



Founded 1876
Incorporated 1899

TOWN OF JEROME, ARIZONA

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Respect for the past — Looking to the future
Celebrating Our 108th Anniversary March 1899-2007

ORDINANCE NO. 341

AN ORDINANCE OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF JEROME, ARIZONA, AMENDING THE CODE OF JEROME, ARIZONA, CHAPTER 2 MAYOR AND COUNCIL, ARTICLE 2-1 COUNCIL, BY AMENDING SECTION 2-1-3 DUTIES OF OFFICE; AND AMENDING CHAPTER 3 ADMINISTRATION, ARTICLE 3-1 OFFICERS IN GENERAL BY AMENDING SECTION 3-1-1 OFFICERS, SECTION 3-1-3 ADDITIONAL OFFICERS, SECTION 3-1-5 VACANCIES; HOLDING MORE THAN ONE OFFICE, SECTION 3-1-6 ADDITIONAL POWERS AND DUTIES AND BY DELETING SECTION 3-1-7 AUTHORIZATION OF OVERTIME PAY, AND AMENDING ARTICLE 3-2 OFFICERS BY AMENDING SECTION 3-2-1 TOWN CLERK, AND BY ADDING NEW SECTION 3-2-5 TOWN MANAGER AND AMENDING 3-3 PURCHASING SYSTEM BY AMENDING SECTION 3-3-3 PURCHASING OFFICER AND AMENDING CHAPTER 13 WATER, ARTICLE 13-1 WATER SYSTEM ADMINISTRATION AMENDING SECTION 13-1-1 MANAGEMENT OF WATER SYSTEM AND SECTION 13-1-2 RECEIPTS AND DEPOSITS, ALL RELATED TO IMPLEMENTING THE MANAGER/COUNCIL FORM OF GOVERNMENT APPROVED BY THE VOTERS ON MARCH 14, 2006; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; AND PROVIDING FOR SEVERABILITY.

WHEREAS, on March 14, 2006, the Town of Jerome voters approved an initiative ballot measure to permit the Town to become a Manager/Council form of government in which a town manager will be responsible to the council for the management of the Town;

WHEREAS, that certain document known as the "Town of Jerome 2006 Amendments to Chapter 2, 3, and 13 for Conversion to Council/Manager Form of Government", three copies of which are on file in the office of the Town Clerk, is hereby declared to be a public record and said copies are ordered to remain on file with the Town Clerk,

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



For TTY Access, Call The Arizona Relay Service at 1-800-367-8939 And Ask For Town of Jerome at 634-7943



Jerome Town Hall Located at 600 Clark Street, Jerome Civic Center

Section I. In General

The Code of Jerome, Arizona, is hereby amended by adopting the reference that public record entitled the "Town of Jerome 2006 Amendments to Chapter 2, 3, and 13 for Conversion to Council/Manager Form of Government", which document is incorporated herein by reference.

Section II. 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 III. 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.

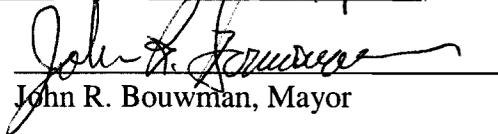
PASSED AND ADOPTED by the Common Council of the Town of Jerome, Arizona, this 9th day of January, 2007, by the following vote:

AYES: 5

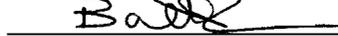
NAYES: 0 ABSENT: 0

EXCUSED: 0 ABSTAINED: 0

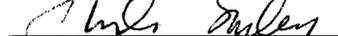
APPROVED this 9th day of January, 2007.


John R. Bouwman, Mayor

ATTEST:


Balt Lozano, Town Clerk

APPROVED AS TO FORM:


Curtis, Goodwin, Sullivan, Udall & Schwab, P.L.C.
Town Attorneys
By Phyllis Smiley



I, BALT LOZANO, TOWN CLERK, DO HEREBY CERTIFY THAT A TRUE AND CORRECT COPY OF THE ORDINANCE NO. 341 ADOPTED BY THE COMMON COUNCIL OF THE TOWN OF JEROME ON THE 9th DAY OF 2007 January 2007, WAS POSTED IN THREE PLACES ON THE 13th DAY OF December, 2006

Balt Lozano
Balt Lozano, Town Clerk

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Town of Jerome 2006 Amendments to Chapter 2, 3, and 13 for Conversion to Council/Manager Form of Government

Chapter 2 Mayor and Council

ARTICLE 2-1 COUNCIL

Section 2-1-3 Duties of Office

Councilmen shall assume the duties of office within twenty (20) days of the canvas of vote of the General Election.

ARTICLE 3-1 OFFICERS IN GENERAL

- 3-1-1 Officers
- 3-1-2 Treasurer
- 3-1-3 Additional Officers
- 3-1-4 Bond
- 3-1-5 Vacancies; Holding More than One Office
- 3-1-6 Additional Powers and Duties

Section 3-1-1 Officers

- A. There are created offices of Town Manager, Town Clerk, Town Marshal, and Town Attorney, all of whom shall be appointed by the Council and shall serve at the pleasure of the Council. All other officers shall be appointed by the Town Manager.
- B. There is hereby created the office of Town Magistrate, who shall be appointed by the Council. The Magistrate shall serve for a term of two years with the beginning and end of the term to be specified at the time of appointment. During such term, a Magistrate may be removed only for cause.

Section 3-1-3 Additional Officers

The Town Manager may appoint and remove from time to time such other officers as it may deem necessary and that are not provided for in this Code or State Statutes.

Section 3-1-5 Vacancies; Holding More than Once Office

Any vacancy that shall occur in any town office shall be filled by appointment by the Town Manager and/or Council; provided that one person may hold more than one office and that, at the discretion of the council, the functions of a town official may be validly performed and discharged by a deputy or another town official, or an otherwise qualified employee.

Section 3-1-6 Additional Powers and Duties

In addition to any powers and duties prescribed in this code, each officer shall have such further powers, perform such further duties, and hold such other office as may be provided by the Town Manager or Council through ordinance, resolution, or order.

ARTICLE 3-2 OFFICERS

- 3-2-1 Town Clerk
- 3-2-2 Town Marshal
- 3-2-3 Town Attorney
- 3-2-4 Town Magistrate
- 3-2-5 Town Manager

Section 3-2-1 Town Clerk

- F. Duties as Treasurer. The clerk shall hold the office of Town Treasurer and assist the Town Manager in his duties as Finance Director.
- I. Administrative Duties. The clerk shall perform those administrative responsibilities and duties that are conferred upon him by the Town Council in addition to those specified in this code.

Section 3-2-5 Town Manager

- A. Office Created. The office of the Manager is hereby created. The Manager shall be appointed by a majority vote of the Council for an indefinite term. The Manager shall be chosen on the basis of his executive and administrative qualifications and his knowledge of accepted practice with respect to the duties of his office as set forth in Section 3-2-5 (F).

- B. Bond. The Town Manager shall furnish a corporate surety bond to be approved by the Council and shall be conditioned on the faithful performance of the duties imposed on the Town Manager as herein prescribed. The town shall pay the bond fee.
- C. Eligibility. No member of the Council shall be eligible to be appointed to the office of Manager during the term for which the member shall have been elected.
- D. Compensation. The Manager shall receive such compensation as the Council shall fix from time to time.
- E. Removal From Office. The Manager may be removed with or without cause by the Council by majority vote of the membership of the Council. The action of the Council in removing the Manager shall be final.
- F. Resignation. The Manager shall give in writing a sixty (60) day notice of his intention to resign before leaving, resigning, or quitting the office of Town Manager.
- G. Powers and Duties. The Manager shall be the Chief Administrative Officer and head of the administrative branch of the town government. He shall be responsible to the Council for the proper administration of all affairs of the town. In addition to the general powers of administrative head, and not as limitation there, the Town Manager shall have the authority and be required to perform the following duties:
1. Execute, on behalf of the Council, general administrative supervision and control of the affairs of the town.
 2. Appoint, direct, suspend and/or remove, all officers and employees of the town, except the Town Clerk, Town Marshal, Town Magistrate and his/her staff and the Town Attorney and his/her staff, and the Fire Chief pursuant to town personnel rules and regulations, this code, and ordinances of the town.
 3. Consult with the Town Attorney and act as liaison between the Council and the attorney.
 4. Attend all meetings of the Council unless excused therefrom and participate in discussion of all matter coming before Council.
 5. Report to Council on and/or discuss any matter concerning the affairs of the departments, board, services or activities under his supervision.
 6. Prepare the town budget annually and submit it to the Council together with a description of its important provision and be responsible for its administration after council adoption;
 7. Prepare and submit to the Council at the end of each fiscal year a complete report on the finances and administrative activities of the town during the proceeding;

8. Advise the Council of the financial condition and future needs of the town and make sure recommendations as he deems desirable;
 9. Recommend to the Council as standard schedule of pay for each employee and appointed office and its position in the town's service. Authorize the payments 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 conformance with wages and salaries enacted by the Council.
 10. Recommend to the Council, from time to time, adoption of such measures which he deems necessary or expedient for the health, safety or welfare of the community or the improvement of administrative services.
 11. Analyze and supervise the functions, duties, and activities of the various departments, boards, and services of the town government and of all employees thereof and be authorized to direct the activities of all employees, included departments heads, except as otherwise provided by this code and to make recommendations to the Council with reference thereto, as in his judgment will result, if adopted, in greater efficiency of the overall operation of the town government.
 12. Consolidate or combine offices, positions, departments or units under his jurisdiction with the approval of the Council. The Manager may be the head of one or more departments, except as otherwise provided by this code.
 13. Supervise the purchase of all materials, supplies and equipment for which funds are provided in the budget and let contracts necessary for operation or maintenance of town services.
 14. Receive sealed bids for purchases or contracts and present them to the Council for approval and advise the Council on the advantages of the contract and bid proposals. The Manager may issue such rules governing purchasing procedures within the administrative organization as the Council shall approve.
 15. In case of accident, disaster, or other circumstances creating a public emergency, the Manager may award contracts and make purchases for the purpose of meeting said emergency; but he shall file promptly with the Council a certificate showing such emergency and the necessity for such action, together with an itemized account of all expenditures.
 16. Ensure that all laws and ordinances of the town are duly enforced.
 17. Investigate the affairs of the town and its departments and divisions. Investigate all complaints related to the administration of the town government and to services maintained by public utilities in the town, and ensure that all franchises, permits, and privileges granted by the town are faithfully observed.
 18. Advise the Council at periodic intervals of changes needed in the town code.
 19. Serve as Town Finance Director and Receive and safely keep all monies that come to the town and pay out the same when authorized by the Council. The Manager shall keep a separate record and account of each different fund provided by the Council, apportion the monies received
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among the different funds as prescribed by the Council, and keep a complete set of books showing every money transaction of the town, the state of each fund, from what source the money in each fund was derived and for what purpose expended, and he shall make monthly reports to the Council of all receipts and disbursements and the balance in each fund. At the end of the fiscal year, he shall make a full and detailed statement of the receipts and expenditures of the town during the year, specifying the different sources of revenue and the amount received from each, all appropriations made by the Mayor and Council, and the object for which they were made, and the amount of interest due thereon, and the amount of cash on hand.

20. Devote as much time to the duties of the Town Manager as may be required by the interests of the town.

21. Perform such other duties as may be required by the Council which are not inconsistent with state law or the code or ordinances.

H. Council To Act through Manager. Except for the purpose of inquiry, the Council and its members shall deal with town employees except for the Town Clerk solely through the manager. Neither the Council nor any member thereof shall give orders to any subordinate of the Manager, whether publicly or privately.

I. Policymaking. The Manager shall not exercise any policymaking or legislative functions, nor attempt to commit or bind the Council to any action, plan or program requiring the official action of the Council.

ARTICLE 3-3 PURCHASING SYSTEM

Section 3-3-3 Purchasing Officer.

The purchasing officer shall be the Town Manager. He shall have general supervision of the purchasing office and the authority to:

CHAPTER 13 WATER

ARTICLE 13-1 WATER SYSTEM ADMINISTRATION

Section 13-1-1 Management of Water System

The Town Manager shall have the immediate control and management of the administration of the town water system and shall perform, or cause to be performed, all acts that may be necessary for the prudent, efficient, and economical management and protection of said water system. The Council shall have the power to prescribe such other and further rates, rules and regulations as it may deem necessary.

Section 13-1-2

Receipts and Deposits

The Town Manager shall keep or cause to be kept a correct account of all receipts, make out all bills for water and materials furnished to consumers, collect the same, deposit the proceeds so collected to the credit of the town, and in accordance with the direction of the Council.
