



**TOWN OF CAMP VERDE, ARIZONA
ORDINANCE NO. 2023-481**

AN ORDINANCE OF THE TOWN OF CAMP VERDE, YAVAPAI COUNTY, ARIZONA, ADOPTING BY REFERENCE CHAPTERS ONE (1), TWO (2) AND THREE (3) UP TO AND INCLUDING SECTION 3-2-1.1 OF THE TOWN OF CAMP VERDE TOWN CODE. A RECODIFICATION OF SELECTED PRIOR ORDINANCES OF THE TOWN, AND PROSCRIBING PENALTIES FOR VIOLATIONS THEREOF, AND DECLARING AN EMERGENCY.

Section 1. Adoption by Reference. Pursuant to A.R.S. Section 9-802 (as amended) the Town hereby adopts for application and enforcement the Town of Camp Verde Town Code, dated June 7, 2023, a compilation of selected previously-adopted and modified ordinances that are declared a public record pursuant to Resolution 2023-1112 and attached thereto.

Section 2. Effective Date. This Ordinance is declared to be an emergency measure necessary for the immediate preservation of the peace, health, safety, and general welfare of the people of the Town of Camp Verde and shall take effect immediately upon adoption by the Town Council as required by law.

Section 3. Repeal. The Town of Camp Verde Town Code generally excludes ordinances concerning zoning, taxation, or adoption of intergovernmental agreements.

Section 4. Copies of the Town Code. At least three (3) copies of the Town of Camp Verde Town Code, Chapters one (1) and two (2) and three (3) up to and including Chapter three (3) Section 3-2-1.1 dated June 7, 2023, and any future amendments or revisions, shall be kept on file in the office of the Town Clerk for public access. Additional copies may be purchased by the public at nominal cost for materials and reproduction. Copies placed for public access shall be readily available for public inspection during normal working hours.

Section 5. Penalty. Pursuant to A.R.S. Section 9-240. B.29 and A.R.S. Section 13-602, it is hereby declared that any violation of the Chapters one (1), two (2) and three (3) up to and including Chapter 3-2-1.1 of the Camp Verde Town Code, dated June 7, 2023, and revisions adopted thereto is a Class 2 misdemeanor, with punishment as provided by law, unless otherwise specified within a particular section of the Code. For purposes of A.R.S. Section 9-803, the provisions of the Town of Camp Verde Town Code concerning penalty clauses are set forth on Exhibit A to this Ordinance.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Common Council of the Town of Camp Verde, Arizona, as follows:

PASSED, ADOPTED AND APPROVED by a majority vote of the Mayor and Common Council of the Town of Camp Verde, Yavapai County, Arizona, this 7th day of June 2023.


Dee Jenkins, Mayor

Attest:


Cindy Pemberton, Town Clerk

Approved as to form.


Trish Stuhan, Town Attorney



RESOLUTION 2023-1112

**A RESOLUTION OF THE MAYOR AND COMMON COUNCIL
OF THE TOWN OF CAMP VERDE, YAVAPAI COUNTY, ARIZONA, DECLARING
CHAPTERS ONE (1), TWO (2) AND THREE (3), UP TO AND INCLUDING SECTION
3-2-1.1 OF THE CAMP VERDE TOWN CODE DATED JUNE 7, 2023 TO BE A PUBLIC
RECORD.**

Whereas, A.R.S. Section 9-802 permits the enactment and publication by reference of a code or public record, including a statute, rule or regulation of the municipality, in the interest of economy, and

Whereas, the document entitled Chapters one (1), two (2) and three (3) up to and including Section 3-2-1.1 of the Town of Camp Verde Town Code, dated June 7, 2023 is a lengthy re-codification of prior ordinances and resolutions enacted by the Town, together with additions and amendments, to be adopted by Ordinance 2023-A481, and which would qualify for enactment by reference by law.

NOW THEREFORE THE MAYOR AND THE COMMON COUNCIL OF THE TOWN OF CAMP VERDE HEREBY DECLARE CHAPTERS ONE (1), TWO (2) AND THREE (3) UP TO AND INCLUDING SECTION 3-2-1.1 OF THE TOWN OF CAMP VERDE TOWN CODE, ATTACHED HERETO AND INCORPORATED HEREIN, TO BE A PUBLIC RECORD PURSUANT TO A.R.S. SECTION 9-802, TO BE ENACTED BY ORDINANCE 2023-A481, AND ORDER THAT THREE (3) COPIES, OR ONE (1) PAPER COPY AND ONE (1) ELECTRONIC COPY, OF CHAPTERS ONE (1), TWO (2) AND THREE (3) OF THE TOWN CODE, TOGETHER WITH ANY FUTURE AMENDMENTS OR ADDITIONS WHICH ARE ADOPTED, BE PERMANENTLY FILED IN THE OFFICE OF THE TOWN CLERK AND AVAILABLE FOR PUBLIC INSPECTION.

PASSED, APPROVED AND ADOPTED by the Mayor and Common Council of the Town of Camp Verde, Yavapai County, Arizona, on the 7th day of June 2023.

PASSED AND ADOPTED:

Dee Jenkins, Mayor

Attest:

Cindy Pemberton, Town Clerk

Rev. 06-07-2023

Approved as to form:

Trish Stuhan-Town Attorney

TOWN OF CAMP VERDE TOWN CODE
CHAPTER 1
GENERAL

ARTICLE 1-1

HOW CODE DESIGNATED AND CITED (1996-A116) (2006-A332) (2023-A481)

The ordinances embraced in the following chapters and sections shall constitute and be designated "The Code of the Town of Camp Verde, Arizona," and may be so cited. Such code may also be cited as the "Camp Verde Town Code."

ARTICLE 1-2

CONSTRUCTION OF ORDINANCES

The rules and the definitions set forth in this chapter shall be observed in the construction of this code and the ordinances of the Town unless such construction would be inconsistent with either the obvious intent of the Council, the context of this code or the ordinances of the Town.

ARTICLE 1-3

DEFINITIONS

SECTION 1-3-1 GENERAL RULE REGARDING DEFINITIONS

All words and phrases shall be construed and understood according to the common and approved use of the language; but technical words and phrases and such others as may have acquired a peculiar and appropriate meaning in the law shall be construed and understood according to such peculiar and appropriate meaning.

SECTION 1-3-2 DEFINITIONS (2021-A460)

Acts by Agents. When an act is required to be done which may by law be done by an agent as the principal, such requirements shall be construed to include all such acts when done by an authorized agent.

And, Or. "And" may be read "or," and "or" may be read "and," if the sense requires it.

Code. When the word "code" is used, it shall mean the Town Code of the Town of Camp Verde, Arizona unless the context indicates otherwise.

Council. When the word "Council" is used, it shall mean the Town Council of the Town of Camp Verde.

County. When the word "county" is used, it shall mean Yavapai County, Arizona unless the context clearly indicates otherwise.

Day. "Day" is the period of time between any midnight and the midnight following.

Daytime, Nighttime. "Daytime" is the period of time between sunrise and sunset. "Nighttime" is the period of time between sunset and sunrise.

Department, Board, Commission, Office, Officer or Employee. Whenever any "department, board, commission, office, officer or employee" is referred to, it shall mean a department, board, commission, office, officer or employee of the Town unless the context indicates otherwise.

Gender; Singular and Plural. Words of the masculine gender include the feminine; words in the singular include the plural and words in the plural include the singular.

Joint Authority. All words purporting to give a joint authority to three or more Town officers or other persons shall be construed as giving such authority to a majority of such officers or other persons unless it shall be otherwise expressly declared in the law giving the authority.

Month. "Month" means a calendar month.

Oath. "Oath" includes an affirmation in all cases in which, by law, an affirmation may be substituted for an oath and in such cases the words "swear" and "sworn" shall be equivalent to the words "affirm" and "affirmed".

Open Space. Land owned and/or managed by the Town or other government agency for the purpose of public access or public recreation or for preservation of scenic, cultural or natural resource values. Open Space includes trails and waterways passing through or adjacent to public land. FOR THE PURPOSE OF THIS SECTION, OPEN SPACE DOES NOT INCLUDE DESIGNATED PARKING AREAS.

Owner. The word "owner" applied to a building or land shall include any part owner, joint owner, tenant in common, joint tenant or lessee of the whole or of part of such building or land.

Person. The word "person" includes a corporation, company, partnership, association or society as well as a natural person.

Personal Property. The term "personal property" includes every species of property, except real property as defined in this section.

Preceding, Following. The words "preceding" and "following" mean next before and next after, respectively.

Property. The term "property" includes lands, tenements and hereditament and personal property.

Real Property. The term "real property" includes lands, tenements and hereditament.

Shall, May. "Shall" is mandatory and "may" is permissive.

Signature or Subscription by Mark. "Signature" or "subscription" includes a mark when the signer or subscriber cannot write, such signer's or subscriber's name being written near the mark by a witness who writes his own name near the signer's or subscriber's name; but a signature or subscription by mark can be acknowledged or can serve as a signature or subscription to a sworn statement only when two witnesses so sign their own names thereto.

State. Whenever "state" is referenced, it shall mean the State of Arizona unless the context clearly requires otherwise.

Tenant or Occupant. The word "tenant" or "occupant" applied to a building or land shall include any person holding a written or an oral lease of, or who occupies the whole or part of such building or land, either alone or with others.

Tenses. The present tense includes the past and future tenses, and the future includes the present.

Time: Computation. The time within which an act is to be done as provided in this code or in any order issued pursuant to any ordinance, when expressed in days, shall be computed by excluding the first day and including the last, except that if the last day is a Saturday, Sunday or holiday it shall be excluded; and when such time is expressed in hours, the whole of Saturday, Sunday or a holiday, from midnight to midnight, shall be excluded.

Time: Reasonable. In all cases where any section of this code shall require any act to be done in a reasonable time or reasonable notice to be given, such reasonable time or notice shall be deemed to mean such time only as may be necessary for the prompt performance of such duty or compliance with such notice.

Town. When the word "Town" is used, it shall mean the Town of Camp Verde, Yavapai County, Arizona, except as otherwise provided. The words "in the Town" or "within the Town" shall mean and include all territory over which the Town has jurisdiction for the exercise of its police powers or other regulatory powers as authorized by statute.

Week. A week consists of seven consecutive days.

Trails. A trail, lane, path, or other publicly owned right-of-way, that because of its scenic value, access to publicly owned open space, or because of its topographical nature, has as its primary purpose recreational use of the trail itself.

Waterways. perennial rivers and streams, located within the Town limits, to include the Verde River, Oak Creek, wet Beaver Creek, and West Clear Creek.

Writing. The term "writing" means any form of recorded message capable of comprehension by ordinary visual means. Whenever any notice, report, statement or record is required or authorized by this code, it shall be made in writing in the English language unless expressly provided otherwise.

Year. "Year" means a calendar year unless otherwise provided.

ARTICLE 1-4

REFERENCE TO CHAPTERS, ARTICLES, OR SECTIONS:

SECTION 1-4-1 ADDITIONAL RULES OF CONSTRUCTION

In addition to the rules of construction specified in Articles 1-2 and 1-3, the rules set forth in this Article shall be observed in the construction of this code.

SECTION 1-4-2 REFERENCES TO THIS CODE

All references to chapters, articles, or sections are to the chapters, articles, and sections of this code unless otherwise specified.

SECTION 1-4-3 CONFLICTING PROVISIONS--DIFFERENT CHAPTERS

If the provisions of different chapters of this code conflict with or contravene each other, the provisions of each chapter shall prevail as to all matters and questions growing out of the subject matter of such chapter.

SECTION 1-4-4 CONFLICTING PROVISIONS--SAME CHAPTER

If conflicting provisions are found in different sections of the same chapter, the provisions of the section that is last in numerical order shall prevail unless such construction is inconsistent with the meaning of such chapter.

ARTICLE 1-5

SECTION HEADINGS

Headings of the several sections of this code are intended as a convenience to indicate the contents of the section and do not constitute part of the law.

ARTICLE 1-6

EFFECT OF REPEAL

When any ordinance repealing a former ordinance, clause or provision shall be itself repealed, such repeal shall not be construed to revive such former ordinance, clause or provision, unless it shall be expressly so provided. The repeal of an ordinance shall not affect any punishment or penalty incurred before the repeal took effect nor any suit, prosecution or proceeding pending at the time of the repeal, for any offense committed under the ordinance repealed.

ARTICLE 1-7

SEVERABILITY OF PARTS OF CODE

It is hereby declared to be the intention of the Council that the sections, paragraphs, sentences, clauses and phrases of this code shall be severable, and, if any provision of this code is held unconstitutional for any reason by a court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining provisions of the code.

ARTICLE 1-8

PENALTY

- A. Any person found guilty of violating any provisions of this code, except as otherwise provided, shall be guilty of a Class 2 misdemeanor, and upon conviction thereof shall be punished as provided by law.
- B. Each day that a violation continues shall be a separate offense punishable as herein described.

ARTICLE 1-9

REPEAL OF EXISTING ORDINANCES

SECTION 1-9-1 EFFECTIVE DATE OF REPEAL

All Ordinances of the Town listed in the adopting Resolution, except those specifically exempted, now in force and effect are hereby repealed but all rights, duties, and obligations created by said ordinances shall continue and exist in all respects as if this code had not been adopted and enacted.

SECTION 1-9-2 ORDINANCES EXEMPT FROM REPEAL

The adoption and enactment of this code shall not be construed to repeal or in any way to modify or affect:

- A. Any special ordinance or ordinances regarding franchises, annexations, dedications, road abandonment, or zoning.
- B. Any Ordinance making an appropriation.
- C. Any Ordinance affecting any bond issue or by which any bond issue may have been authorized.
- D. The running of the statute of limitations in force at the time this code becomes effective.
- E. The continued existence and operation of any department, agency, commission or office heretofore legally established or held.
- F. Any bond of any public officer.
- G. Any taxes, fees, assessments or other charges incurred or imposed.
- H. Any Ordinances authorizing, ratifying, confirming, approving or accepting any compact or contract with any other municipality, the State of Arizona or any county or subdivision thereof, or with the United States or any agency or instrumentality thereof.

ARTICLE 1-10

EFFECTIVE DATE OF CODE (2006-A332)

Each and every section of this code as herein contained and hereby enacted shall take effect and be in force thirty (30) days after approval by the Town Council, except for emergency measures or where a later effective date is provided by the Town Council.

CHAPTER 2 MAYOR AND COUNCIL

ARTICLE 2-1

COUNCIL

SECTION 2-1-1 ELECTED OFFICERS (2008-A355) (2023-A481)

- The elected officers of the Town shall be a Mayor and six (6) Council members. The Mayor and Council members shall constitute the Council and shall continue in office until assumption of duties of office by their duly elected successors.
- The term of office of the Mayor shall be two (2) years.
- Council members shall serve four-year staggered terms as provided by ARS § 9-232.02, as may be amended, with three (3) members in each class.

SECTION 2-1-2 CORPORATE POWERS (2008-A355)

The corporate powers of the Town shall be vested in the Council and shall be exercised only as directed or authorized by law. All powers of the Council shall be exercised by ordinance, resolution, order or motion.

SECTION 2-1-3 ASSUMPTION OF OFFICE (2008-A355) (2016-A415) (2019-A444) (2020-A456)

In the event that any offices up for election are filled in the Primary Election, those members of the Council Elected at that time shall assume the duties of office at the first Regular meeting of the Council in November, following the date of the General Election, and are seated after the meeting is called to order and before business is conducted. In the event that all Offices are not filled in the Primary Election, and a General Election is to be held in November, all members of the Council shall assume the duties of office at the first Regular Meeting of the Council in December following the date of the General Election at which any remaining Council Members were elected. If a Council candidate, including Mayor, receives a majority of all votes cast at a primary election, then pursuant to ARS § 9-821.01, as may be amended, such candidate shall be declared elected to the office, but effective as of the date of the General Election, to be seated as set forth herein.

SECTION 2-1-4 VACANCIES IN COUNCIL (2008-A355) (2009-A362) (2009-A364) (2012-A381)

If a vacancy occurs more than thirty (30) days before the nomination petition deadline for the next regularly scheduled Town Council election, the Town Council shall, within sixty (60) days of the vacancy, fill the appointment until the next regularly scheduled Town Council election. If the vacancy occurs thirty (30) days or less prior to the nomination petition deadline for the next regularly scheduled Town Council election, the Town Council shall fill the vacancy for the unexpired term of the office being filled. A person who has been elected to fill the remainder of an unexpired term of a vacant office may take the Oath of Office and begin the remainder of the term of office at any time after the canvass of the election. The vacancy shall not reduce any Council quorum requirements.

SECTION 2-1-5 OATH OF OFFICE (2008-A355)

Immediately before assumption of the duties of office, the Mayor and each Council member shall, in public, take and subscribe to the Oath of Office.

ARTICLE 2-2

MAYOR (2008-A355) (2010-A370)

SECTION 2-2-1 DIRECT ELECTION OF MAYOR (2004-A270) (2008-A355)

- A. The Mayor shall be directly elected by the people pursuant to ARS § 9-821.01. If a candidate receives a majority of all votes cast at a primary election, he or she shall be declared Mayor effective as of the date of the general election, and no general election shall be held for that position.
- B. The term of the Mayor shall be for two (2) years. In every election one of the declared vacancies on the Council shall be reserved for the election of the Mayor.
- C. A candidate may not run for both Mayor and Council member at the same election, a seated Council member whose term is not expiring may not run for the office of Mayor. A Mayor whose term is expiring is permitted to run for the office of Mayor or Council member.

SECTION 2-2-2 VICE-MAYOR (2008-A355) (2016-A415)

The Council shall select a Vice Mayor, after the official canvass is certified and approved following the date of the General Election, who shall serve for a two-year (2) term at the pleasure of the Council. The Vice Mayor shall assume the duties of the Mayor in the absence, disqualification, incapacitation or resignation of the Mayor.

SECTION 2-2-3 ACTING MAYOR (2001-A210) (2008-A355)

In the absence or disability of both the Mayor and Vice Mayor, the Mayor or Vice Mayor will designate one of the current Council members to serve as acting Mayor who shall have all the powers, duties, and responsibilities of the Mayor during such absence or disability. In the event, the Town Council objects to any such designation, the Council may vote in a public meeting called pursuant to the provisions of this code, to override the Mayor's or Vice-Mayor's designation and select an alternative person to serve as Acting Mayor.

SECTION 2-2-4 POWERS AND DUTIES OF THE MAYOR (2008-A355) (2019-A443)

The Mayor shall be the Chief Elected Official who is the Chief Executive Officer of the Town; except as to the administrative duties delegated to the Manager, or other department heads, and in accordance with the procedures set forth in the code and applicable portions of any personnel manual adopted by the Town.

- A. The Mayor shall be the Chairperson of the Council and preside over its meetings and its agenda. The Mayor may make and second motions and shall have a voice and vote in all its proceedings.
- B. The Mayor shall execute and authenticate by his/her signature such instruments as the Council or any statutes, ordinances, or this code shall require.
- C. The Mayor and members of the Council may make such recommendations and suggestions to the Council, as they may consider proper.

- D. The Mayor may, by Proclamation, declare a local emergency to exist due to fire, conflagration, flood, earthquake, explosion, war, bombing or any other natural or man-made calamity or disaster or in the event of the threat or occurrence of riot, rout or affray or other acts of civil disobedience which endanger life or property within the Town. After declaration of such emergency, the Mayor shall govern by proclamation and impose all necessary regulations to preserve the peace and order of the Town, including but not limited to:
1. Imposition of a curfew in all or any portion of the Town.
 2. Ordering the closing of any business.
 3. Closing to public access any public building, street, or other public place.
 4. Calling upon regular or auxiliary law enforcement agencies and organizations within or without the political subdivision for assistance.
- E. The Mayor shall perform such other duties required by state statute and this code as well as those duties required as the Elected Official who is chief executive officer of the Town.
- F. At the first meeting in January of each year, or as soon as practicable, Council may adopt a Policy Statement that authorizes the Mayor to support or oppose bills introduced during Legislative Sessions when they affect the Town's interests and require an immediate response.

SECTION 2-2-5 ABSENCE OF MAYOR (2008-A355) (2010-A370)

The Mayor shall not absent himself/herself from the Town for a greater period than SEVEN consecutive days without the consent of Council. In addition, the Mayor shall leave emergency contact numbers with the Town Clerk during the absence.

SECTION 2-2-6 FAILURE TO SIGN DOCUMENTS (2008-A355)

If the Mayor refuses or fails to sign any ordinance, resolution, contract, warrant, demand or other document or instrument requiring his signature for five consecutive working days, then a majority of the members of the Council may, at any regular or special meeting, authorize the Vice Mayor or, in his/her absence, an acting Mayor to sign such ordinance, resolution, contract, warrant, demand or other document or instrument which when so signed shall have the same force and effect as if signed by the Mayor.

ARTICLE 2-3

MEETING PROCEDURES (2002-A218) (2008-A355)

SECTION 2-3-1 REGULAR MEETINGS (2003-A262) (2005-A311) (2005-A314) (2008-A355) (2012-A385) (2019-A449)

The Town Council will hold regular meetings at 6:30 p.m. on the first and third Wednesday of the month at the Council Chambers on Main Street for general business. The second and fourth Wednesday will be set aside for Work Sessions, or Special Sessions as needed. A Work Session, in lieu of or in conjunction with a Regular meeting, may be called. If a Regular meeting is cancelled, such as near a holiday, notice of the cancellation shall be posted.

SECTION 2-3-2 SPECIAL MEETINGS AND TIMES AND PLACES OF SPECIAL MEETINGS

(2008-A355) (2010-A370)

- A. The Mayor, after public vote of the Council to schedule a Special Session within the jurisdiction of the Town, shall direct staff to schedule a Special Session of the Council, to begin at a time and place designated in the motion. In addition, the Mayor or Vice Mayor if the mayor is absent pursuant to Section 2-2-5, and the Town Manager may jointly schedule a Special session to be held at a time and in appropriate facilities within the Town limits when an urgent and/or unforeseen event or matter arises between regularly scheduled meetings after confirmation of the availability of a quorum. Special Meetings shall be posted in the same manner as Regular Meetings by the Town Clerk.

SECTION 2-3-3 POSTING OF NOTICES (2008-A355)

- A. Notice of Council, Board, Commission, Committee Meetings and Agendas and other Public Notices shall be posted at Town Hall, and on the Town Website. Additional locations may be selected for courtesy postings and may be designated through Resolution of the Council. All notices shall contain a statement of posting signed by the Town Clerk or a designated representative showing the date and time of posting.

SECTION 2-3-4 MEETINGS TO BE PUBLIC (2008-A355)

All proceedings of the Council shall be open to the public, except that upon approval by a majority vote of the Council, the Council may meet in a closed Executive Session pursuant to the provisions of state law.

The Town Manager or Mayor may request that a meeting or public hearing, which may attract a large audience, or need special presentation facilities, be scheduled in an alternate site suitable for public participation. If the Council votes to change the location for that meeting, notice of the location change shall be posted in the normal locations and the meeting may be called to order at the site without first being called to order at the Town Council Chambers. This does not preclude the Council from relocating a meeting that is in progress to accommodate a crowd that exceeds maximum occupancy limits as established for Council Chambers.

SECTION 2-3-5 QUORUM (2008-A355)

No action shall be taken unless a quorum is present. Four or more Council members (the Mayor counting as a member) shall constitute a quorum for transacting business, but a lesser number may adjourn from time to time to compel the attendance of absent members. In any meeting where a quorum is present, it shall take a majority vote of the entire Council, or a minimum of four (4) votes, to enact any measure, Resolution, Ordinance, or other business on the agenda.

SECTION 2-3-6 PREPARATION OF AGENDA (2002-A255) (2008-A355)

- A. Prior to each Council meeting, or on or before a time fixed by the Council for preparation and distribution of an Agenda, whichever is earlier, the Clerk shall collect all written reports, communications, Ordinances, Resolutions, contracts and other documents to be submitted to the Council. The Town Clerk shall prepare an Agenda in consultation with the Manager and Mayor. Following finalization of the agenda, the Clerk shall furnish each Council member with a copy of the agenda and other necessary reports and materials. From time to time, addenda and late additions to the agenda are required and may be authorized by the Manager and Mayor due to extenuating circumstances beyond the control of the person requesting the addendum or late addition.

All Council members are authorized to place item(s) on the agenda. Agenda item requests are to be submitted in written form to the Clerk.

- B. The Town may use a consent agenda to address routine matters coming before the Council.

SECTION 2-3-7 ORDER OF BUSINESS (2008-A355)

The business of the Council shall be the following items, not necessarily in that order:

- A. Call to Order: The Mayor shall take the chair precisely at the hour appointed for the meeting and shall immediately call the Council to order. In the absence of the Mayor, the Vice Mayor shall call the Council to order. In the absence of both the Mayor and Vice Mayor, the Clerk shall call the Council to order and an acting Mayor shall be selected to chair the meeting. Upon the arrival of the Mayor or the Vice Mayor, the Vice Mayor or the acting Mayor shall immediately relinquish the chair upon the conclusion of the business immediately before the Council. The Mayor shall preserve order and decorum and decide all questions of order and conduct. Questions from the staff or public are addressed to the Mayor and Council.
- B. Pledge of Allegiance.
- C. Roll Call. Before proceeding with the business of the Council, the Clerk or the Clerk's designee shall record the roll of the members and the names of those present shall be entered in the minutes. If a quorum is not present, the members present may adjourn pursuant to Section 2-3-5 of this code.
- D. Consent Agenda: The Council may consider any business that is considered to be routine and non-controversial items (minutes, meeting dates, Resolutions, disbursements, etc.) on a Consent Agenda. Items on the consent agenda may be approved by one motion, unless a member of the Council requests that an item be pulled for consideration.

- E. Call to the Public for items not on the agenda: At this time, the public may address the Council on matters that are not listed on the agenda. All such remarks shall be addressed to the Council as a whole, and not to any member thereof, or the staff. Such remarks shall be limited to three (3) minutes. During the meeting, Council Members may not answer questions of the speaker or discuss the concerns raised with staff or other members, but at the conclusion of the Call to the Public, Council Members may respond to criticism, ask staff to review the matter, or ask that the matter be placed on a future agenda.
- F. Ordinances/Resolutions/Other actions requiring Council approval. The Council shall consider any Ordinances or Resolutions or other actions requiring Council approval as may be listed on the agenda.
- G. Reports by Officers. Town Officials and Committees/Commissions/Boards shall present any reports required by the Council.
- H. Information and Updates.
- I. Adjournment.

SECTION 2-3-7.1 MANAGEMENT OF MEETINGS (2008-A355) (2008-A358) (2022-A475)

- A. Where practicable, Executive Sessions will be held prior to the Regular business meetings, as opposed to during or following a meeting.
- B. Meetings will conclude at 10:00 p.m., or prior to 10:00 p.m. The Mayor may call for a vote of the Council to allow the meeting to continue past the deadline.
- C. If an item is opened for public input, the public may address the item one time. Public input is limited to three (3) minutes.
- D. All presentations are limited to ten (10) minutes for the presentation and discussion period.

SECTION 2-3-8 VOTING (2008-A355)

- A. The Mayor shall vote as a member of the Council.
- B. Per ARS 38-431.01 the minutes shall show the ayes and nays of any question to be taken. Council Members wishing to declare a conflict of interest shall state such on the record prior to any discussion or vote on the item, shall file a written declaration with the Clerk as soon as possible following the meeting, and shall refrain from voting on the matter. Any abstention must be declared at the time of the calling for a vote. The abstention is a null/void vote. The Mayor, or the Mayor's designee will announce on the record whether the motion passed or failed.

SECTION 2-3-9 DECLARATION OF VACANCY (2008-A355)

The office of any Council member is deemed vacant pursuant to ARS § 38-291, as may be amended, if such member fails to discharge the duties of his or her office for three (3) consecutive months, including failure to attend Council meetings unless otherwise authorized by the Council.

ARTICLE 2-4

ORDINANCES, RESOLUTIONS AND CONTRACTS

SECTION 2-4-1 PRIOR APPROVAL

All Ordinances, Resolutions, and contract documents shall, before presentation to the Council, have been reviewed as to form by the attorney and shall, when there are substantive matters of administration involved, be referred to the person who is charged with the administration of the matters. Such person shall have an opportunity to present his/her objections, if any, prior to the passage of the ordinance, resolution or acceptance of the contract.

SECTION 2-4-2 INTRODUCTION

Ordinances, Resolutions, and other matters or subjects requiring action by the Council shall be introduced and sponsored by a member of the Council, except that the Attorney or the Manager may present Ordinances, Resolutions and other matters or subjects to the Council, and any member of the Council may assume sponsorship thereof by moving that such Ordinance, Resolution, matter or subject be adopted; otherwise, they shall not be considered.

SECTION 2-4-3 READING OF PROPOSED ORDINANCE

Ordinances shall be read before adoption, but may be read by title only, if the Council is in possession of printed copies of said Ordinance. A member of the Council may request that the Ordinance under consideration be read in full.

SECTION 2-4-4 REQUIREMENTS FOR AN ORDINANCE

Each Ordinance shall have one subject only, the nature of which is clearly expressed in the title. Whenever possible, each Ordinance shall be introduced as an amendment to this code or to an existing Ordinance and, in such case, the title of the sections to be amended shall be included in the ordinance.

SECTION 2-4-5 EFFECTIVE DATE OF ORDINANCES

Except for measures permitted by law to be adopted as an emergency, Ordinances, Resolutions and Franchises shall become effective thirty (30) days after passage by the Council and full execution and signature by the Attorney, Mayor and Clerk. Measures permitted by law to be adopted as an emergency that are necessary for the immediate preservation of the peace, health or safety of the Town, shall become immediately effective as long as a separate section is included in the measure stating the reason why it is necessary that it should become immediately effective. The affirmative vote of three-fourths of all the members elected to the Council, taken by ayes and nays is required for any action approved with an emergency clause.

CHAPTER 3 ADMINISTRATION

ARTICLE 3-1

OFFICERS IN GENERAL

SECTION 3-1-1 RESIDENCY (2013-A390) (2023-A481)

Residency may be required for certain positions as reflected in the advertising for the position. To satisfy the residency requirements, persons are required to establish residency within the Town of Camp Verde Town limits within 180 days of the date of hire. Extensions may be granted by action of the Town Council if, in the Council's discretion, extenuating circumstances warrant such extension.

SECTION 3-1-2 DUAL POSITIONS (2007-A346)

The provisions below distinguish between two (2) positions that are appointed and reviewed by the Council (Town Manager and Town Attorney), and other department heads that are under review and control of the Town Manager, who may terminate them for cause, but who do not have the severance offer of Section 3-1-3. B. In the event that a person has a dual position, such as Town Manager/Community Development Director, he or she will have the review and termination rights associated with the higher-level position, but in the event the job title is simply severed, without termination of the individual, such personnel action will not have rights under 3-1-3. B.

SECTION 3-1-3 REMOVAL PROVISIONS (2000-A160) (2007-A346)

A. Removal for Cause. (2000-A160) (2007-A346)

The Town Manager and the Town Attorney will be reviewed by the Town Council using procedures that may be adopted by motion of the Council and may be removed from their positions for cause. All other department heads and classified employees report to the Town Manager and may be removed for cause. "Removal for Cause" includes failure to receive satisfactory performance reviews, violation of adopted work rules in the Personnel Handbook, violation of drug policies, conviction of a criminal offense involving moral turpitude, loss of any professional license or other qualification necessary for the position, and failure to fulfill tasks assigned by the job description.

B. Termination Other than For Cause. (2006-A160) (2007-A346)

The Town Manager, and the Town Attorney (if employed by the Town), may be removed by the Council other than for cause, by offering severance pay of six (6) months' salary, conditioned on the employee and Town signing a mutual release for any employment claims, and including other terms mutually agreeable, as may be authorized by ARS §9-239.C, as may be amended.

C. Resignation. The Manager shall provide the Council with thirty (30) days' written notice of intention to resign his/her position. Department Heads shall provide the Town Manager with thirty (30) days written notice of intention to resign.

ARTICLE 3-2

OFFICERS (2000-A160) (2001-A211) (2007-A346) (2008-A355) (2010-A370)

Pursuant to ARS §9-237, as may be amended, in addition to the Common Council, The Officers of The Town Include the Town Clerk, Town Marshal, Director of Public Works/Town Engineer, and Town Manager, Town Attorney, and other officers (department heads) deemed necessary by the Common Council, who shall be appointed as provided by ordinance of the Town.

SECTION 3-2-1 TOWN MANAGER (2000-A160) (2001-A211) (2008-A355) (2013-A391)

- A. Office Established. The Office of Town Manager is hereby established.
- B. Appointment of Town Manager. The Town Manager shall be appointed by majority vote of the Council on the basis of executive and administrative ability and shall hold office at the pleasure of the Council.
- C. Eligibility. No member of the Council, their spouse or relatives to the first degree shall be eligible for appointment as Town Manager until one year has elapsed after such Council member shall have ceased to be a member of the Council. The Town Manager is required to establish residency under the terms provided in Section 3-1-1.
- D. Powers and Duties of Town Manager. The Town Manager is the administrative head of the government of the Town under the direction and control of the Council, except as otherwise provided in this Article. He/she shall be responsible for the efficient administration of all the affairs of the Town that are under his/her control. In addition to his/her general powers as administrative head and not as a limitation thereon, it shall be his/her duty and he/she shall have the following powers:
 - 1. Law Enforcement. To see that all laws and Ordinances of the Town and all franchises, contracts, permits, and privileges granted by the Council are faithfully observed and to report any failure in that regard to the Council. The Council shall then give such instruction and direction as it may desire for remedial, corrective or terminating action by the Manager.
 - 2. Authority Over Employees. To control, order and give direction to all heads of departments (other than Council-appointed officers) and to subordinate officers and employees of the Town under his/her jurisdiction through their department heads.
 - 3. Power of Appointment and Removal. To appoint, remove, promote, and demote any and all officers and employees of the Town, except the Town Attorney and the Town Magistrate, all of whom shall be appointed by the Council. As to these officers, he/she shall recommend appointment and removal to the Council. All such actions of the Manager shall be subject to all applicable personnel ordinances, rules and regulations, and state statutes.
 - 4. Administrative Reorganization of Offices. To conduct studies and effect such administrative reorganization of offices, positions, or units under his/her direction as may be indicated in the interest of efficient, effective, and economical conduct of the Town's business.
 - 5. Ordinances. To recommend to the Council for adoption such measures and ordinances as he/she deems necessary.
 - 6. Attendance at Council Meetings. To attend all meetings of the Council unless the Mayor excuses him/her individually or unless the Council excuses him/her, except when his/her removal is under consideration, in which case the Town Manager's attendance at a meeting shall be governed by the Arizona Open Meeting Law (A.R.S. § 38-431 *et seq.*, as may be amended). He/she may present recommendations relative to each item on the agenda for approval, rejection, or modification by the Council, and prepare the agenda as provided in Section 2-3-6.A.
 - 7. Financial Reports. To keep the Council at all times fully advised as to the financial condition and needs of the Town.

8. Budget. To prepare and submit a proposed annual budget and a proposed annual salary plan to the Council.
 9. Investigations and Complaints. To make investigations into the affairs of the Town and performance of any obligations of the Town and to report all findings to the Council. Further, it shall be the duty of the Manager to investigate all complaints in relation to matters concerning the administration of the Town government. If the investigation involves the conduct of a person reporting directly to the Council (the Town Manager or Town Attorney) the Mayor and Vice-Mayor shall designate a person to conduct the investigation. If the Mayor and Vice Mayor cannot agree on such designation, the matter shall be referred to the Council.
 10. Public Buildings. To exercise general supervision over all public buildings, parks, and other public property under the control and jurisdiction of the Council.
 11. Additional Duties. To perform such other duties as may be required by the Council, not inconsistent with Federal law, State law, or Town Ordinances.
 12. Salary Schedule. To recommend to the Council, a standard schedule of pay for each appointive office and position in Town service, including minimum, intermediate and maximum rates. To authorize the payment of overtime, pay for such employees as may work in excess of a normal work period. Such rates of pay and periods of work shall be in conformity with rates and salaries enacted by the Council.
 13. Documents. To sign contracts for budgeted items and other documents that are necessary to conduct the business and affairs of the Town per the Town Financial and Operations Guide.
 14. Communication: The Town Manager shall strive to keep the Town Council adequately and equally informed on issues of importance within the Town. The Town Manager will engage in discussions with the Town Council in order to solicit their preferences for methods of communication.
 15. Monthly Reports. The Manager shall prepare and collect from Town officers and employees such monthly reports prepared in such manner and to include such information as may be directed by the Council.
- E. Internal Relations. Council-Manager Relations. The Council and its members shall deal with the administrative services of the Town only through the Town Manager, except for the purpose of inquiry, and neither the Council, nor any member thereof shall give orders or instructions to any subordinates of the Town Manager. The Town Manager shall take his/her orders and instructions from the Council only when sitting in a duly convened meeting of the Council, and no individual Council member shall give orders or instructions to the Town Manager.
- F. Attendance at Commission Meetings. The Town Manager may attend any and all meetings of the Town's Commissions, Boards, or Committees created by the Council. He/she shall cooperate to the fullest extent possible with the members of all Commissions, Boards, or Committees appointed by the Council.
- G. Other Departments. The Town Manager may, with the concurrence of the Council, establish other departments (in addition to the departments set forth in this Code) to conduct the business and affairs of the Town.
- H. With regard to officers and employees appointed by the Town Manager, neither the Council nor any of its members shall direct or request the appointment of any person to, or his/her removal or suspension from, such office by the Town Manager or any of his/her subordinates, or in any manner take part in the appointment or removal of such officers and employees in the administrative services of the Town.

The Town Manager may, in his/her sole discretion, invite individual members of the Town Council to participate as members of interview panels for Department Director positions. Members of the Town Council serving in this capacity shall provide input as would any other interview panel member, but shall not direct or request the Town Manager to select a specific candidate.

SECTION 3-2-1.1 ACTING TOWN MANAGER (2010-A370)

In the absence of the Town Manager from their office, upon the disability of the Town Manager, or in the event the position has been vacated by either the resignation of the Manager or the termination of his/her contract by action of the Town Council, the Acting Town Manager shall be appointed as follows:

- A. The Town Manager shall appoint a qualified employee of the Town to perform his/her duties during routine absences such as vacation, sick leave, training, other temporary absences or disability. Such appointment shall not exceed a period of thirty (30) days.
- B. If the Town Manager will be absent for more than thirty (30) days, is suspended by the Council, or if there is a vacancy in the office of the Town Manager, the Council shall appoint a qualified Acting Town Manager to serve until the Town Manager returns, the suspension ceases, or until another Town Manager is appointed.
- C. The Acting Town Manager shall have the duties and responsibilities of the Town Manager as established by this code, ordinance or statute.