

ORDINANCE NO. 2189 NEW SERIES

AN ORDINANCE OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, AMENDING THE CODE OF THE CITY OF GLENDALE CHAPTER 15 BY ADDING A NEW SECTION 15-4 RELATING TO THE PROCEDURES FOR SPECIAL ELECTIONS; AND DECLARING AN EMERGENCY.

WHEREAS, Article IX of the Charter of the City of Glendale authorizes the City Council to submit initiative and referendum measures at special elections; and,

WHEREAS, A.R.S. Sec. 19-124(A) requires that in order for arguments advocating or opposing an initiative or referendum measure be included in a publicity pamphlet, such ballot arguments shall be filed with the city clerk not less than sixty (60) days preceding the regular primary election date; and,

WHEREAS, A.R.S. Sec. 19-124(E) permits a city to establish by ordinance provisions for the printing and distribution of publicity pamphlets for measures to be submitted at special elections when time will not permit full compliance with the statutory requirements; and,

WHEREAS, because of the consolidated election dates, the City of Glendale is only permitted to call for elections, including special elections, on four (4) dates out of the year; and,

WHEREAS, initiative or referendum petitions may be filed so close to the consolidated election date that a measure to be submitted at a special election cannot be certified for the ballot so as to allow the city clerk sixty (60) days prior to a special election to print and distribute the publicity pamphlet as provided by law; and,

WHEREAS, the city clerk has determined that a minimum period of thirty (30) days prior to a special election is sufficient to allow for the printing and distribution of the publicity pamphlet.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF GLENDALE as follows:

SECTION 1. That the Code of the City of Glendale, Arizona, Chapter 15, is hereby amended by adding a new Section 15-4, which shall read as follows:

Sec. 15-4. Ballot Arguments for Special Elections.

When the City Council orders an initiative or referendum measure to be submitted at a special election, not later than thirty (30) days preceding the special election, a person may file with the city clerk an argument advocating or opposing a measure proposed in the initiative or referendum petition.

SECTION 2. Emergency Clause.

WHEREAS, the consolidated election dates mandated by the state legislature limits the number of dates on which the City of Glendale may order elections to submit referendum and initiative measures; and,

WHEREAS, it is necessary for the preservation of the peace, health and safety of the City of Glendale and its citizens that initiative and referendum measures be submitted to the electors within a reasonable period of time after certification by the city clerk that a sufficient number of signatures have been filed; and,

WHEREAS, because of the limited available election dates, an initiative or referendum measure might not be submitted to the electors for a period of six (6) months or more after the certification by the city clerk that a sufficient number of signatures have been filed; and,

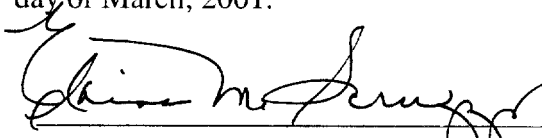
WHEREAS, the city clerk determined that sufficient signatures have been filed for Referendum No. 300-01 to be placed on the ballot as provided by law; and,

WHEREAS, on March 13, 2001, the City Council of Glendale ordered that Referendum Measure No. 300-01 be submitted to the voters at a special election on May 15, 2001; and,

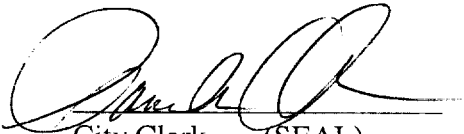
WHEREAS, the normal deadline of sixty (60) days for the printing and distribution of a publicity pamphlet prior to a regular primary election will not provide sufficient time for persons to submit their ballot arguments for the May 15, 2001 special election.

THEREFORE, it is hereby declared by the Council of the City of Glendale that it is necessary for the immediate preservation of the peace, health and safety of the City of Glendale and its citizens and an emergency is hereby declared to exist that this Ordinance shall be in full force and effect from and after its passage, adoption and approval by the Mayor and Council of the City of Glendale.


PASSED, ADOPTED AND APPROVED by the Mayor and Council of the City of Glendale, Maricopa County, Arizona, this 27<sup>th</sup> day of March, 2001.

  
MAYOR

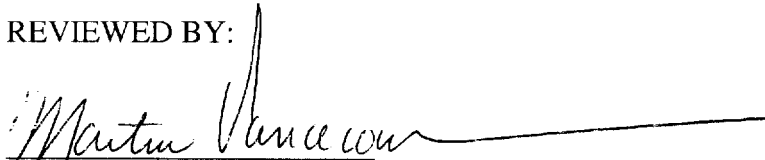
ATTEST:

  
City Clerk (SEAL)

APPROVED AS TO FORM:

  
City Attorney

REVIEWED BY:

  
City Manager