



Town of Chino Valley

MEETING NOTICE TOWN COUNCIL

**REGULAR MEETING
Tuesday, September 22, 2015
6:00 P.M.**

**Council Chambers
202 N. State Route 89
Chino Valley, Arizona**

AGENDA

- 1. CALL TO ORDER, INVOCATION; PLEDGE OF ALLEGIANCE; ROLL CALL**
- 2. INTRODUCTIONS, PRESENTATIONS, AND PROCLAMATIONS**
- 3. CALL TO THE PUBLIC**

Call to the Public is an opportunity for the public to address the Council concerning a subject that is not on the agenda. Public comment is encouraged. Individuals are limited to speak for three (3) minutes. The total time for Call to the Public may be up to 30 minutes per meeting. Council action taken as a result of public comment will be limited to directing staff to study the matter, scheduling the matter for further consideration and decision at a later date, or responding to criticism.

- 4. RESPONSE TO THE PUBLIC**

Response to the Public is an opportunity for the Mayor to inform the public about how Town officials addressed matters raised during Call to the Public at a previous meeting.

- 5. CURRENT EVENT SUMMARIES AND REPORTS**

This item is for information only. The Mayor, any Councilmember, or Town Manager may present a brief summary or report of current events, or ask a staff member to provide the same. Presentation on information requested by the Mayor and Council will be made and questions answered. No action will be taken.

- a. Status reports by Mayor and Council regarding current events.**

- b. Status report by Town Manager Robert Smith regarding Town accomplishments, and current or upcoming projects.

6. **CONSENT AGENDA**

All those items listed below are considered to be routine and may be enacted by one motion. Any Councilmember may request to remove an item from the Consent Agenda to be considered and discussed separately.

7. **ACTION ITEMS**

The Council may vote to recess the public meeting and hold an Executive Session on any item on this agenda pursuant to A.R.S. § 38-431.03(A)(3) for the purpose of discussion or consultation for legal advice with the Town Attorney. Executive sessions are not open to the public and no action may be taken in executive session.

- a. Council may vote to recess the regular meeting and hold an executive session pursuant to A.R.S. § 38-431.03(A)(1) for discussion or consideration of the appointment of Susan Cuka, Dean Echols, Alex Harris, Dean Keller, Susan Keller, Agustin La Sogga, Jack Miller, Lillian Morales, Kathryn Napp, Joshua Schmidt, Julie Van Wuffen, Hans Vang, Mark Vucich, or Mark Widtfeldt to fill two vacancies on the Town Council. (Vice-Mayor Croft; Councilmember Best)
- b. Consideration and possible action to (i) review and discuss the final applicants for the vacant Council positions as recommended by the Appointments Subcommittee; (ii) select two applicants to fill the vacant positions; and (iii) administer the Oath of Office to said selected applicants. (Vice-Mayor Croft; Councilmember Best)

Recommended Action: Discuss final applicants; select applicants to fill the vacant positions; and administer the Oath of Office.

- c. Consideration and possible action to waive the bidding requirements pursuant to Section 32.08 of the Town Code and to approve the purchase of two (2) used police motorcycles, including radar units, from Prescott Valley Police Department, in the total amount of \$11,500. Funds to come from the Capital Asset Replacement Fund, which has \$197,000 available that can be used for this acquisition. Funds received from the sale of the old bikes will be deposited back into this fund. (Chuck Wynn, Police Chief)

Recommended Action: Waive the bidding requirements pursuant to Town Code Section 32.08 and approve the purchase of a 2006 Harley Davidson Elektra Glide FLHTPI with ABS, Genesis II Radar system, and a 2009 Honda ST1300 with ABS Police Touring Motorcycle, rifle lock and a Kustom Golden Eagle II radar system from Prescott Valley Police Department for a total of \$11,500.

- d. Consideration and possible action to amend the Town Code and Town Council Rules of Procedure to authorize the mayor to designate another member of council to preside over a meeting at which the mayor is present and able to preside.

Recommended Action:

(i) Approve Ordinance No. 15-802 amending the Town Code, Title III Administration, Chapter 30 Governing Body, Subchapter Mayor, Section 30.023 Powers and Duties related authorizing the mayor to designate another councilmember to preside over a meeting at which the mayor is present and able to preside.

(ii) Approve amendment to Section 5 of the Chino Valley Town Council Rules of Procedure Section 30.067 of the Chino Valley Town Code to add Subsection C, authorizing the mayor to designate a councilmember to preside over a meeting at which the mayor is present and able to preside.

8. EXECUTIVE SESSION

Council may vote to recess the Regular Meeting and hold an executive session, which will not be open to the public, for the following purposes.

9. ACTION ITEMS RESUMED

After the Executive Session, Council will reconvene the Regular Meeting.

10. ADJOURNMENT

Dated this 17th day of September, 2015.

By: **Jami C. Lewis, Town Clerk**

The Town of Chino Valley endeavors to make all public meetings accessible to persons with disabilities. Please call 636-2646 (voice) or 711 (Telecommunications Arizona Relay Service) 48 hours prior to the meeting to request a reasonable accommodation to participate in this meeting.

Supporting documentation and staff reports furnished to the Council with this agenda are available for review on the Town website at <http://www.chinoaz.net/agendacenter> and in the Public Library and Town Clerk's Office.

CERTIFICATION OF POSTING

The undersigned hereby certifies that a copy of this notice was duly posted at Chino Valley South Campus, Chino Valley Post Office, and Chino Valley North Campus in accordance with the statement filed by the Town Council with the Town Clerk.

Date: _____ Time: _____ By: _____

Jami C. Lewis, Town Clerk



TOWN OF CHINO VALLEY COUNCIL AGENDA ITEM STAFF REPORT

Town Council Regular Meeting

Item No. 7. a.

Meeting Date: 09/22/2015
Contact Person: Jami Lewis, Town Clerk
 Phone: 928-636-2646 x-1208
Department: Council
Estimated length of Staff Presentation: None
Physical location of item: N/A

AGENDA ITEM TITLE:

Council may vote to recess the regular meeting and hold an executive session pursuant to A.R.S. § 38-431.03(A)(1) for discussion or consideration of the appointment of Susan Cuka, Dean Echols, Alex Harris, Dean Keller, Susan Keller, Agustin La Sogga, Jack Miller, Lillian Morales, Kathryn Napp, Joshua Schmidt, Julie Van Wuffen, Hans Vang, Mark Vucich, or Mark Widtfeldt to fill two vacancies on the Town Council. (Vice-Mayor Croft; Councilmember Best)

SITUATION & ANALYSIS:

Council may elect to conduct brief interviews with the top five candidates and/or discuss and consider the appointment of two to fill the vacancies in executive session. At the request of the Town Attorney, staff included all 14 applicants in the executive session in case Council desired to discuss the applications of any other than the top five. Staff also provided notice to all the applicants regarding the executive session as required by A.R.S. § 38-431.03(A)(1). The Appointments Subcommittee recommended that the executive session and action item be scheduled at the beginning of the Action Items.

Attachments

No file(s) attached.

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TOWN OF CHINO VALLEY COUNCIL AGENDA ITEM STAFF REPORT

Town Council Regular Meeting

Item No. 7. b.

Meeting Date: 09/22/2015
Contact Person: Jami Lewis, Town Clerk
 Phone: 928-636-2646 x-1208
Department: Council
Item Type: Action Item
Estimated length of staff presentation: 5 minutes
Physical location of item: N/A

AGENDA ITEM TITLE:

Consideration and possible action to (i) discuss the final applicants for the vacant Council positions as recommended by the Appointments Subcommittee; (ii) select applicants to fill the two vacant positions; and (iii) administer the Oath of Office to selected applicants.

RECOMMENDED ACTION:

Discuss final applicants; select applicants to fill the two vacant positions; and administer Oath of Office.

SITUATION AND ANALYSIS:

Issue Statement

On August 11, 2015, Council directed the Appointments Subcommittee to retain the applications from the previous recruitment, re-advertise for the two new vacant positions, interview new applicants, and make a recommendation to Council of five (5) of the candidates for consideration of appointing two to the positions.

Applicable "Policy"

Recommendations from the Town Attorney, dated May 19, 2015.

Satisfaction of "Policy"

Council followed the Town Attorney's recommendations for the previous recruitment and directed staff to do so with this subsequent recruitment.

Summary of Issues and Staff Rationale

The subcommittee interviewed seven new applicants on September 8, 2015. After scoring the interviews, they then ranked them along with seven previous applicants who had indicated an interest in being considered for the current vacancies. The subcommittee is now forwarding the top five of the 14 total applicants to Council for possible action to select two to fill the vacant positions.

Council had previously indicated that they wanted their selected applicants to receive the Oath of Office

and be seated immediately. A.R.S. § 38-431.01(G) requires that: "A person elected or appointed to a public body shall review the open meeting law (OML) materials at least one day before the day that person takes office." If the person selected has not read the OML materials, he/she may not be seated until he/she has met that requirement. Staff will inform the top five applicants that they should review the OML material prior to this meeting.

Findings of Fact

N/A

Other Pertinent Documents Available Upon Request:

(A report from the Council Appointments Subcommittee and applications of the five recommended applicants are attached for Council only.)

Fiscal Impact

Fiscal Impact?: No

If Yes, Budget Code:

Available:

Funding Source:

Attachments

Pages 9-34 have been removed from the public packet.



TOWN OF CHINO VALLEY COUNCIL AGENDA ITEM STAFF REPORT

Town Council Regular Meeting

Item No. 7. c.

Meeting Date: 09/22/2015
Contact Person: Chuck Wynn, Police Chief
 Phone: 928-636-2646 x-1258
Department: Police
Item Type: Action Item
Estimated length of staff presentation: None
Physical location of item: N/A

AGENDA ITEM TITLE:

Consideration and possible action to waive the bidding requirements pursuant to Section 32.08 of the Town Code and to approve the purchase of two (2) used police motorcycles, including radar units, from Prescott Valley Police Department, in the total amount of \$11,500.

RECOMMENDED ACTION:

Move to waive the bidding requirements pursuant to Town Code Section 32.08 and approve the purchase of a 2006 Harley Davidson Elektra Glide FLHTPI w/ABS, with Genesis II Radar system and a 2009 Honda ST1300 w/ABS Police Touring Motorcycle with rifle lock and a Kustom Golden Eagle II radar system from Prescott Valley Police Department for a total of \$11,500.

SITUATION AND ANALYSIS:

Issue Statement

The Chino Valley Police Dept. was notified by the Prescott Valley Police Dept. that they are selling all of their police motorcycles. Currently, the CVPD has 4 motorcycles; 3 used for Patrol, which include a Harley Davidson, a Honda and a Kawasaki. The 4th motorcycle is also a Kawasaki, which has been used as a trainer/crash bike (necessary for officers attending training as to not damage the patrol bikes). At this time, the engine in the crash bike is blown and the repair cost outweighs the value of the bike. The patrol Kawasaki has had ongoing mechanical issues, is currently not running and also does not have a radar unit. The Honda has also been having ongoing mechanical problems and most recently required almost two thousand dollars in repairs.

We propose purchasing the 2006 Harley Davidson Electra Glide FLHTPI w/ABS, with Genesis II Radar system and the 2009 Honda ST1300 w/ABS Police Touring Motorcycle with rifle lock and a Kustom Golden Eagle II radar system from Prescott Valley Police Dept. for a total of \$11,500. These motorcycles have significantly less mileage than any of the current CVPD bikes and both come with mounted radar units (which would cost approximately \$4,600 new). We are requesting an additional \$2,000 so the bikes can be fully serviced and the decaling changed.

These two motorcycles, along with the CVPD's current Harley Davidson, will be used for patrol work. The departments current Honda will be relegated to the training/crash bike and the 2 Kawasaki's will be sold.

Applicable "Policy"

Town Code Section 32.05(B) requires three oral bids before purchases between \$ 2,500 and \$10,000 and Section 32.05(C) requires three informal written bids for purchases of between \$10,000 and \$20,000. Section 32.08(B) authorizes the Town Council to waive the bidding requirements for purchases of used equipment. Unless the bidding requirements are waived, Staff will need to obtain 2 additional bids prior to making the purchase. Since these specialized motorcycles are used and available at a reasonable price, Staff recommends Council waive the bidding requirements with respect to these proposed purchases.

Satisfaction of "Policy"

Summary of Issues and Staff Rationale

Two of the motorcycles the department currently owns have been out of commission for several months due to mechanical issues and one of them does not have a radar unit. The crash bike used for training has a blown engine and requires more work than it is worth.

It is considerably more economical to purchase these two police motorcycles (including radar units) from PVPD than to purchase two new motorcycles and have them fitted as police units with radar units.

CVPD would then sell two Kawasaki's, off-setting part of the purchase price.

Findings of Fact

Fiscal Impact

Fiscal Impact?: Yes

If Yes, Budget Code: Fund 10

Available: 11,500

Funding Source:

The Town did not budget for this purchase this fiscal year. However, the Town has \$197,000 available in the Capital Asset Replacement Fund that can be used for this acquisition. The fund collected over \$60,000 in Sales Tax Audit Revenues last fiscal year and is currently projecting a minimum of \$18,000 this fiscal year.

Funds received from the sale of the old bikes will be deposited back into the Capital Asset Replacement Fund (10).

Attachments

No file(s) attached.



TOWN OF CHINO VALLEY COUNCIL AGENDA ITEM STAFF REPORT

Town Council Regular Meeting

Item No. 7. d.

Meeting Date: 09/22/2015
Contact Person: Phyllis Smiley, Town Attorney
Department: Town Attorney
Item Type: Action Item
Estimated length of staff presentation: 5 minutes
Physical location of item: N/A

AGENDA ITEM TITLE:

Consideration and possible action to amend the Town Code and Town Council Rules of Procedure to authorize the mayor to designate another member of council to preside over a meeting at which the mayor is present and able to preside.

RECOMMENDED ACTION:

Approve two motions:

1. Motion to approve Ordinance No. 15-802 amending the Town Code, Title III Administration, Chapter 30 Governing Body, Subchapter Mayor, Section 30.023 Powers and Duties related authorizing the mayor to designate another councilmember to preside over a meeting at which the mayor is present and able to preside.
2. Motion to approve amendment to Section 5 of the Chino Valley Town Council Rules of Procedure Section 30.067 of the Chino Valley Town Code to add Subsection C, authorizing the mayor to designate a councilmember to preside over a meeting at which the mayor is present and able to preside.

SITUATION AND ANALYSIS:

Issue Statement

Recently, the Town Attorney was asked if the mayor could designate another councilmember to run a meeting where the mayor remained on the dais and then acted as a regular member of Council. The Town Attorney reviewed the Town Code and the Council Rules of Procedure and discovered that, pursuant to Section 30.023 of the Town Code and Section 5 of the Council Rules of Procedure, the mayor shall be the Chairperson of the Council and preside over its meetings. If the mayor is absent from a meeting unable to preside over a meeting, the vice mayor shall preside but there is currently no provision for another councilmember to preside or for anyone other than the mayor to preside over a meeting where the mayor is present and able to preside. There was no provision allowing the mayor to "pass the gavel" for a specific meeting. Mayor Marley requested the Town Attorney to prepare the ordinance and amendment to the Rules of Procedure for Council's consideration.

Applicable “Policy”

Satisfaction of “Policy”

Summary of Issues and Staff Rationale

Findings of Fact

Fiscal Impact

Fiscal Impact?: None

If Yes, Budget Code:

Available:

Funding Source:

Attachments

Council Rules of Procedure Proposed Amendment

Ordinance No 15-802

Amendment to:

**CHINO VALLEY TOWN COUNCIL
RULES OF PROCEDURE
SECTION § 30.067 OF THE CHINO VALLEY TOWN CODE**

(Approved September 22, 2015)*

Section 1. General Rules

The rules of parliamentary practice contained in the most recent edition of Robert's Rules of Order shall govern the council meetings in all cases to which they are applicable, provided they are not in conflict with these rules, the laws and regulations of the Town of Chino Valley, or the Arizona Revised Statutes.

Section 2. Conflict of Interest

Council members occupy positions of public trust. Council members shall strictly adhere to both the spirit and the letter of the laws of the State of Arizona pertaining to conflict of interest.

Section 3. Sergeant-at-Arms

The Chief of Police, or other designated member of the Police Department, may be sergeant-at-arms at the regular meetings of the Council and at any other meetings when requested by the chairperson or the Town Manager.

Section 4. Council Meetings

The Council shall hold regular and special meetings according to the provisions of the Town Code.

- A. Council meetings shall be conducted in accordance with these rules unless a motion to suspend the rules is approved by a three-fourths (3/4) majority vote.
- B. The Council may meet in Executive Session only as provided by the Arizona Revised Statutes.
- C. Study Sessions are public meetings of the Council at which no formal vote is taken. Their primary purpose is for the exchange of information between the Council, staff and/or designated persons and detailed discussion of specific topics.

Section 5. Presiding Officer

* The amendment approved is the addition of Section 5(C), which is shown in ALL CAPS.

- A. The Mayor, or in his or her absence the Vice-Mayor, shall be the chairperson of all meetings of the Council.
- B. In the absence of the Mayor and Vice-Mayor, the Town Clerk shall call the Council to order. If a quorum is present, the Council members shall proceed to elect, by majority vote, a chairperson for the meeting.
- C. AT ANY MEETING WHERE THE MAYOR IS PRESENT AND ABLE TO PRESIDE, THE MAYOR MAY DESIGNATE A COUNCILMEMBER TO PRESIDE OVER THAT MEETING AND, UPON DESIGNATING THE COUNCILMEMBER, THE MAYOR MAY RELINQUISH THE CHAIR TO THAT COUNCILMEMBER FOR THAT MEETING ONLY.

Section 6. Conduct of Meetings

The chairperson shall decide all questions of order, subject to appeal by the Council.

- A. Council members wishing to speak shall be first recognized by the chairperson.
- B. The chairperson shall have the authority to preserve order and decorum during meetings. Any remarks shall be addressed to the chairperson and to any or all members of the Council. No member of the staff or Council shall enter into any discussion, either directly or indirectly, without having first obtained the floor by permission of the chairperson.
- C. The rules for members of the public to address the Council shall be noted in accordance with the most recent format adopted by the Council.

Section 7. Right of Appeal

Any council member may appeal from a ruling of the chairperson.

- A. The motion to appeal must be seconded.
- B. The maker of the appeal may briefly state his case.
- C. There shall be no debate or discussion of the appeal.
- D. The chairperson shall ask the question, "Shall the decision of the Chair be upheld?" A majority of "aye" votes upholds the ruling of the Chairperson.

Section 8. Motions

Items shall be discussed and voted upon using the following procedure: (1) The Mayor shall read the agenda item as it appears in the agenda. (2) Staff may present a report of the agenda item. (3) Council members may ask questions of staff concerning the

staff report. (4) The Mayor may call for public discussion of the matter. (5) Council members shall discuss the item among themselves as needed. (6) Council members shall make and second a motion concerning the agenda item. (7) The Mayor shall call for a vote on the motion.

Section 9. Voting

The vote on any question shall be taken simultaneously.

- A. A majority vote of the Council shall be a majority of the legal votes cast. Abstention from voting by a Council member shall not constitute a legal vote.
- B. If the chairperson is unable to accurately determine the result of the vote, he or she may request a vote by roll call to be taken by the Town Clerk. A request by any member of the Council for vote by roll shall be honored by the chairperson.
- C. There shall be no discussion or speaking on the subject of the vote during or after the vote is taken.

Section 10. Meeting Agendas and Preparation

The agenda format for council meetings shall be in accordance with the most recent format adopted by the Council for the particular meeting(s) in question. Agendas shall be prepared in accordance with the most recent rules adopted by the Council.

- A. Items may be placed on a Council agenda by the Mayor, the Town Manager, or any two Council members. Said agenda items must be submitted in writing by the submission deadline date.
- B. All agenda items for a regular meeting shall be submitted to the Town Clerk thirteen days before the scheduled Council meeting date. An agenda item may be submitted after the due date if it is approved for placement on the agenda by the Mayor, Town Manager, or any two Council members.
- C. Council agendas, staff memorandums and other backup materials (agenda packets) shall be ready for distribution to Council members and the media one week before the regularly scheduled meeting.

Section 11. Motion to Adjourn

A motion to adjourn is debatable only as to the time to which the meeting is to be adjourned.

Section 12. Petitions

All petitions submitted to the Mayor and Council during the regular course of business shall be considered in accordance with the laws of the State of Arizona and the Town Code of the Town of Chino Valley.

Section 13. Public Participation

A. General Rules

It is the Council's desire to hear public comment on regular and special meeting agenda items. Because it is important to maintain order during the meeting, members of the public are expected to observe the same rules of propriety and decorum applicable to members of the Council. Personal, impertinent or slanderous remarks are not acceptable. Persons not conducting themselves in an acceptable manner will be warned by the chairperson. Any person persisting in such conduct will be removed by the Sergeant-at-Arms.

B. Rules for addressing the Council

1. Persons addressing the Council will first state their name in an audible tone and will indicate whether or not they are a resident of Chino Valley.
2. All remarks shall be directed to the Mayor and Council, not to the public.
3. Persons who wish to address the Council concerning items on the agenda may be heard following the staff report and must first be recognized by the chairperson.
4. Members of the public shall limit their remarks to the agenda item under consideration.
5. The person representing citizen groups shall so identify himself and the name of the group or the number of persons he represents.
6. Cumulative or redundant speeches to the Council may be terminated by the chairperson or at the request of a council member.
7. Persons with material to hand out should provide it to the recording clerk for distribution to the Council and staff. Ten copies of each document are needed to ensure a sufficient number of handouts.
8. TIME LIMIT: 3 MINUTES PER PERSON.
9. Requests to exceed the three-minute time limit should be submitted to the Town Clerk prior to the meeting.
10. Political campaigning is prohibited.

11. Speakers shall not discuss employee performance, employee evaluations, or employee health, family, or personal matters.

C. Call to the Public

Call to the Public is an opportunity for the public to address the Council concerning a subject that is not on the agenda. Public comment is encouraged. Individuals are limited to speak for three (3) minutes. The total time for Call to the Public may be up to 30 minutes per meeting. Council action taken as a result of public comment will be limited to directing staff to study the matter, scheduling the matter for further consideration and/or decision at a later date, or responding to speaker remarks.

D. Study Sessions

Members of the public shall be permitted to speak and/or discuss an agenda item only with the permission of the chairperson or at the request of a council member.

Section 14. Committees, Boards and Commissions

Committees, boards, and commissions shall be created in accordance with Section § 30.071 of the Chino Valley Town Code.

Section 15. Amendment

These rules may be amended at any Regular or Special Meeting of the Council by a two-thirds (2/3) majority vote.

ORDINANCE NO. 15- 802

AN ORDINANCE OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF CHINO VALLEY, ARIZONA, AMENDING THE TOWN CODE OF THE TOWN OF CHINO VALLEY, ARIZONA, TITLE III ADMINISTRATION, CHAPTER 30 GOVERNING BODY, SUBCHAPTER MAYOR, BY AMENDING SECTION 30.023 POWERS AND DUTIES, RELATED TO AUTHORIZING THE MAYOR TO DESIGNATE ANOTHER COUNCILMEMBER TO PRESIDE OVER A MEETING; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY AND PROVIDING PENALTIES;

NOW, THEREFORE, BE IT ORDAINED by the Common Council of the Town of Chino Valley, Arizona, as follows:

Section 1. In General.

The Town Code of Chino Valley, Arizona, Title III Administration, Chapter 30 Governing Body, Subchapter Mayor, Section 30.023 Powers and Duties is hereby amended to read as follows (additions shown in ALL CAPS; deletions shown in ~~strikeout~~):

The powers and duties of the Mayor shall include the following:

* * *

(B) He or she shall be the Chairperson of the Council and preside over its meetings. AT ANY MEETING WHERE THE MAYOR IS PRESENT AND ABLE TO PRESIDE, THE MAYOR MAY DESIGNATE A COUNCILMEMBER TO PRESIDE OVER THAT MEETING AND, UPON DESIGNATING THE COUNCILMEMBER, THE MAYOR MAY RELINQUISH THE CHAIR FOR THAT MEETING ONLY. ~~He or she~~THE MAYOR AND ANY COUNCILMEMBER DESIGNATED BY THE MAYOR TO PRESIDE OVER A MEETING may make and second motions and shall have a voice and vote in all ~~its~~COUNCIL proceedings.

* * *

Section 2. Providing for Repeal of Conflicting Ordinances.

All ordinances and parts of ordinances in conflict with the provisions of this Ordinance or any part of the Code adopted herein by reference, are hereby repealed.

Section 3. Providing for Severability.

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

Section 4. Providing for Penalties

Any person found responsible for violating any provision of this Ordinance section shall be subject to the civil sanctions and habitual offender provisions set forth in Section 10.99(A), (B) and (D) of the Town Code of the Town of Chino Valley, Arizona.

PASSED AND ADOPTED by the Mayor and Common Council of the Town of Chino Valley, Arizona, this _____ day of _____, 2015 by the following vote:

AYES: _____

ABSENT: _____

NAYS: _____

ABSTAINED: _____

APPROVED this _____ day of _____, 2015.

Chris Marley, Mayor

ATTEST:

Jami C. Lewis, Town Clerk

APPROVED AS TO FORM:

Curtis, Goodwin, Sullivan, Udall & Schwab, PLC
Town Attorneys
By: Phyllis L.N. Smiley

I, JAMI LEWIS, TOWN CLERK, DO HEREBY CERTIFY THAT A TRUE AND CORRECT COPY OF THE ORDINANCE NO. _____ ADOPTED BY THE COMMON COUNCIL OF THE TOWN OF CHINO VALLEY ON THE _____ DAY OF _____, 2015, WAS POSTED IN THREE PLACES ON THE _____ DAY OF _____, 2015.

Jami C. Lewis, Town Clerk