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WHEN RECORDED MAIL TO:

**CITY OF SAN LUIS
ATTN: SONIA CORNELIO, CITY CLERK
P.O. BOX 1170
SAN LUIS, ARIZONA 85349**

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CAPTION HEADING:

Ordinance No. 331:
Amending the San Luis City Code Title III-Administration



Ordinance

OFFICE OF THE
MAYOR
CITY OF SAN LUIS

NO. 331

AN ORDINANCE OF THE CITY OF SAN LUIS, ARIZONA, AMENDING THE SAN LUIS CITY CODE TITLE III-ADMINISTRATION; CHAPTER 31-CITY OFFICERS; CHAPTER 32-POLICE DEPARTMENT; CHAPTER 33-FIRE DEPARTMENT AND CHAPTER 35-FINANCES; REPEALING ANY CONFLICTING PROVISIONS; AND PROVIDING FOR SEVERABILITY.

WHEREAS, the City Council adopted the San Luis City Code on October 10, 2012; and,

WHEREAS, there is a need periodically to update said Code to reflect current conditions; and,

WHEREAS, current city operations are not reflected in the administrative positions as described in Chapter 31 and Chapter 32, and therefore need to be updated; and,

WHEREAS, Chapter 33, Fire Department, contains certain references to Fire Codes that have been superseded and therefore need to be amended; and,

WHEREAS, Chapter 35 of the City Code has remained unchanged since the City of San Luis was first incorporated as a Town more than thirty years ago, at a time when the City Manager controlled all operations concerning city finances and the duties of finance director, and, as a result only reflect the form of use of warrants in the event the issuance of warrants becomes necessary; and,

WHEREAS, current city financial operations are conducted by a finance department, yet these operations are not reflected in Chapter 35, therefore, it is desired to update these provisions to coincide with current operations; and,

WHEREAS, Chapter 35, City Tax Code needs to be updated to reflect the most recent tax code amendments that have been adopted by City Council.

NOW THEREFORE BE IT ORDAINED by the Mayor and Council of the City of San Luis, Arizona as follows:

SECTION 1: That Chapter 31, City Officers, § 31.02, Treasurer and Collector of Taxes, of the City Code of the City of San Luis, Arizona shall be and is hereby repealed.

SECTION 2: That Chapter 31, City Officers, § 31.20, City Manager, subsection 31.20(A)(5)(i) of the City Code of the City of San Luis, Arizona regarding the powers and duties of the City Manager shall be amended to read as follows:

(i) Supervise the purchase of all materials, supplies, and equipment for which funds are provided in the budget; let contracts necessary for operation or maintenance of city services in accordance with the purchasing provisions of the City Code; receive sealed bids for purchase or contracts in accordance and present them to Council for approval in accordance with the purchasing provisions of the City Code or state or federal law, and advise the City Council on the advantages or disadvantages of contract or bid proposals. The Manager may issue rules governing purchasing procedures within the administrative organization as Council shall approve.

SECTION 3: That Chapter 31, City Officers, Section 31.21, City Clerk, of the City Code of the City of San Luis, Arizona shall be amended to read as follows:

§ 31.21 City Clerk.

(A) Creation of office; appointment; duty and responsibility generally.

The Office of the City Clerk is created and established. All officers and employees assigned to that office shall perform their duties subject to the supervision of the City Clerk, who shall report directly to the City Manager. The City Clerk shall supervise the department in accordance with applicable personnel ordinances and shall exercise such powers and perform such duties as are conferred and required by applicable ordinance, resolution or other lawful directives. The City Clerk shall be appointed and removed by the City Manager subject to ratification of the Council, and shall serve and receive such compensation as shall be determined in accordance with applicable personnel policies. It shall be the duty of the City Clerk, or his or her deputy or designee, to attend all meetings of the council unless by request he or she is excused therefrom by the Mayor individually or by the Council. The City Clerk shall be responsible for recording minutes and presenting them to the council for approval.

(B) Specific duties.

The duties of the clerk shall be as follows:

(1) Signatures. The clerk shall seal and attest all licenses, permits and such other documents as shall require the formality.

(2) Treasurer. The duties of treasurer of the city shall be delegated to the finance director, who shall have the care, control and custody of the money of the city.

(3) Agendas. The clerk shall prepare the agenda of council meetings.

(4) Elections. The clerk shall be in charge of and responsible for the conduct of all city elections.

(5) Records management. The clerk shall be the custodian of all city records, as follows:

a. Documents not assigned to other officers. The clerk shall be custodian of all documents belonging to the city which are not assigned to the custody of some other officer.

b. Maintenance of indices. The clerk shall keep and maintain a proper index to all documents and records kept by him, so that ready access thereto and use thereof may be had.

c. Maintenance of official documents and records. The clerk shall maintain all official documents and records of the city.

(6) Additional duties. In addition to the duties provided in this section, the clerk shall perform such other duties and functions as may be required by statute, ordinance, or other direction of the mayor and city council.

SECTION 4: That Chapter 31, City Officers, § 31.22, City Marshal, of the City Code of the City of San Luis, Arizona be amended to read as follows:

The Marshal shall be the Chief of Police.

SECTION 5: That Chapter 32, Police Department, § 32.03, of the City Code of the City of San Luis, Arizona be amended to delete “Tax Collector” from the duties of the Chief of Police.

SECTION 6: That Chapter 33, Fire Department, § 33.09, Acknowledgment of Right-of-Way, of the City Code of the City of San Luis, Arizona be amended to change 600 feet to 500 feet to be consistent with State law.

SECTION 7: That Chapter 33, Fire Department, § 33.10, Fire Alarms, of the City Code of the City of San Luis, Arizona be amended to change the title of this section to “False Fire Alarms” and further amended to read as follows:

It is unlawful for any person knowingly to turn in or cause to be turned in a false fire alarm.

SECTION 8: That Chapter 33, Fire Department, § 33.12, Adoption of the Uniform Fire Prevention Code, of the City Code of the City of San Luis, Arizona be repealed as this section has been superseded by § 150.008 of the San Luis City Code entitled “ADOPTION OF NFPA1: UNIFORM FIRE CODE 2003.”

SECTION 9: That the title of Chapter 35, Finances, of the City Code of the City of San Luis, Arizona is hereby amended to be “Chapter 35, Finance Department.”

SECTION 10: That Chapter 35, Finances, §35.01, Issuance of Warrants, of the City Code of the City of San Luis, Arizona is hereby renumbered to be §35.02.

SECTION 11: That §35.01, Finance Department; Creation; Composition; Finance Officer’s Duties; Bond shall be added to the City Code of the City of San Luis, Arizona to read as follows:

§35.01 Finance Department; Creation; Composition; Finance Officer’s Duties; Bond

(A) There is created a finance department.

(B) The finance department shall consist of the finance officer, who shall be the head of the department and all employees assigned thereto. All such employees shall perform their duties subject to the supervision of the finance officer, who shall operate under the direction of the manager and report to the manager. The finance officer shall supervise the department in accordance with the personnel policies of the city and shall exercise such powers and perform such duties as are customarily conferred and required by this Code, applicable ordinances, resolutions or lawful directives. The finance officer shall be appointed by the manager and shall be in the classified service of the city. It shall be the duty of the finance officer to:

- (1) Monitor and oversee the city accounting system.
- (2) Be responsible for implementing the purchasing rules and regulations of the city in accordance with Chapter 36 of the City Code
- (3) Exercise general supervision and control over all inventories of the city.
- (4) Administer and serve as liaison for assessment collection of city's privilege taxes.
- (5) Encumber funds.
- (6) Oversee the collection of enterprise revenues in conjunction with the Utilities Department of the City.
- (7) Oversee grants and intergovernmental agreements and provide financial liaison and coordinating assistance to participating agencies and city departments.

- (8) Coordinate annual audit activities with independent auditors.
- (9) Oversee city payroll in conjunction with the Human Relations Department of the City.
- (10) Pay lawful bills submitted to the city in accordance with the budget adopted by the council and appropriations made by the council.
- (11) Oversee and supervise, in a reasonable and prudent manner, investments of city monies in accordance with city policies and state law.

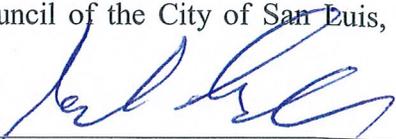
(C) As the office shall be performing the duties of Treasurer, it shall be subject to those bonding provisions of state law.

SECTION 12: That Chapter 35, Finances, § 35.15, City Tax Code, "ADOPTED BY REFERENCE", of the City Code of the City of San Luis, Arizona be amended to show the most recent City Tax Code amendments that have been adopted by Ordinance.

SECTION 13: In the event of a conflict between the provisions of this Ordinance and any other ordinance, resolution, regulation, or policy of the City of San Luis, the conflicting provisions are hereby repealed, superseded, and replaced, and the provisions of this Ordinance shall govern.

SECTION 14: If any section, subsection, sentence, clause, phrase, or portion of this Ordinance is for any reason held to be invalid or unconstitutional by the final decision of any court of competent jurisdiction such decision shall not affect the validity of the remaining portions of this Ordinance.

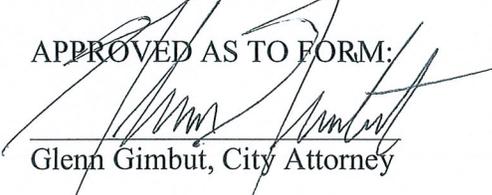
PASSED AND ADOPTED by the Mayor and Council of the City of San Luis, Arizona, this 12th day of November 2014.


Gerardo Sanchez, Mayor

ATTEST:


Sonia Cornelio, City Clerk

APPROVED AS TO FORM:


Glenn Gimbut, City Attorney