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**ORDINANCE NUMBER 2016-05**

**AN ORDINANCE OF THE TOWN OF PARADISE VALLEY,  
ARIZONA, AMENDING ARTICLE 2, MAYOR AND  
COUNCIL; SECTIONS 2-5-1, COMMITTEES AND  
COMMISSIONS IN GENERAL; 2-5-2, PLANNING  
COMMISSION; AND 2-5-3, BOARD OF ADJUSTMENT**

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

Section 1. The Town of Paradise Valley’s Code is hereby amended as follows,  
showing text to be added in **bold** and deleting the text shown by ~~strikeout~~.

Section 2-5-1 Committees and Commissions in General

- A. The Council may create such committees, commissions or boards, standing or special, as it deems necessary. They shall consist of as many members and shall perform such duties as the Council may require and shall exist at the pleasure of the Council. All members of such committees, commissions or boards shall serve at the pleasure of the Council. **In the event that the term of a member of a committee, commission, or board has expired, the member whose term has expired shall continue to serve until a successor has been appointed and qualified to fill that member’s seat. In the event of a vacancy occurring on any committee, commission, or board due to resignation, death, or disqualification from office, the member appointed to fill the vacant committee, commission, or board seat shall only fill such vacancy for the unexpired term of the vacated seat.**

Section 2-5-2 Planning Commission

- A. Creation and Membership. The Planning Commission as previously established is hereby continued in full force and effect, and there is established herewith a Planning Commission which shall consist of seven members, each of whom shall be appointed for a term of three years. The Planning Commission as created herewith may be referred to as the Zoning Commission or the Planning and Zoning Commission. Members of the Commission shall be appointed by the Town Council. All persons seeking to be appointed or re-appointed to a term on the Planning Commission shall file a written application for such appointment or re-appointment with the Mayor on or before the date set by the Town of the year that the term subject to appointment would become vacant. However, this written application requirement does not apply to an appointment to serve the balance of a term which has become vacant prior to the expiration of the term. Vacancies shall be filled for the unexpired term of the member whose place has become vacant. The Planning Commission shall, at its first meeting in ~~October~~ **April** of each year, elect one of its members to serve as its Chairman-

1 designate. The member designated to be Chairman shall be approved or disapproved  
2 for the Chairmanship by the Town Council within thirty (30) days of the election by  
3 the Commission. If the Chairman-designate is approved for the Chairmanship by the  
4 Town Council, he shall become the Chairman immediately upon such approval, and he  
5 shall serve as Chairman of the Commission (1) until a successor as Chairman is  
6 elected and approved in the following year, or (2) until the Chairmanship shall, for any  
7 reason, become vacant. If the Chairman-designate is disapproved for the  
8 Chairmanship by the Town Council, the Planning Commission shall, at its next  
9 meeting after such Council disapproval, elect another one of its members to serve as  
10 its Chairman-designate, and the member so designated shall be approved and become  
11 the Chairman or be disapproved pursuant to the procedures described herein. If, for  
12 any reason, the position of Chairman becomes vacant, then the Commission, at its next  
13 meeting after such position becomes vacant, shall elect a Chairman-designate for the  
14 remainder of the term, and the member so designated shall be approved and become  
15 the Chairman or be disapproved pursuant to the procedures prescribed herein. No  
16 member shall serve as Chairman of the Commission for a period of time in excess of  
17 two (2) consecutive terms.

18  
19 Section 2-5-3 Board of Adjustment

- 20  
21 A. Creation and Membership. The Board of Adjustment as previously established is  
22 hereby continued in full force and effect, and there is established herewith a Board of  
23 Adjustment which shall consist of seven members, each of whom shall be appointed  
24 for a term of three years. The word "Board" when used in this article shall mean the  
25 Board of Adjustment. Members of said Board shall be appointed by the Mayor  
26 subject to confirmation by majority vote of the Town Council. All persons seeking  
27 to be appointed or re-appointed to a term on the Board of Adjustment shall file a  
28 written application for such appointment or re-appointment with the Mayor on or  
29 before ~~August 15 of the year~~ **the date set by the Town of the year** that the term  
30 subject to appointment would become vacant. However, this written application  
31 requirement does not apply to an appointment to serve the balance of a term which  
32 has become vacant prior to the expiration of the term. Vacancies shall be filled for  
33 the unexpired term of the member whose place has become vacant. The Board of  
34 Adjustment shall, at its first meeting in ~~October~~ **April** of each year, elect one of its  
35 members to serve as its Chairman-designate. The member designated to be  
36 Chairman shall be approved or disapproved for the Chairmanship by the Town  
37 Council within thirty (30) days of the election of the Board of Adjustment. If the  
38 Chairman-designate is approved for the Chairmanship by the Town Council, he shall  
39 become the Chairman immediately upon such approval, and he shall serve as  
40 Chairman of the Board (1) until a successor as Chairman is elected and approved in  
41 the following year, or (2) until the Chairmanship shall, for any reason, become  
42 vacant. If the Chairman-designate is disapproved for the Chairmanship by the Town  
43 Council, the Board of Adjustment shall, at its next meeting after such Council  
44 disapproval, elect another one of its members to serve as its Chairman designate, and  
45 the member so designated shall be approved and become the Chairman or be  
46 disapproved pursuant to the procedures described herein. If, for any reason, the  
47 position of Chairman becomes

1           vacant, then the Board at its next meeting after such position becomes vacant, shall  
2           elect a Chairman-designate for the remainder of the term, and the member so  
3           designated shall be approved and become the Chairman or be disapproved pursuant  
4           to the procedures described herein. No member shall serve as Chairman of the Board  
5           for a period of time in excess of two (2) consecutive years.

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

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

11          PASSED AND ADOPTED by the Mayor and Council of the Town of Paradise Valley,  
12          Arizona, this \_\_\_\_\_ day of \_\_\_\_\_ 2016.

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Michael Collins, Mayor

ATTEST:

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Duncan Miller, Town Clerk

APPROVED AS TO FORM:

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Andrew M. Miller, Town Attorney