

ORDINANCE 88-A32

AN ORDINANCE OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF OF CAMP VERDE, YAVAPAI COUNTY, ARIZONA, APPOINTING THE YAVAPAI COUNTY ATTORNEY'S OFFICE AS SPECIAL PROSECUTOR FOR CASES IN WHICH THE TOWN ATTORNEY HAS CONFLICT OF INTEREST, AND DECLARING AN EMERGENCY.

BE IT ORDAINED BY THE MAYOR AND COMMON COUNCIL OF THE TOWN OF CAMP VERDE, YAVAPAI COUNTY, ARIZONA:

Section 1. Appointment. Pursuant to ARS 9-239.A and 9-240.29, granting authority to the Town to appoint agents and officers, and to establish the manner of prosecution of criminal cases, the Yavapai County Attorney's Office is hereby appointed to represent the Town as the Town Attorney and Special Prosecutor in cases where the Town Attorney certifies that he has a conflict of interest. This appointment shall commence with the entry of a not guilty or not responsible pleas of the defendant, and continue through the filing of a Notice of Appeal by either party. The Special Prosecutor shall have full discretion in handling the case, including dismissal and plea bargaining in the interests of justice, and the responsibility of acts required by the State as prosecutor under applicable rules of criminal procedure.

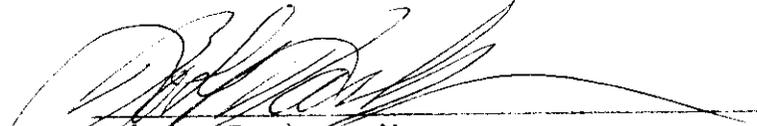
Section 2. Compensation. The Yavapai County Attorney's Office may receive monetary compensation for the time rendered as Special Prosecutor according to rates for hourly services that it may from time to time establish, if payment is demanded. However, the Town Attorney is directed and authorized to reciprocate in handling criminal prosecutions for the Yavapai County Attorney's Office in lieu of monetary compensation, and such reciprocal services shall be preferred over any monetary charges filed by the Yavapai County Attorney's Office.

Section 3. Duration. This ordinance shall be effective when passed and remain in effect until revoked by subsequent ordinance of the Town. It shall supersede any contractual provisions within the Town Attorney, and may be further elaborated by an intergovernmental agreement between the Town and Yavapai County with terms not inconsistent with the ordinance herein.

Section 4. Emergency Clause. Whereas, it is necessary for the preservation of the peace, health and safety of the Town of Camp Verde, Yavapai County, Arizona, and emergency is declared to exist, and this ordinance shall become immediately operative and in force from and after the date of posting hereof.

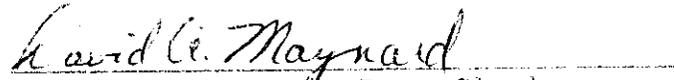
PASSED AND ADOPTED by the Mayor and Common Council of the Town of Camp Verde, Yavapai County, Arizona, this 2nd day of December, 1988.

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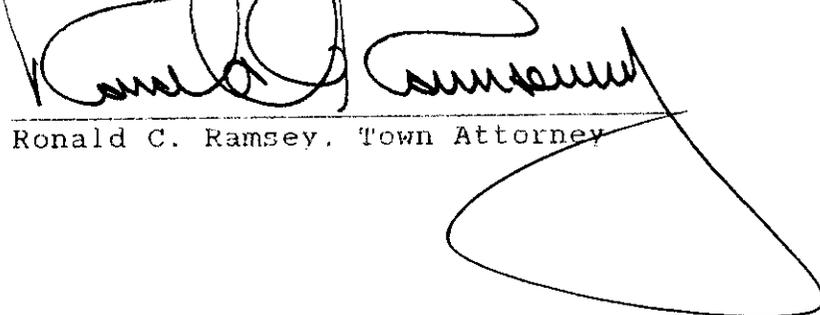
Bob J. Barker, Mayor

ATTEST:



David A. Maynard, Town Clerk

APPROVED AS TO FORM:



Ronald C. Ramsey, Town Attorney