



## ORDINANCE 2016-A416

### AN ORDINANCE OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF CAMP VERDE, YAVAPAI COUNTY, ARIZONA, AMENDING SECTION 3-2-7 OF THE TOWN CODE REGARDING TOWN ATTORNEY. Superseding 2002-A220

**Whereas**, The Town Code description for the Town Attorney needs to be updated and clarified and,

**NOW THEREFORE, BE IT ORDAINED BY THE MAYOR AND COMMON COUNCIL OF THE TOWN OF CAMP VERDE AS FOLLOWS:**

Section 1. Section 3-2-7 Town Attorney is amended to read:

#### **Section 3-2-7 Town Attorney**

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- A. **Office Established.** The office of Town Attorney is hereby established. The Town Attorney shall be appointed by a majority vote of the Council on the basis of ability and shall hold office pursuant to Sections 3-1-3.A and 3-1-3.B of this code.
- B. **Powers and Duties.**
1. The Town Attorney is the administrative head of the legal department under the direction and control of the Council.
  2. The Town Attorney shall act as the legal counselor and advisor of the Council and other Town officials. The Town Attorney shall give his opinion in writing when requested. Major issues should be subject to Council review and majority direction. Any request that is estimated by the Town Attorney to exceed two (2) hours to complete will be considered a major issue that should be placed on the agenda.
  3. If there is a legal issue concerning an agenda item, the Town Attorney may be requested by the Mayor, after direction by the Council, to provide a written opinion to Council, call for a vote for an Executive Session, or to discuss the matter with the interested Council Member in private, rather than give impromptu opinions during the meeting. The Town Manager may also request a formal written opinion in advance of a meeting regarding minor issues. This would not prevent the Attorney from responding to questions on procedures, or explaining the provisions of forms or documents related to the agenda items.
  4. The Town Attorney shall draft and/or review deeds, contracts, conveyances, ordinances, resolutions, and other legal instruments when required. Major issues should be subject to Council review and majority direction. Any request that is estimated by the Town Attorney to exceed two (2) hours to complete will be considered a major issue that should be placed on the agenda.
  5. The Town Attorney shall approve or disapprove as to form, in writing, all documents submitted to the Town Attorney.


6. The Town Attorney shall return, within ten days, all ordinances and resolutions submitted to him for consideration, with the Town Attorney's approval or disapproval as to form noted thereon, together with his reasons therefore if disapproved.
7. The Town Attorney shall handle or monitor all suits, actions, or causes where the Town is a party and report to the Council, when required, the condition of any suit or action to which the Town is a party. Any contract or consulting attorney or legal representative shall report to the Town Attorney who will act as liaison to the Council. No individual Council Member shall be allowed to directly contact contract attorneys **WHO MUST REPORT TO THE TOWN ATTORNEY. WHEN THE TOWN ATTORNEY IS A CONTRACT ATTORNEY, EACH INDIVIDUAL COUNCIL MEMBER (OTHER THAN THE MAYOR) MUST COORDINATE ANY CONTACT WITH THE CONTRACT TOWN ATTORNEY THROUGH THE TOWN MANAGER, UNLESS THE CONTACT INVOLVES A POSSIBLE CHARGE AGAINST THE TOWN MANAGER OR A CONFLICT OF INTEREST OF THE TOWN MANAGER, IN WHICH CASE THE INDIVIDUAL COUNCIL MEMBER MUST COORDINATE ANY CONTACT WITH THE CONTRACT TOWN ATTORNEY THROUGH THE MAYOR.** In the event of conflict of interest or unavailability, the Town Manager shall be liaison to that specific item.

**Section 2.** All Ordinances or parts of ordinances adopted by the Town of Camp Verde in conflict with the provisions of the ordinance or any part of the code adopted herein by reference, are hereby repealed, effective as of the day this ordinance is effective.

**Section 3.** This ordinance is effective upon completion of publication and any posting as required by law.

**PASSED AND APPROVED** by a majority vote of the Town Council of Camp Verde, Arizona, this 2<sup>nd</sup> day of March 2016.

Approved as to Form:

  
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William Sims, Town Attorney

  
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Charles German – Mayor

Attest:

 3-18-16  
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Virginia Jones – Town Clerk