be considered to be a
2 primary election for nomination of candidates for such office or offices, and the second or
3 general municipal election shall be held to vote for candidates to fill such office or offices.
4 Candidates to be placed on the ballot at such second or general municipal election shall be those
5 not elected at such first election, shall be equal in number to twice the number to be elected to
6 any given office or less than that number if there be less than that number named on the primary
7 election ballot, and persons who receive the highest number of votes for the respective offices at
8 such first election shall be the candidate at such second election, provided that if there be any
9 person who, under the provisions of this article, would have been entitled to become a candidate
10 for any office except for the fact that some other candidate received an equal number of votes
11 therefor, then all such persons receiving an equal number of votes shall likewise become
12 candidates for such office.

13
14 **Section 2-3-3 General Election**

15 **If there are offices that are not filled at the primary election, a general election shall be held**
16 **to fill any such offices. Those candidates not elected at the primary election but receiving**
17 **the next highest number of votes are qualified for inclusion on the general election ballot.**
18 **Not more than twice the number of candidates for which there are vacancies on the council**
19 **may be placed on the general election ballot.**

20
21 ~~Section 2-3-3~~ Non political Ballot - [Renumbered Section 2-3-5]

22 Elections shall be non-partisan and nothing on the ballot in any election shall be indicative of the
23 support of the candidate. Candidates' names shall appear on the ballot pursuant to the procedure
24 set forth in A.R.S. § 16-464, as amended.

25
26 ~~Section 2-3-5~~ **Section 2-3-4 Election and Assumption to Office**

27 The candidates equal in number to the persons to be elected who receive the highest number of
28 votes shall be declared elected at the general election. **The Mayor and Council Members shall**
29 **assume the duties of office pursuant to Section 2-1-3.**

30
31 ~~Section 2-3-3~~ **Section 2-3-5 Non-political Ballot**

32 Elections shall be non-partisan and nothing on the ballot in any election shall be indicative of the
33 support of the candidate. Candidates' names shall appear on the ballot pursuant to the procedure
34 set forth in A.R.S. § 16-464, as amended.

35
36 ~~Section 2-3-6~~ Mail Ballot Election⁶⁶⁸

1 ~~The Town Clerk shall conduct all primary and general elections exclusively using mail ballots in~~
2 ~~accordance with A.R.S. § 16-409, as amended.~~

3 **Section 2-3-6 Reserved**

4
5 Section 2. If any section, subsection, sentence, clause, phrase or portion of this ordinance or
6 any part of these amendments to the Town Code adopted herein by reference is for any reason
7 held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such
8 decision shall not affect the validity of the remaining portions thereof.

9 Section 3: This ordinance shall become effective in the manner provided by law.

10 PASSED AND ADOPTED by the Mayor and Council of the Town of Paradise Valley, Arizona,
11 this ___th day of ____, 2015.

12
13
14
15 _____
16 Michael Collins, Mayor

17
18 SIGNED AND ATTESTED TO THIS _____ DAY OF _____ 2015.

19
20
21
22 ATTEST:

23
24 _____
25 Duncan Miller, Town Clerk

26
27 APPROVED AS TO FORM:

28
29
30 _____
31 Andrew M. Miller, Town Attorney
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