

ORDINANCE NO. 2017-06

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF PEORIA, ARIZONA AMENDING CHAPTER 8 OF THE PEORIA CITY CODE (1992) BY REPEALING SECTION 8-1 IN ITS ENTIRETY PERTAINING TO ELECTIONS; CANDIDATE FILING REQUIREMENTS; DEADLINES; BY AMENDING CHAPTERS 4 AND 8 OF THE PEORIA CITY CODE (1992) BY AMENDING SECTION 8-2 AND RENUMBERING IT AS SECTION 4-1 PERTAINING TO ELECTIONS; DEEMED ELECTED; PRIMARY AND GENERAL ELECTIONS; BY RENUMBERING SECTION 8-3 AS SECTION 4-2 PERTAINING TO COUNCIL DISTRICTS, ESTABLISHMENT; BY AMENDING SECTION 8-4 AND RENUMBERING IT AS SECTION 4-3 PERTAINING TO ELECTIONS; DISTRICT BOUNDARIES; APPORTIONMENT; BY REPEALING SECTION 8-5 IN ITS ENTIRETY PERTAINING TO DISTRICT BOUNDARIES; BY AMENDING SECTION 8-6 AND RENUMBERING IT AS SECTION 4-4 PERTAINING TO ELECTIONS; PRIMARY ELECTION DATE; BY REPEALING SECTION 8-7 IN ITS ENTIRETY PERTAINING TO ELECTIONS; GENERAL ELECTION DATE; BY AMENDING SECTION 8-8 AND RENUMBERING IT AS SECTION 4-5 PERTAINING TO ELECTIONS; DESIGNATION OF AND NUMBERING OF POLLING PLACES; BY AMENDING SECTION 8-9 AND RENUMBERING IT AS SECTION 4-6 PERTAINING TO ELECTIONS; ROTATION OF NAMES OF CANDIDATES ON BALLOT; BY AMENDING SECTION 8-10 AND RENUMBERING IT AS SECTION 4-7 PERTAINING TO POWER RESERVED; TIME OF ELECTION; BY AMENDING SECTION 8-11 AND RENUMBERING IT AS SECTION 4-8 PERTAINING TO INITIATIVES; NUMBER OF SIGNATURES; METHOD OF CALCULATION; BY AMENDING SECTION 8-12 AND RENUMBERING IT AS SECTION 4-9 PERTAINING TO INITIATIVE AND REFERENDUM PETITIONS; TIME OF FILING; BY AMENDING SECTION 8-13 AND RENUMBERING IT AS SECTION 4-10 PERTAINING TO ELECTIONS;

BALLOT FORMAT; BY AMENDING SECTION 8-14 AND RENUMBERING IT AS SECTION 4-11 PERTAINING ELECTIONS; SAMPLE BALLOTS AND INFORMATIONAL/PUBLICITY PAMPHLETS; BY AMENDING SECTION 8-15 AND RENUMBERING IT AS SECTION 4-12 PERTAINING TO ELECTIONS; INITIATIVE, REFERENDUM AND RECALL; ELIGIBILITY OF CIRCULATOR; BY AMENDING SECTION 8-16 AND RENUMBERING IT AS SECTION 4-13 PERTAINING TO ELECTIONS; INITIATIVE AND REFERENDUM PETITIONS; CIRCULATION; BY REPEALING SECTION 8-17 IN ITS ENTIRETY PERTAINING TO ELECTIONS; REGISTRATION, RESIDENCE IN DISTRICT REQUIRED; BY REPEALING SECTION 8-18 IN ITS ENTIRETY PERTAINING TO ELECTIONS; EFFECT OF MOVING TO ANOTHER DISTRICT PRECEDING ELECTION; BY REPEALING SECTION 8-19 IN ITS ENTIRETY PERTAINING TO ELECTIONS; WITHDRAWAL OF PETITION SIGNATURE; PAYMENT OF RENUMERATION; VIOLATION; CLASSIFICATION; BY REPEALING SECTION 8-20 IN ITS ENTIRETY PERTAINING TO ELECTIONS; COMENSATION OF BOARDS OF ELECTION AND CLERKS; BY REPEALING SECTION 8-21 IN ITS ENTIRETY PERTAINING TO ELECTIONS, CITY CLERK; ELECTIONS OFFICER; IDENTIFYING CURRENT CHAPTER 4 OF THE PEORIA CITY CODE (1992) TO BE RENUMBERED AND/OR AMENDED BY A SEPARATE ORDINANCE; AND PROVIDING FOR SEVERABILITY AND FOR AN EFFECTIVE DATE.

THEREFORE, it is ordained by the Mayor and Council of the City of Peoria as follows:

SECTION 1. Chapter 8 of the Peoria City Code (1992) is amended by repealing Section 8-1 in its entirety pertaining to Elections; candidate filing requirements; deadlines and which shall read as follows:

~~Section 8-1—Elections; candidate filing requirements; deadlines.~~

~~(a) A person desiring to become a candidate for councilmember shall be a qualified elector of the council district at the time of filing a statement of organization for the purpose of circulating nomination papers for nomination as a candidate for councilmember in the district. A person desiring to become a candidate for mayor shall be a qualified elector of the city at the time of filing a statement of organization for the purpose of circulating nomination papers for nomination as a candidate for mayor.~~

~~(b) — A person desiring to become a candidate and to have his name printed on the official ballot for municipal office shall file a nomination paper and other nomination materials not less than ninety (90) days nor more than one hundred twenty (120) days before the primary election date. All such nomination papers must be completed and filed with the City Clerk by 5:00 p.m. on the last day for filing such papers.~~

~~State law reference(s) — Publication of call for nonpartisan election, A.R.S. §16-226, 16-227.~~

SECTION 2. Chapter 8 of the Peoria City Code (1992) is amended by amending Section 8-2 and renumbering it as Section 4-1 pertaining to Elections; deemed elected; primary and general elections and which shall read as follows:

Section ~~48-2-1~~ — Elections; deemed elected; primary and general elections.

(a) For purposes of this code and the Charter of the City of Peoria, the primary election of the City may be ~~is deemed to be the general election, if applicable, of the City unless there is a citywide election for the position of Mayor to be held after the primary election, in which case such citywide election shall be deemed to be the general election.~~

~~(b) Notwithstanding subsection (c) of this section and section 8-7 of this code, a~~Any candidate who receives a majority of the ballots all votes cast in the district at the primary election ~~or in the City if a candidate for Mayor at the primary election shall be declared elected, to the office for which he is a candidate, effective the date of the general election and no further election shall be held as to such candidate.~~

(c) ~~Unless otherwise provided by this section, f~~For runoff elections Mayor, the candidate who receives d the highest number of votes shall be elected. ~~For members of the City Council, the candidate who received the highest number of votes in their respective districts shall be elected.~~

(d) ~~The members of the City Council elected from Palo Verde district, Pine district and Acacia district shall serve a term of four (4) years and until their successors are elected and qualified. Commencing in June, 2003, the members of the City Council elected from Palo Verde, Pine and Acacia Districts shall serve a term which shall expire on the date of the first regular meeting of the City Council in January 2007. Thereafter the members of the City Council elected from Palo Verde, Pine and Acacia Districts shall serve terms of four years until their successors are elected and qualified. The members of the City Council elected from Mesquite district, Ironwood district and Willow district shall serve a term of four years. Commencing in June, 2001, the members of the City Council elected from Mesquite District, Ironwood District and Willow District shall serve a term which shall expire on the date of the first regular meeting of the City Council in December 2004. Thereafter the members of the City Council elected from~~

~~Mesquite District, Ironwood District and Willow District shall serve a term of four (4) years and until their successors are elected and qualified. Commencing in 2006, those members of the City Council elected in 2006 and each four years thereafter shall take office at the first Council meeting in January following their election. file the oath of office with the City Clerk not less than 24 hours prior to the meeting where shall occur and may be inducted immediately thereafter.~~

- ~~(e) — Commencing in June 1999, the Mayor shall serve a term of four (4) years until their successor is elected and qualified. Commencing in June, 2003, the Mayor shall serve a term which shall expire on the date of the first regular meeting of the City Council in January, 2007. Thereafter the Mayor shall serve a term of four years until their successor is elected and qualified.~~

SECTION 3. Chapter 8 of the Peoria City Code (1992) is amended by renumbering Section 8-3 as Section 4-2 pertaining to Council Districts, establishment and which shall read as follows:

Section ~~48-3-2~~ 4-2 – Council Districts, establishment.

- (a) There are established six (6) geographical districts within the city.
- (b) There shall be one (1) councilmember elected from each geographical district.

SECTION 4. Chapter 8 of the Peoria City Code (1992) is amended by amending Section 8-4 and renumbering it as Section 4-3 pertaining to Elections; district boundaries; apportionment and which shall read as follows:

Section ~~48-4-3~~ 4-3 – Elections; district boundaries; apportionment.

~~(a) — The council shall revise the district boundaries at a minimum upon each federal decennial census or mid decennial census or after any special census including the City of Peoria or whenever necessary to maintain substantially equal population in each district.~~

~~(a) — The Revised District boundaries shall be used at the beginning of the next primary election cycle following the revision of the boundaries by the City Council.~~

SECTION 5. Chapter 8 of the Peoria City Code (1992) is amended by repealing Section 8-5 in its entirety pertaining to Elections; district boundaries; apportionment and which shall read as follows:

~~Section 8-5 — District Boundaries.~~

~~The boundaries of the six (6) geographical districts are described as follows:~~

ACACIA DISTRICT -- LEGAL DESCRIPTION

ACACIA DISTRICT IS DESCRIBED AS FOLLOWS:

Beginning at the SE corner of the SW Quarter of Section 36, T3N, R1E, then Westerly along the South Section Line of Section 36, T3N, R1E, and Westerly along the South Section Line of Section 35, T3N, R1E and Westerly along the South Section Line of Section 34, T3N, R1E to the North-South Mid Section Line of Section 34, T3N, R1E (87th Avenue alignment), then North along the North-South Mid Section Line of Section 34 and Section 27, all in T3N, R1E, to a point of intersection with the Center Line for Cinnabar Avenue, then West along the Center Line for Cinnabar Avenue to its intersection with the East Line of the SW Quarter of the NW Quarter of Section 27, T3N, R1E (89th Avenue alignment), then North along the East Line of the SW Quarter of the Northwest Quarter of Section 27, T3N, R1E to its intersection with the South Line of the NW Quarter of the NW Quarter of Section 27, T3N, R1E (Monroe Street) then Westerly along the South Line of the NW Quarter of the NW Quarter of Section 27, T3N, R1E to the West Section Line of Section 27, T3N, R1E, then Northerly to the NW corner of Section 27, T3N, R1E, then Northerly along the West Section Line of Section 22, T3N, R1E, to a point of intersection with the Center Line for Yucca Street, then Easterly along the Center Line for Yucca Street to its intersection with the Center Line of 88th Drive, then Northeasterly along the Center Line of 88th Drive to its intersection with the South Right of Way Line of U.S. Highway 60 (Grand Avenue) then Southeasterly along the South Right of Way Line of U.S. Highway 60 (Grand Avenue) to its intersection with the East-West Midsection line of Section 22, T3N, R1E (Varney Road), then easterly along the East-West Midsection line of Section 22, T3N, R1E to the SE Corner of the NE Quarter of Section 22, T3N, R1E, then North along the East Section Line of Section 22, T3N, R1E to the NE Corner of Section 22, T3N, R1E, then Easterly along the North Section Line of Section 23, T3N, R1E to the East Mid Section Line of the West Half of Section 23, T3N, R1E, (79st Avenue) then South along the East Mid Section Line of the West Half of Section 23, T3N, R1E, to a point of intersection with the Center Line of Jenan Drive then East along the Center Line of Jenan Drive to a point of intersection with the Center Line for 77th Drive, then South along the Center Line of 77th Drive to a point of intersection with the East-West mid-section line of Section 23, T3N, R1E, (Cholla Street) then East along the midsection Line of Sections 23 and 24 T3N, R1E to the SE Corner of the NW Quarter of Section 24 T3N, R1E, then South along the north-south midsection line of Section 24, T3N, R1E to a point of intersection with South Section Line of Section 24, T3N, R1E, then East along the South Section Line of Section 24, T3N, R1E to the SE corner of Section 24, T3N, R1E, then South along the East Section Line of Section 25, T3N, R1E, to the SE Corner of Section 25, T3N, R1E, Then West along the South Section Line of Section 25 to the SW Corner of the SE Quarter of Section 25, T3N, R1E, then South along the North-South mid section Line of Section 36, T3N, R1E, (71st Avenue Alignment) to the point of beginning. Excluding those areas which are not incorporated within the City of Peoria.

~~IRONWOOD DISTRICT — LEGAL DESCRIPTION~~

~~IRONWOOD DISTRICT IS DESCRIBED AS FOLLOWS:~~

~~Beginning at the intersection of the South Section Line of Section 10, T3N, R1E with the West Right of Way Line for State Route 101 (Agua Fria Freeway), then West along the South Section Line of Section 10 T3N, R1E to a point of intersection with West Boundary of the City of Peoria, Arizona, then North along the West Boundary of the City of Peoria, Arizona to a point of intersection with the North Right of Way Line for Union Hills Drive, then Westerly along the North Right of Way Line for Union Hills Drive to the West Section Line of Section 28, T4N, R1E, then North along the West Section line of Section 28, T4N, R1E to a point of intersection with the South Right of Way Line for Beardsley Road, then West along the South Right of Way Line for Beardsley Road to a point of intersection with the West Right of Way Line for Lake Pleasant Road, then Northerly along the extension of the West Right of Way Line for Lake Pleasant Road to a point of intersection with the West Right of Way Line of Lake Pleasant Parkway, then Northerly along the West Right of Way Line of Lake Pleasant Parkway to a point of intersection with the North Section Line of Section 20, T4N, R1E, then East along the North Section Line of Section 20, T4N, R1E to the NE Corner of Section 20, T4N, R1E, then East along the North Section Line of Section 21, T4N, R1E, to the NE Corner of Section 21, then South along the East Section Line of Section 21, T4N, R1E to a point of intersection with the South Right of Way Line for Lake Pleasant Parkway, then Southeasterly along the South Right of Way Line for Lake Pleasant Parkway to a point of intersection with the South Section Line of Section 22, T4N, R1E, then South along the West Right of Way Line for Lake Pleasant Parkway/83rd Avenue to a point of intersection with the North Right of Way Line for Union Hills Drive, then West along the North Right of Way of Union Hills Drive to a point of intersection with the North-South Midsection Line of Section 27 T4N, R1E and Section 34, T4N, R1E, the NW corner of Section 28, T4N, R1E, then South along the North-South Midsection line (87th Avenue) to the South Right of Way Line of Bell Road, then East along the South Right of Way Line of Bell Road to a point of intersection with the West Right of Way Line of State Route 101 (Agua Fria Freeway), then South along the West Right of Way Line of State Route 101 to a point of intersection with the North Section Line of Section 10, T3N, R1E, then West Along the North Section Line of Section 10, T3N, R1E to a point which is 973.88 Feet West of the Northeast Corner of Section 10, then South 659.40 Feet, then East 107.41 feet to a point of intersection with the West Right of Way Line for State Route 101 (Agua Fria Freeway), then South along the West Right of Way Line for State Route 101 to the point of beginning. To the point of beginning. Excluding those areas which are not incorporated within the City of Peoria.~~

~~MESQUITE DISTRICT — LEGAL DESCRIPTION~~

~~MESQUITE DISTRICT IS DESCRIBED AS FOLLOWS:~~

~~Beginning at the SE corner of Section 12, T4N, R1E, then West along the South Section Line of Section 12, T4N, R1E to the SW Corner of Section 12 T4N, R1E, Then North along the West Section Line of Section 12, T4N, R1E to a point of intersection that is 1323.24 feet south of the NW Corner of Section 12, T4N, R1E, then Westerly along said line to a point of intersection with the Centerline of 83rd Avenue, then South along the Centerline of 83rd Avenue to the SW Corner of the NW Quarter of Section 11, T4N,R1E, then West along the East West Midsection Line of Sections 10, 9 and 8, T4N, R1E (Calle Lejos Drive) to the West Section Line of Section 8, T4N,R1E, then North along the West Section Line of Section 8, T4N, R1E, to a point of intersection with the Centerline of Hatfield Road, then West along the Center line of Hatfield Road to a point of intersection with the Center Line of 109th Avenue, then North along the Centerline of 109th Avenue to a point of intersection with the South Section Line of Section 31, T5N, R1E, then Westerly along the South Section Line of Section 31, T5N, R1E and the South Section Line of Sections 36 and Section 35 all in T5N, R1W to a point of intersection with the South Right of Way Line of the Beardsley Canal, then Westerly along the South Right of Way Line of the Beardsley Canal to a point of intersection with the West Section Line of Section 2, T4N,R1W, then North along the West Section Line of Section 2, T4N, R1W and the West Section Line of Section 35 to a point of intersection with the East West Midsection Line of Section 34, T5N, R1W, then West along the East West Midsection Line of Section 34, T5N, R1W to the SW Corner of the NE Quarter of Section 34, T5N, R1W, then North along the North-South Midsection line of Section 34 to the NW corner of the NE Quarter of Section 34, T5N, R1W, then West along the North Section Line of Section 34, to the NW Corner of Section 34, T5N, R1W, then North along the West Section Line of Section 27, T5N, R1W, to the NW corner of Section 27, then West along the South Section Line of Sections 21 and 20, all in T5N, R1W to the SW corner of Section 20, then North along the West Section Line of Sections 20 and 17, all in T5N, R1W to the NW Corner of Section 17, then West along the South Section Line of Section 7, T5N, R1W and West along the South Section Lines of Sections 12 and 11, T5N, R2W, Then North along the West Section Lines of Sections 11 and 2, all in T5N, R2W (Citrus Road Lane Alignment), then North along the West Section Lines of Sections 35 and 26, T6N, R2W to a point of intersection with North Right of Way Line of State Route 74 (Morristown New River Highway), then Southeasterly along the North Right of Way Line of State Route 74 to a point of intersection with the West Section Line of Section 25, T6N, R2W (Cotton Lane Alignment), then North along the West Section Lines of Section 25, 24, 13 and 12 all in T6N, R2W, to the NW corner of Section 12, then East along the North Section Line of Section 12, T6N, R2W and East along the North Section Lines of Sections 7 and 8 all in T6N, R1W to the NE corner of Section 8, then South along the East Section Lines of Section 8, 17, 20, 29 and 32 all in T6N, R1W to a point of intersection with the North Right of Way of State Route 74, then East along the North Right of Way of State Route 74 to a point of intersection with the West Section Line of Section 26, T6N, R1W, then North along the West Section Lines of Sections 26, 23, 14, 11 and 2 all in T6N, R1W, to a point of intersection with the Maricopa Yavapai County Line, then North along the West Section Line of Sections 35, 26 and 23, all in T7N, R1W to the NW Corner of Section 23, T7N,~~

~~R1W, then East along the North Section Line of Section 23, T7N, R1W to the NE Corner of Section 23, T7N, R1W, then North along the West Section Line of Section 13, T7N, R1W to the NW Corner of Section 13, Then East along the North Section Line of Section 13, T7N, R1W to the NE Corner of Section 13, T7N, R1W, then North along the West Section Line of Section 18, T7N, R1E to the NW Corner of Section 18, T7N, R1E, then East along the North Section Line of Sections 18, 17 and 16, all in T7N, R1E to the NE Corner of Section 16, T7N, R1E, then South along the East Section Lines of Sections 16, 21, 28 and 33, all in T7N, R1E to a point of intersection with the Maricopa Yavapai County Line, then South along the Maricopa Yavapai County Line to a point of intersection with the North Section Line of Section 4, T6N, R1E, then East along the North Section Lines of Sections 4, 3 and 2, all in T6N, R1E to the NE corner of Section 2, T6N, R1E, then South along the East Section Line of Sections 2, 11, 14, 23 and 26 all in T6N, R1E to a point of intersection with the Centerline of New River Road, then Southerly along the Centerline of New River Road to a point of intersection with South Section Line of Sections 26 and 27, T6N, R1E, then West along the South Section line of Sections 26 and 27, T6N, R1E, then West along the South Section line of Sections 26 and 27 T6N, R1E to a point of intersection with the East City Boundary of the City of Peoria, Arizona, then Southeasterly along the East City Boundary of the City of Peoria, Arizona in Section 34, T6N, R1E to a point of intersection with the South Section Line of Section 34 T6N R01E (intersection being referenced as a point on the south section line of Section 34 T6N R01E that is ½ Mile EAST of the centerline of Lake Pleasant Road (now known as State Route 74), then East to the SW corner of Section 35, T6N, R1E then South along the West Section Line of Section 2, T5N, R1E, to a point of intersection with the SW Corner Lot 4 of Section 02 T05N R01E, then East along the South Line of Lot 4 to the SE Corner of Lot 4 of Section 02 T05N R01E, then South along the East Line of the SW ¼ NW ¼ of Section 02 T05N R01E to a point of intersection with the East West Midsection Line of Section 2, T5N, R1E, then East along the midsection line of Sections 2 and 1, T5N, R1E, to a point of intersection with the West Bank of the New River, then Southerly along the West Bank of the New River to a point of intersection with the North Right of Way of the Central Arizona Project Canal, then Southeasterly along the North Right of Way of the Central Arizona Project Canal to a point of intersection with East West mid section line of Section 24, T5N, R1E, then East along the East West midsection line to a point of intersection with East Section Line of Section 24, T5N, R1E, then Southerly along the East Section Line of Sections 24, 25 and 36, all T5N, R1E and the East Section Line of Sections 1 and 12, T4N, R1E to the point of beginning. Excluding those areas which are not incorporated within the City of Peoria.~~

~~PALO VERDE DISTRICT -- LEGAL DESCRIPTION~~

~~PALO VERDE DISTRICT IS DESCRIBED AS FOLLOWS:~~

~~Beginning at the SE corner of Section 24, T3N, R1E, then Westerly along the South Section Line of Section 24 to the SW corner of the SE Quarter of Section 24, T3N, R1E, then North along the North-South Midsection Line (71st Avenue)~~

to the NW corner of the SE Quarter of Section 24, T3N, R1E, then West along the East West Midsection Line (Cholla Street) of Sections 24 and 23, T3N, R1E, to a point of intersection with the Center Line of 77th Drive, then North along the Center Line of 77th Drive to a point of intersection with the Center Line of Jenan Drive, then West along the Center Line of Jenan Drive to a point of intersection with the North-South Midsection Line of Section 23, T3N, R1E (79th Avenue), then North along the North-South Midsection Line of Section 23, T3N, R1E to a point of intersection with the North Section Line of Section 23, T3N, R1E (Cactus Road), then West along the North Section Line of Sections 23 and 22, T3N, R1E to the NW corner of Section 22, T3N, R1E, then South along the West Section Line of Section 22, T3N, R1E (91st Avenue) to a point of intersection with the South Right of Way Line of US 60 (Grand Avenue), then Northwesterly along the South Right of Way Line of US 60 to a point of intersection with the West Right of Way Line of State Route 101 (Agua Fria Freeway), then Northeasterly along the West Right of Way Line of State Route 101 (Agua Fria Freeway) to a point of intersection with the South Bank of Skunk Creek, then Northeasterly along the South Bank of Skunk Creek to a point of intersection with the West extension of the North Right of Way Line of Tierra Buena Lane. Then East along the North Right of Way Line of Tierra Buena Lane to a point of intersection with the East Section Line of Section 2, T3N, R1E (75th Avenue), then North along the East Section Line of Section 2, T3N, R1E, to a point of intersection with the Center Line of Paradise Lane, then Westerly along the Center Line of Paradise Lane to a point of intersection with the Center Line of 83rd Avenue, then North along the Center Line of 83rd Avenue to a point of intersection with the South Right of Way Line of Bell Road, then East along the South Right of Way Line of Bell Road to a point of intersection with the East Line of Lot 4 of Section 1, T3N, R1E, which is the East Boundary of the City of Peoria, Arizona, then Southerly along the East Boundary of the City of Peoria to a point of intersection with the North Right of Way of the Arizona Canal, then Southeasterly along the North Right of Way of the Arizona Canal to a point of intersection with the East Section Line of Section 12, T3N, R1E, then South along the East Section Line of Sections 12, 13, and 24 T3N, R1E (67th Avenue) to the point of beginning. Excluding those areas, which are not incorporated within the City of Peoria.

PINE DISTRICT LEGAL DESCRIPTION

PINE DISTRICT IS DESCRIBED AS FOLLOWS:

Beginning at the SE corner of the SW Quarter of Section 34 T3N, R1E, then West along the South Section Line of Section 34, T3N, R1E to the SW corner of Section 34, Then West along the South Section Lines of Sections 33, 32, and 31 all T3N, R1E to the SW corner of Section 31, T3N, R1E, then North along the West Section Line of Section 31, T3N, R1E to a point of intersection with the South Right of Way Line for Olive Avenue, then East along the South Right of Way line for Olive Avenue to a point of intersection with the West Right of Way Line for 99th Avenue, as realigned, then North along the West Right of Way Line for 99th Avenue, as realigned to a point of intersection with the North Right of Way Line for Olive Avenue, then East along the North Right of Way Line for Olive

~~Avenue to a point of intersection with the West Section Line of Section 28 T3N, R1E, then North along the West Section Line of Section 28, T3N, R1E and the West Section Line of Section 21 T3N, R1E, to a point of intersection with the NW Corner of the SW Quarter of Section 21, T3N, R1E, then East along the East-West Midsection Line of Section 21, T3N, R1E, to the NE corner of the SW Quarter of Section 21, T3N, R1E, then North along the North-South Midsection Line of Sections 21 and 16, T3N, R1E to a point of intersection with the South Section Line of Section 9, T3N, R1E, then East along the South Section Line of Sections 9 and 10, T3N, R1E to a point of intersection with the West Right of Way Line of State Route 101 (Agua Fria Freeway) then South along the West Right of Way Line of State Route 101 to a point of intersection with the South Right of Way of US 60 (Grand Avenue), then Southerly along the South Right of Way of US 60 to a point of intersection with the West Section Line of Section 22, T3N, R1E, then North along the West Section Line of Section 22, T3N, R1E, to the NW corner of Section 22, then East along the North Section Line of Section 22, T3N, R1E, to the NE corner of Section 22, then South along the East Section Line of Section 22, T3N, R1E, to the SE corner of the NE quarter of Section 22, T3N, R1E, then West along the East-West midsection line of Section 22 to a point of intersection with the South Right of Way Line of US 60 (Grand Avenue), then Northwesterly along the South Right of Way Line of US 60 to a point of intersection with the Center Line of 88th Drive, then Southerly along the Center Line of 88th Drive to a point of intersection with the Center Line of Yucca Street, then West along the Center Line of Yucca Street to a point of intersection with the West Section Line of Section 22, T3N, R1E, then South along the West Section Lines of Sections 22 and 27, T3N, R1E to a point of intersection with the SW corners of the NW Quarter of the NW Quarter of Section 27, T3N, R1E, then East along the South Line of the NW Quarter of the NW Quarter Section 27, T3N, R1E (Monroe Street), to a point of intersection with the SE Corner of the NW Quarter of the NW Quarter of Section 27, T3N, R1E, then South along the East Line of the SW Quarter of the NW Quarter of Section 27, T3N, R1E (89th Avenue) to a point of intersection with the Center Line of Cinnabar Avenue, then East along the Center Line of Cinnabar Avenue to a point of intersection with the North-South Midsection Line of Section 27, T3N, R1E (87th Avenue), then South along the North-South Midsection Line of Sections 27 and 34, T3N, R1E to the point of beginning. Excluding those areas which are not incorporated within the City of Peoria.~~

~~WILLOW DISTRICT—LEGAL DESCRIPTION~~

~~WILLOW DISTRICT IS DESCRIBED AS FOLLOWS:~~

~~Beginning at a point at the intersection of the North Right of Way Line of Tierra Buena Lane and the East Section Line of Section 2, T3N, R1E (75th Avenue), then West along the North Right Way Line of Tierra Buena Lane as extended to its intersection with the South Bank of Skunk Creek, then Southwesterly along the South Bank of Skunk Creek to a point of intersection with the West Right of Way of State Route 101), then North along the West Right of Way Line of State Route 101 to a point of intersection with the South Right of Way Line of Bell~~

~~Road, then West along the South Right of Way Line of Bell Road to a point of intersection with the North-South Midsection Line of Section 3, T3N, R1E (87th Avenue Alignment), then North along the North-South Midsection Line of Section 3, T3N, R1E, and the North-South Midsection Line of Sections 34 and 27 all in T4N, R1E to a point of intersection with the North Right of Way Line of Union Hills Drive, then East along the North Right of Way Line of Union Hills Drive to a point of intersection with the West Right of Way Line for 83rd Avenue/Lake Pleasant Parkway, then North and West along the West Right of Way Line for 83rd Avenue/Lake Pleasant Parkway to a point of intersection with the East Section Line of Section 21, T4N, R1E, then North along the East Section Line of Section 21, T4N, R1E to the NE Corner of Section 21, then West along the North Section Line of Sections 21 and 20, all in T4N, R1E to a point of intersection with the West Right of Way Line of Lake Pleasant Parkway, then South along the West Right of Way Line of Lake Pleasant Parkway to a point of intersection with the West Right of Way Line of Lake Pleasant Road, then South along the West Right of Way Line of Lake Pleasant Road to a point of intersection with the South Right of Way Line of Beardsley Road, then West along the South Right of Way Line of Beardsley Road to a point of intersection with the East Right of Way Line of 107th Avenue, then South along the East Right of Way Line of 107th Avenue to a point of intersection with the South Section Line of Section 29, T4N, R1E, then West along the South Section Line of Sections 29 and 30, all in T4N, R1E to a point of intersection with the SW Corner of the SE Quarter of the SW Quarter of Section 30 T4N, R1E, then north along the West line of the SE Quarter of the SW Quarter of Section 30 as extended to a point of intersection with the North Section Line of Section 30, T4N, R1E, then West along the North Section Line of Section 30, T4N, R1E to a point of intersection with the centerline of 112th Avenue, then North along the centerline of 112th Avenue to a point of intersection with the East-West Midsection Line of Section 19, T4N, R1E, then East along the East-West Midsection line of Section 19 to a point of intersection with the SW Corner of the SE Quarter of the NE Quarter of Section 19, T4N, R1E, then North along the West Line of the SE Quarter of the NE Quarter of Section 19, T4N, R1E and continuing North along the West Line of the NE Quarter of the NE Quarter of Section 19 T4N, R1E to the SW Corner of the SE Quarter of the SE Quarter Section 18, T4N, R1E, then continuing North along the West line of both the SE Quarter of the SE Quarter and the NE Quarter of the SE Quarter all in Section 18, T4N, R1E to a point of intersection with the East-West Midsection Line of Section 18, which is the NW Corner of the NE Quarter of the SE Quarter of Section 18, T4N, R1E, then East following the East-West Midsection Line, to a point of intersection with the East Section Line of Section 18, T4N, R1E, then North along the East Section Line of Section 18, T4N, R1E to the NE Corner of Section 18, then East along the North Section Line of Section 17, T4N, R1E to a point of intersection with the center line extension of the 101st Avenue Alignment, (intersection corresponding to the NE Corner for the NW Quarter of the NE Quarter of Section 17, T4N, R1E) then North along the extension of the 101st Avenue alignment to a point of intersection with the West extension of the center line of the Camino Del Oro Alignment, then East along the Camino Del Oro alignment to a point of intersection with the West Right of Way Line for Lake Pleasant Parkway, then~~

South along the West Right of Way Line for Lake Pleasant Parkway to a point of intersection with the extension of the center line for Electra Lane, then East along the extension of the Center Line of Electra Lane to the West Boundary of the City of Peoria, then North along the West Boundary of the City of Peoria to the East-West Midsection Line of Section 8, T4N, R1E, then East along the East-West Midsection Line of Sections 8, 9 and 10 all in T4N, R1E to a point of intersection with the Centerline of 83rd Avenue, then North along the Centerline of 83rd Avenue to a point which is 1323.24 feet south of the North Section Line of Section 11, T4N, R1E, then East along this line to a point of intersection with the East Section line of Section 11, T4N, R1E, then South along the East Section Lines of Sections 11 and 14, all in T4N, R1E to the SE Corner of Section 14, Then East along the South Line of Section 14 to the East Boundary of the City of Peoria, Arizona, Then Southwesterly along the East Boundary of the City of Peoria, Arizona to a point of intersection with the North-South Midsection Line of Section 23, T4N, R1E, then South along the North-South Midsection Line of Section 23, T4N, R1E to the SE corner of the SW Quarter of Section 23, T4N, R1E, then West along the South Section Line of Section 23, T4N, R1E to a point of intersection with the West bank of the New River, then Southwesterly along the West Bank of the New River to a point of intersection with the East-West Midsection Line of Section 26, T4N, R1E, then West along the East-West Midsection Line of Section 26, T4N, R1E to a point of intersection with the East Boundary of the City of Peoria, Arizona, then South along the East Boundary of the City of the City of Peoria, Arizona to a point of intersection with the South Right of Way Line for Union Hills Drive, then West along the South Right of Way Line for Union Hills Drive to a point of intersection with the East Section Line of Section 34, T4N, R1E, then South along the East Section Line of Section 34, T4N, R1E to a point of intersection with the SE Corner of the NE Quarter of the SE Quarter of Section 34, T4N, R1E, then West along the South Line of the NE Quarter of the SE Quarter of Section 34, T4N, R1E to a point of intersection with the West Bank of the New River, then South along the West Bank of the New River to a point of intersection with the North Right of Way Line of Bell Road, then East along the North Right of Way Line of Bell Road to a point of intersection with the West Right of Way Line of State Route 101 (Agua Fria Freeway), then North along the West right of way line to a point of intersection with the East Section Line of Section 34, T4N, R1E, then South along the East Section line of Section 34, T4N, R1E and Section 3, T3N, R1E to a point of intersection with the South Right of Way Line for Bell Road, then East along the South Right of Way Line for Bell Road to a point of intersection with centerline of 83rd Avenue, then South along the centerline of 83rd Avenue to a point of intersection with the Centerline of Paradise Lane, then East along the Centerline of Paradise Lane to a point of intersection with the East Section Line of Section 2, T3N, R1E (75th Avenue) then South along the East Section Line of Section 2, T3N, R1E to the point of beginning. Excluding those areas, which are not incorporated within the City of Peoria.

SECTION 6. Chapter 8 of the Peoria City Code (1992) is amended by amending Section 8-6 and renumbering it as Section 4-4 pertaining to Elections; primary election date and which shall read as follows:

Section ~~48-64~~ –Elections; primary and general election dates.

Municipal primary and general elections will be held pursuant on dates designated by to State Statute. ~~On the second Tuesday in March of every odd numbered year through 2003 and commencing on the eighth Tuesday before the first Tuesday and after the First Monday in November 2004 and thereafter, a primary election shall be held for the nomination of candidates for the position of Mayor and members of the City Council whose terms expire at the date of the first council meeting in January following their election.~~

SECTION 7. Chapter 8 of the Peoria City Code (1992) is amended by repealing Section 8-7 in its entirety pertaining to Elections; general election date and which shall read as follows:

~~Section 8-7 – Elections; general election date.~~

~~For those candidates not elected to office in the primary election, commencing in the year 2004, on the first Tuesday after the first Monday in November, a general election shall be held for the election of candidates for the position of members of the City Council, whose terms expire at the first council meeting in December 2004. Commencing in the year 2006, on the first Tuesday after the first Monday in November, a general election shall be held for the election of candidates for the position of Mayor and members of the City Council, whose terms expire at the first council meeting in January 2007.~~

SECTION 8. Chapter 8 of the Peoria City Code (1992) is amended by amending Section 8-8 and renumbering it as Section 4-5 pertaining to Elections; designation of and numbering of polling places and which shall read as follows:

Section ~~48-85~~ – Elections; designation of and numbering of polling places.

~~(a) — Not less than forty five (45) days before a city special or recall election not held in conjunction with a countywide or statewide election, the City Clerk shall designate the place within each council district where the election shall be held.~~

~~(1) — For City primary, general, special or recall elections held in conjunction with a countywide or statewide election, the polling places used for municipal elections shall be the polling places selected by the county for the countywide or state-wide elections, unless the City Clerk determines that it is impracticable to use such polling place in which case the City Clerk may select an alternative location.~~

~~(b) — In the case of a citywide election held in conjunction with a countywide or statewide election, the polling places for each precinct shall be used for rotation purposes.~~

~~(c) — In the case of a city election, not held in conjunction with a countywide or statewide election, the polling places shall be numbered in the following manner: commencing with the council district starting with the letter "a," the polling places shall be numbered consecutively starting with the number 1. The numbering shall proceed from south to north in each council district based on alphabetical order. If two polling places are located on the same geographical location from south to north, then the polling places within the council district shall be numbered from west to east.~~

SECTION 9. Chapter 8 of the Peoria City Code (1992) is amended by amending Section 8-9 and renumbering it as Section 4-6 pertaining to Elections; rotation of names of candidates on ballot and which shall read as follows:

Section ~~48-96~~ – Elections; rotation of names of candidates on ballot.

Rotation of candidate names on the ballot shall be pursuant to State Statute. ~~(a) — In all municipal elections, including recall elections, the position of names of candidates for any particular office shall be alternated upon the ballots used within the City of Peoria so that the names of each candidate shall appear substantially an equal number of times at the top, at the bottom and in each intermediate place of the list or group of candidates in which they belong insofar as may be practicable. For purposes of this chapter, "names" refers to the last name of candidates~~

~~(b) — At any election in which there are more candidates for office than seats to be filled, the candidate's names will be listed on the ballot in straight alphabetical order. However, the initial alphabetical order used will be determined by drawing by lot one alphabetic letter out of the total 26 letter alphabet. The drawing will be held by the City Clerk following the deadline for submission of nomination papers to run for office at a city primary, special or recall election.~~

~~(c) — The alphabet letter that is drawn shall be used as the starting point of the alphabetical listing of all candidates' names on the ballot.~~

~~(1) — In the case of city elections not held in conjunction with a countywide or statewide election, the initial order of candidates names as determined by the drawing will be listed on the ballot for the polling location designated in section 8-8(b) above as no. 1.~~

~~(2) — In the case of city elections held in conjunction with a countywide or statewide election, the initial order of candidates names as determined by the drawing will be listed on the ballot based on the total number of registered voters in each precinct within each council district as of January 1 in the year that the election is being held in accordance with guidelines as may be established from time to time by the Maricopa County elections department.~~

~~(d) — Thereafter the names of the candidates for each respective office shall be consecutively rotated in each successive numbered polling place area by moving the candidates name listed in the first position to the last position and by moving up one position the names of each other candidate. Only one form of ballot within each polling place area is necessary.~~

~~(e) — For city council district elections the same letter drawn by the clerk shall be used to start the rotation of candidates with the rotation proceeding in alphabetical order according to numerical order of designation of polling place locations in accordance with the guidelines as may be established from time to time by the Maricopa County elections department.~~

~~(f) — The city clerk shall maintain, as part of the official files of the election, any papers or items used for any drawings conducted to determine the rotation of candidates names on the ballot for the primary, general and special elections in the same manner as required by law for other administrative election records. Such papers are deemed a public record and are open for inspection or copying in the same manner as other public records.~~

SECTION 10. Chapter 8 of the Peoria City Code (1992) is amended by amending Section 8-10 and renumbering it as Section 4-7 pertaining to Power Reserved; Time of Election and which shall read as follows:

Section ~~48-407~~ - Power Reserved; Time of Election.

~~There is reserved to the qualified electors of the City of Peoria the power of the initiative and referendum as prescribed by the Charter. Any initiative, referendum or matter referred to the qualified electors by the City Council may be voted on at an election held pursuant to on a date specified by State Statute, the next ensuing primary or general election, or at a special election called by the Council for such purpose.~~

SECTION 11. Chapter 8 of the Peoria City Code (1992) is amended by amending Section 8-11 and renumbering it as Section 4-8 pertaining to Initiatives; number of signatures; method of calculation and which shall read as follows:

Section ~~84-448~~ – Initiatives; number of signatures; method of calculation.

~~The number of and method of calculation for petition signatures for a municipal initiative and/or referendum submitted by ~~The~~ electors of the City of Peoria will be determined pursuant to State Statute, Arizona may initiate a local law or ordinance by securing the signatures of fifteen percent (15%) of the qualified electors of the City of Peoria on a petition.~~

~~(a) — The total number of qualified electors registered to vote in the City as as indicated in the canvass of election of the most recent regular municipal primary election preceding the filing of an initiative petition shall be the basis~~

~~upon which the number of qualified electors of the City of Peoria required to file an initiative petition shall be computed.~~

~~(b) — The basis upon which the number of qualified electors of the City of Peoria required to file a referendum petition shall be as determined by state law.~~

SECTION 12. Chapter 8 of the Peoria City Code (1992) is amended by amending Section 8-12 and renumbering it as Section 4-9 pertaining to Initiative and Referendum Petitions; time of filing and which shall read as follows:

Section ~~48-129~~. Initiative and Referendum Petitions; time of filing.

(a) Initiative petitions may be circulated for signature for a period not to exceed one year after the City Clerk has issued the number for such petition. ~~Initiative petitions shall be filed with the City Clerk's Office at least one hundred twenty (120) days prior to the election at which they are to be voted upon.~~ In the event that less than one hundred twenty (120) days exist prior to the next regularly scheduled general election, ~~such the~~ filed initiative petition shall be placed on the ballot at the following subsequent next regular general election, or a special election called by the city or, at the council's discretion.

(b) Referendum petitions shall be filed within thirty (30) days of the ~~adoption~~ EXECUTION of the ~~an~~ ordinance, a resolution having the effect of an ordinance or the APPROVED ~~adopted~~ minutes of a meeting where the approval of the proposed action and direction to prepare an ordinance occurred whichever becomes available first. If the ~~City~~ City Clerk is unable to provide the petitioners with a copy of the text of the ordinance, resolution having the effect of an ordinance or the approved minutes at the time of application for an official number or on the same business day of the application, the thirty (30) day period shall be calculated from the date the text of such ordinance, resolution having the effect of an ordinance or approved minutes are available.

SECTION 13. Chapter 8 of the Peoria City Code (1992) is amended by amending Section 8-13 and renumbering it as Section 4-10 pertaining to Elections; ballot format and which shall read as follows:

Section ~~48-130~~ – Elections; ballot format.

The City ballot format shall be in accordance with State Statute.

~~(a) — Proposed charter amendments shall be numbered consecutively beginning with the number 100, proposed initiative measures shall be numbered consecutively beginning with the number 200 and measures submitted under the referendum shall be numbered beginning with the number 300. All items shall be placed on the ballot in numerical order, unless the election is held in conjunction with a statewide election. In such event the numbering requirements provided by state law shall apply.~~

~~(b) — The City Clerk shall print the official title, the descriptive title and the number of each measure to be placed on the ballot. A proposed charter amendment shall be designated "proposed charter amendment" and shall indicate whether it was proposed by the initiative or by the council. A proposed initiative measure shall be designated "proposed initiative measure proposed by initiative petition" and a matter submitted under the referendum shall be designated "matter referred to the people" and shall indicate whether it was referred by the council or by order of the people by petition.~~

~~(c) — There shall be printed on the official ballot immediately below the number of the measure and the official title of each measure a descriptive title containing a summary of the principal provisions of the measure, not to exceed fifty (50) words, which shall be prepared by the City Clerk and approved by the City Attorney. Immediately following the descriptive title of each measure there shall be printed the phrases:~~

~~A "yes" vote shall have the effect of _____.~~

~~A "no" vote shall have the effect of _____.~~

~~The blank spaces shall be filled with a brief phrase prepared by the city clerk and approved by the city attorney stating the essential change in the existing law should the measure receive a majority of the votes cast.~~

SECTION 14. Chapter 8 of the Peoria City Code (1992) is amended by amending Section 8-14 and renumbering it as Section 4-11 pertaining to Elections; sample ballots and informational/publicity pamphlets and which shall read as follows:

Section ~~48-141~~ — Elections; sample ballots and informational/publicity pamphlets.

Publicity pamphlets will be produced and distributed in the manner prescribed by State Statute.

~~(a) — The following procedures relating to arguments to sample ballots and informational pamphlets are hereby adopted for conducting elections at which a an initiative, referendum, matter referred to the qualified electors by the City Council or bond election for which an informational/publicity pamphlet is required are to be voted on.~~

~~(a) — An informational/publicity pamphlet, containing the entire text of the official ballot, shall be mailed by the City Clerk to each household within the City in which a registered voter resides, not less than thirty three (33) days prior to the election to which the informational/publicity pamphlet pertains.~~

~~(b) — The pamphlet shall contain the proposition as it will appear on the ballot together with a summary of each proposition. Each summary shall be~~

~~followed by any arguments supporting the proposition followed by any arguments opposing the proposition.~~

~~(c) — Arguments supporting and opposing propositions and bond questions appearing on the ballot shall be filed with the office of the City Clerk by 5:00 p.m. not less than seventy five (75) days prior to the election at which the propositions are to be voted upon. Arguments supporting or opposing propositions and bond questions appearing on the ballot shall meet the following requirements:~~

~~1. — Arguments must relate to the propositions proposed by initiative; referred by referendum or referred by the City Council which will appear on the ballot. Arguments on bond authorization questions must be specific to a particular question.~~

~~2. — Arguments must identify the proposition or bond question to which they refer and indicate whether the argument is in support of or opposition to the proposition or bond question.~~

~~3. — Arguments may not exceed three hundred (300) words in length.~~

~~4. — Arguments must be signed by the person or all the persons submitting them. Arguments submitted by organizations shall be signed on behalf of the organization by an officer of the organization authorized to take such action. All persons signing documents shall indicate their residence or post office address.~~

~~5. — No person or organization shall submit more than one argument for each proposition or bond question to be voted upon.~~

~~6. — Proper spelling, grammar, syntax and language are the responsibility of the person submitting the argument, not the City Clerk.~~

~~7. — The City Clerk shall have sole discretion over the translation of such submittal.~~

~~8. — Each argument shall be accompanied by a nonrefundable fee in the amount of Two Hundred (\$200.00) Dollars to offset proportional costs of printing, paper and translation. This requirement shall not be waived on any account.~~

~~9. — Each argument shall be accompanied by an electronic version on a media compatible with the City's information systems as determined by the City Clerk.~~

~~10. — For arguments on bond election questions, any matter not specifically addressed in this code shall be addressed in the manner provided by this code and/or state law for Initiative and Referendum Matters.~~

SECTION 15. Chapter 8 of the Peoria City Code (1992) is amended by amending Section 8-15 and renumbering it as Section 4-12 pertaining to Elections; initiative, referendum and recall; eligibility of circulator and which shall read as follows:

Section ~~48-152~~ – Elections; initiative, referendum and recall; eligibility of circulator.

(a) Initiative and referendum petition circulators shall be qualified pursuant to State Statute. ~~No person other than a resident who is qualified to register to vote in elections of this state shall circulate an initiative or referendum petition and all signatures verified by any such person shall be void and shall not be counted in determining the legal sufficiency of the petition.~~

~~(a) For purposes of this section, the term "resident" is defined as individual having both actual physical presence and intent to remain in the city. The existence of one or more of the following factors shall be deemed to be objective evidence that may rebut the presumption of residency:~~

- ~~1. Failure to file a change of address with the United States Postal Service, indicating an address within the State of Arizona.~~
- ~~2. Failure to register a motor vehicle owned or leased to an address within the State of Arizona.~~
- ~~3. Failure to have an Arizona Driver's License or state issued identity card with an address within the State of Arizona.~~
- ~~4. Failure to use on the most recent filed United States or State of Arizona Income Tax return an address in the State of Arizona.~~
- ~~5. Having a month to month lease for use of a residence within the State of Arizona.~~
- ~~6. Failure to have water, wastewater, sanitation, telephone, electric, natural gas or cable communications services in their name at an address in the State of Arizona.~~
- ~~7. Failure to have any accounts with a provider of financial services using an address in the State of Arizona.~~

(b) The City Clerk shall be under no legal obligation or responsibility to initially investigate the resident status of individual's signing the petitions, or individual's circulating petitions other than the verification required by law. It shall be the burden of any qualified elector of the city ~~challenging such signatures to present the evidence provided by this section to the City Clerk~~ challenge petition signatures pursuant to State Statute.

~~(c) The existence of three or more of the factors in subsection (a) of this section shall be sufficient grounds for the City Clerk to determine that the individual is not a resident of the State of Arizona and to strike their signature as void and not count in determining the legal sufficiency of the petition.~~

~~(d) Signatures obtained on initiative or referendum petitions by a political committee proposing the initiative or referendum or any of its officers, agents, employees or members prior to the filing of the committee's statement of organization are void and shall not be counted in determining the legal sufficiency of the petition.~~

~~(e) Signatures obtained on recall petitions, by a political committee or any of its officers, agents, employees or members prior to filing of the committee's statement of organization with the City Clerk's Office are void and shall not be counted in determining the legal sufficiency of the petition. Circulators of recall petitions must be a qualified electors for the council district for in which the recall of the office holder is sought.~~

SECTION 16. Chapter 8 of the Peoria City Code (1992) is amended by amending Section 8-16 and renumbering it as Section 4-13 pertaining to Elections; initiative and referendum petitions; circulation and which shall read as follows:

Section ~~48-163~~ – Elections; initiative and referendum petitions; circulation.

~~(a) At the time of circulation, each signature sheet of an initiative or referendum petition must have affixed to it a full and correct copy of the proposed initiative measure or ordinance to be referred, including all attachments incorporated into the ordinance. In the case of a zoning ordinance a map identifying the location of the subject property shall be attached in addition to all other attachments. There shall be a rebuttable presumption that a full and correct copy of the proposed initiative measure or ordinance to be referred such items were was not attached to the signature petition during circulation, if the documentation is they are not attached when signature sheets are presented to the City Clerk for verification.~~

~~(b) No county recorder, justice of the peace, county or municipal elections official and no person other than a person qualified to register to vote in the State of Arizona shall circulate an initiative or referendum petition and all signatures verified by any such person shall be void and shall not be counted in determining the legal sufficiency of the petition.~~

~~(c) At all times during the circulation of any initiative petition page, the circulator of that page shall be a person qualified to register to vote in the State of Arizona.~~

~~(d) Each circulator of any petition page shall personally receive sufficient information from each signer of the page, at the time the signature is obtained, to ensure that the circulator can, as to all signers of that page, depose and state in the affidavit required by the charter that each signature is genuine, and that each signer is a resident and qualified elector of the City of Peoria, Arizona.~~

~~(e) The circulator of any petition page shall retain direct custody and control of the pages at all times during circulation, except when a signer is signing; personally give the pages to, and take them from, each signer; and personally observe each signer of the petition actually sign the petition. For purposes of this subsection, the term "at all times during circulation" means the entire period from the time the circulator receives blank initiative or referendum petition pages for circulation until the time the circulator's signature on the affidavits are notarized.~~

~~(f) Circulator of petition pages shall cross out and initial any blank signature lines on the petition pages prior to, or at the time of, the circulator's signature on the affidavit for that page is notarized. Any signature on a line containing blanks shall not be counted in determining the legal sufficiency of the petition and any petition containing blank signature lines on the page after signed by the circulator in violation of this section shall not be counted in determining the legal sufficiency of the petition.~~

~~(g) The provisions of this section shall also apply to the circulation of any recall petition.~~

SECTION 17. Chapter 8 of the Peoria City Code (1992) is amended by repealing Sections 8-17 in its entirety pertaining to Elections; registration, residence in district required and which shall read as follows:

~~Section 8-17—Elections; registration, residence in district required.~~

~~All persons whose names appear on the register of voters and who are qualified voters of the City and of the district in which they claim the right to vote, shall be entitled to vote in their respective districts at any primary, general, special or recall election, but any person whose name does not so appear shall not be entitled to vote in any city or district election, unless a new resident or ballot to be verified has been filed in the manner provided by law.~~

SECTION 18. Chapter 8 of the Peoria City Code (1992) is amended by repealing Sections 8-18 in its entirety pertaining to Elections; effect of moving to another district preceding election and which shall read as follows:

~~Section 8-18—Elections; effect of moving to another district preceding election.~~

~~Any duly registered person otherwise qualified to vote in any primary, general, special or recall city election who has moved his or her residence from the District in the City or from any city into the City of Peoria in which their name appears on the register of voters shall be deemed a resident of the prior District or City for purposes of signing or circulating a referendum or recall petition or to vote in a City or District Election, unless they were registered at an address in the District or City on the date of election and such registration is on file with the County Recorder on such date.~~

SECTION 19. Chapter 8 of the Peoria City Code (1992) is amended by repealing Sections 8-19 in its entirety pertaining to Elections; withdrawal of petition signature; payment of remuneration; violation; classification and which shall read as follows:

~~Section 8-19—Elections; withdrawal of petition signature; payment of remuneration; violation; classification.~~

~~(a) — A person who has signed a petition prescribed by statute for any initiative, referendum may withdraw his signature from the petition not later than 5:00 p.m. on the date set by law for filing of the petition, or if no date is set by law, 5:00 p.m. on the date the petition containing the person's signature is actually filed. A person who has signed a recall petition may withdraw his signature from the petition not later than 5:00 p.m. on the date the petition containing the person's signature is filed pursuant to A.R.S. 19-208.03.A.1.~~

~~(b) — To withdraw a petition signature, a person may either:~~

~~(1) — Verify the withdrawal by signing a simple statement of intent to withdraw at the office of the City Clerk.~~

~~(2) — Deliver or Mail a signed, notarized statement of intent to withdraw to the City Clerk.~~

~~(c) — A signature withdrawn pursuant to subsection (b) of this section and received by the City Clerk in their office regardless of the method of delivery within the time provided for in subsection (a) of this section shall not be counted in determining the legal sufficiency of the petition.~~

~~(d) A person who knowingly gives or receives money or any other thing of value for signing a statement of signature withdrawal pursuant to subsection (b) of this section is guilty of a class 1 misdemeanor.~~

SECTION 20. Chapter 8 of the Peoria City Code (1992) is amended by repealing Sections 8-20 in its entirety pertaining to Elections; compensation of boards of election and clerks and which shall read as follows:

~~Section 8-20—Elections; compensation of boards of election and clerks.~~

~~The compensation of members of boards of election and clerks shall be paid out the city's general fund at the prevailing rate paid by Maricopa County.~~

SECTION 21. Chapter 8 of the Peoria City Code (1992) is amended by repealing Sections 8-21 in its entirety pertaining to Elections, City Clerk; elections officer and which shall read as follows:

~~Section 8-21—Elections, City Clerk; elections officer.~~

~~The City Clerk shall be designated the Elections Officer of the City and shall perform all duties assigned to the County Recorder and Secretary of State under the statutes in the conduct of city elections. The City Clerk shall not provide legal advice to any party on election issues, but shall provide such public information and resources to assist the public in participation in the election process.~~

SECTION 22. The current sections of Chapter 4 of the Peoria City Code (1992) will be renumbered and/or amended by way of a separate ordinance to be submitted to the Mayor and City Council for approval.

SECTION 23. If any section, subsection, sentence, clause or phrase of this Ordinance 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 of this Ordinance.

SECTION 24. This Ordinance shall become effective in the manner provided by law.

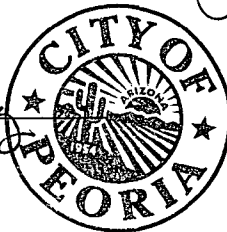
PASSED AND ADOPTED by the Mayor and Council of the City of Peoria, Arizona, this 7th day of March, 2017.

Dated: March 8, 2017

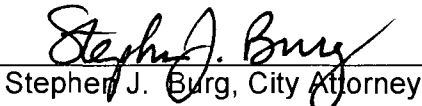

Cathy Carlat, Mayor

ATTEST:


Rhonda Geriminsky, City Clerk



APPROVED AS TO FORM:


Stephen J. Burg, City Attorney

Published in Peoria Times
Publication Dates: March 17, 2017
Effective Date: April 8, 2017