

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MESA, MARICOPA COUNTY, ARIZONA, AMENDING TITLE 1, CHAPTER 33 “CANDIDATE ELECTION DATES”, OF THE MESA CITY CODE RELATING TO ELECTION DATES FOR CANDIDATES FOR THE OFFICES OF MAYOR AND COUNCILMEMBER.

WHEREAS, Section 701(A) of the Mesa City Charter, pursuant to Section 701(F) of the Mesa City Charter and Ordinance 5292, sets the primary election date for offices of Mayor and Councilmember on the tenth Tuesday before the first Tuesday after the first Monday in November of even-numbered years, and sets the general election date on the first Tuesday after the first Monday in November of even-numbered years.

WHEREAS, Section 701(F) of the Mesa City Charter gives the City Council the authority, by ordinance, to change the primary and general election dates set forth in the Mesa City Charter, to align with the elections in other cities, Mesa school district, the county, the state, or the federal government.

WHEREAS, Arizona Revised Statutes § 16-201 was recently amended by Senate Bill 1154 (Fifty-fourth Arizona Legislature, First Regular Session, 2019), modifying the primary election date to the first Tuesday in August in any year in which a general election or special election is held and at which candidates for public office are to be elected.

WHEREAS, in order to bring its primary election date in line with state law, the City must modify its primary election date set forth in the Title 1, Chapter 33 of the Mesa City Code.

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

SECTION 1. Mesa City Code Title 1, Chapter 33 entitled “Candidate Elections Dates” is amended as follows:

Text written in <u>BOLD, ALL CAPS AND UNDERLINED</u> indicates new language and text written in strike through represents removed language.

CHAPTER 33

CANDIDATE ELECTION DATES

SECTION:

1-33-1: DATE OF CANDIDATE ELECTIONS
1-33-2: TERM OF MAYOR AND COUNCILMEMBER

1-33-1: DATE OF CANDIDATE ELECTIONS:

The primary election for Candidates for the Offices of Mayor and Councilmember shall be held on the ~~tenth Tuesday before the first Tuesday after the first Monday in November of even-numbered years~~ **FIRST TUESDAY IN AUGUST IN ANY YEAR IN WHICH A GENERAL ELECTION OR SPECIAL ELECTION IS HELD AND AT WHICH CANDIDATES FOR PUBLIC OFFICE ARE TO BE ELECTED.** The general election, if required, shall be held on the first Tuesday after the first Monday in November of even-numbered years.

1-33-2: TERM OF MAYOR AND COUNCILMEMBER:

The term of office for the Office of Mayor and Councilmember shall commence on or after the first Monday in January in the year following the election and shall be for a period of four (4) years or until their successors are elected and qualified.

SECTION 2. RECITALS. The recitals above are fully incorporated in this Ordinance by reference.

SECTION 3. EFFECTIVE DATE. The effective date of this Ordinance shall be thirty (30) days following adoption by the City Council.

SECTION 4. PRESERVATION OF RIGHTS AND DUTIES. This Ordinance does not affect the rights and duties that matured, penalties that were incurred, or proceedings that were begun before the effective date of this Ordinance.

SECTION 5. SEVERABILITY. If any section, subsection, sentence, clause, phrase, or portion of this Ordinance or any part of the material adopted herein by reference is for any reason held to be invalid or unconstitutional by the decision of a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions thereof.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF MESA, ARIZONA, this 9th day of December, 2019.

APPROVED:

Mayor

ATTEST:

City Clerk