

MARANA ORDINANCE NO. 2023.014

RELATING TO ELECTIONS; ADOPTING REVISIONS TO MARANA TOWN CODE TITLE 2 (MAYOR AND COUNCIL), CHAPTER 2-2 (COUNCIL ELECTION); REVISING SECTION 2-2-1 (PRIMARY ELECTION; DATE; DECLARATION OF ELECTED CANDIDATE) TO AMEND PARAGRAPH B TO EXPRESSLY REFER TO A.R.S. § 9-821.01, WHICH DETERMINES HOW TO CALCULATE A MAJORITY OF VOTES CAST; AND DESIGNATING AN EFFECTIVE DATE

WHEREAS Section 2-2-1 of the Marana Town Code provides that any candidate who receives a majority of the votes cast at a primary election shall be declared elected to the office for which he or she is a candidate; and

WHEREAS A.R.S. § 9-821.01 sets forth the method by which a majority of the votes cast is determined; and

WHEREAS greater clarity is brought to the Marana Town Code by expressly referencing A.R.S. § 9-821.01 in Section 2-2-1; and

WHEREAS the Town Council finds that revising Chapter 2-2 of the Marana Town Code as set forth in this ordinance is in the best interests of the Town and its residents.

NOW THEREFORE BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE TOWN OF MARANA, as follows:

SECTION 1. Section 2-2-1 (Primary election; date; declaration of elected candidate) of the Marana Town Code is hereby revised as follows (with additions shown with double underlining):

2-2-1 Primary election; date; declaration of elected candidate

[No revisions to paragraph A.]

B. Any candidate who receives at the primary election a majority of all the votes cast, as determined by the calculation set forth in A.R.S. § 9-821.01, shall be declared elected to the office for which he or she is a candidate effective as of the date of the general election, and no further election shall be held as to that candidate, provided that if more candidates receive a majority of the votes than there are offices to be filled, then those equal in number to the offices to be filled receiving the highest number of votes shall be declared elected.

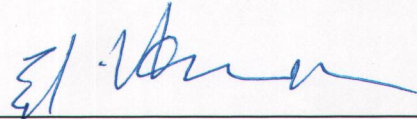
SECTION 2. The various town officers and employees are authorized and directed to perform all acts necessary or desirable to give effect to this ordinance.

SECTION 3. All ordinances, resolutions, or motions and parts of ordinances, resolutions, or motions of the Council in conflict with the provisions of this ordinance are hereby repealed, effective as of the effective date of this ordinance.

SECTION 4. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, the decision shall not affect the validity of the remaining portions of this ordinance.

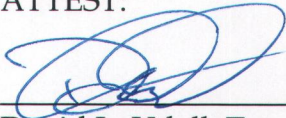
SECTION 5. This ordinance shall be effective on the 31st day after its adoption.

PASSED AND ADOPTED BY THE MAYOR AND COUNCIL OF THE TOWN OF MARANA, Arizona, this 16th day of May 2023.



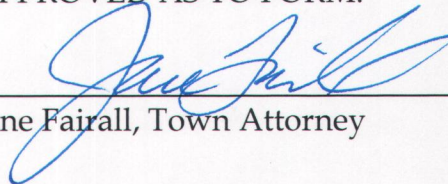
Mayor Ed Honea

ATTEST:



David L. Udall, Town Clerk

APPROVED AS TO FORM:



Jane Fairall, Town Attorney

