

## Chapter 2

### MAYOR AND COUNCIL ♣

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### ARTICLE 2-1. COUNCIL

#### Sec. 2-1-1. Elected officers.

The elected officers of the city shall be six (6) council members and one (1) mayor. The mayor and council members shall constitute the council and shall continue in office until assumption of duties of office by their duly elected successors. Council members and mayor shall serve four-year overlapping terms in the manner provided by state statutes, and shall assemble at the first regular meeting of June in each even-numbered year.

*(Ord. No. 500, 9-18-01, § 3, Eff. 3-19-02; Ord. No. 2003-15, §§ 1-2, 11-4-03)*

**State law reference**—Similar provisions, A.R.S. § 9-231(B).

#### Sec. 2-1-2. Corporate powers.

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

**State law reference**—Similar provisions, A.R.S. § 9-231(A).

#### Sec. 2-1-3. Duties of office.

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♣ **Editor's note**—Sections 1 and 2 of Ord. No. 2003-15, adopted Nov. 4, 2003, amended and replaced Chapter 2 in its entirety. The following sections were not revised, although some were renumbered: Sections 2-1-2, 2-1-4, 2-3-1, 2-3-2, 2-4-7, 2-4-8, 2-5-1, 2-5-4, 2-5-7, 2-5-8 and 2-6-2.

Council members shall assume the duties of office at the regularly scheduled council meeting next following: (a) their appointment; or (b) the first meeting in June following the primary or general election at which they were elected; or (c) the date they are declared elected if the general election is inconclusive.

(Ord. No. 80, § 1, 6-21-78; Ord. No. 85, § 1, 7-19-78; Ord. No. 2003-15, §§ 1-2, 11-4-03)

#### **Sec. 2-1-4. Vacancies in council.**

The council shall fill by appointment for the unexpired term any vacancy that may occur for whatever reason. If, after two rounds of voting, there are two candidates tied with the same number of votes, then the tie shall be broken by playing the deuce of clubs card game. Whichever candidate draws the deuce of clubs is determined to be the winner and shall be appointed to fill the unexpired term of the vacancy. If the candidates are not present at the meeting in which the tie votes occur, they shall be invited to attend a subsequent regular meeting of the council to play the card game.

(Ord. No. 2009-21, § 1, 12-1-09)

**State law reference**—Similar provisions, A.R.S. § 9-235.

#### **Sec. 2-1-5. Compensation.**

The compensation of elective officers of the city shall be fixed from time to time by ordinance or resolution of the council, consistent with applicable state law.

(Ord. No. 2003-15, §§ 1-2, 11-4-03)

**State law reference**—Similar provisions, A.R.S. § 9-232.01; Arizona Constitution, Art. 4, Pt. 2, § 17.

#### **Sec. 2-1-6. Oath of office.**

Prior to assumption of the duties of office, each council member shall, in public, take and subscribe to the oath of office.

(Ord. No. 2003-15, §§ 1-2, 11-4-03)

**State law reference**—Similar provisions, A.R.S. § 9-232(B).

#### **Sec. 2-1-7. Bond.**

Prior to taking office, the city shall obtain a bond for each council member or a blanket bond as required by applicable state law.

(Ord. No. 2003-15, §§ 1-2, 11-4-03)

**State law reference**—Similar provisions, A.R.S. § 9-302.

## **ARTICLE 2-2. MAYOR**

### **Sec. 2-2-1. Selection of mayor.**

The mayor shall be elected pursuant to Section 2-1-1.

(Ord. No. 80, § 2, 6-21-78; Ord. No. 85, § 2, 7-19-78; Ord. No. 500, 2, 9-18-01, Eff. 3-19-02; Ord. No. 2003-15, §§ 1-2, 11-4-03)

**State law reference**—Similar provisions, A.R.S. § 9-232.03.

### **Sec. 2-2-2. Vice mayor.**

At the first meeting in June following a city primary or general election, the council shall designate one of its members as vice mayor, who shall serve at the pleasure of the council for a term of two years. The vice mayor shall perform the duties of the mayor during his absence or disability. Appointment of a council member to fill an unexpired term shall not create a new council necessitating selection of a vice mayor.

(Ord. No. 500, § 2, 9-18-01; Ord. No. 2003-15, §§ 1-2, 11-4-03)

**State law reference**—Similar provisions, A.R.S. § 9-236.

### **Sec. 2-2-3. Acting mayor.**

In the absence or disability of both the mayor and vice mayor, the council shall designate another of its members to serve as acting mayor who shall have all the powers, duties, and responsibilities of the mayor during such absence or disability.

(Ord. No. 2003-15, §§ 1-2, 11-4-03)

### **Sec. 2-2-4. Powers and duties of the mayor.**

The powers and duties of the mayor shall include the following:

- (a) He shall be the chief executive officer of the city and be recognized as the head of city government for all ceremonial purposes and by the governor for purposes of martial law, but shall have no regular administrative duties.

- (b) He shall be the chairman of the council and preside over its meetings. He may make and second motions and shall have a voice and vote in all its proceedings.
- (c) He shall annually and from time to time give the citizens and council information relative to the affairs of the city, such as the “state of the city” address.
- (d) He shall execute and authenticate by his signature such instruments as the council, or any statutes, ordinances, or this Code shall require.
- (e) He shall make such recommendations and suggestions to the council as he may consider proper.
- (f) He may, by proclamation and after notification (if possible) of all council members, declare a local emergency to exist because of the threat or occurrence of fire, conflagration, flood, earthquake, explosion, war, bombing, any other natural or manmade calamity or disaster, or other acts of civil disobedience. After declaration of such emergency, the mayor shall govern by proclamation and impose all necessary regulations to preserve the peace and order of the city, including but not limited to:
  - 1. Impose a curfew in all or any portion of the city.
  - 2. Order the closing of any business.
  - 3. Close to public access any public building, street or other public place.
  - 4. Call upon regular or auxiliary law enforcement agencies and organizations within or without the political subdivision for assistance, including federal law enforcement or National Guard.
- (g) He shall perform such other duties required by state statute and this Code as well as those duties required as chief executive officer of the city.

*(Ord. No. 2003-15, §§ 1-2, 11-4-03; Ord. No. 2009-20, § 1, 12-1-09)*

**Sec. 2-2-5. Failure to sign documents.**

If the mayor refuses or fails to sign any ordinance, resolution, contract, warrant, demand, or other document or instrument requiring his signature for five (5) days consecutively, then a majority of the members of the council may, at any regular or special meeting, authorize the vice mayor, or in his absence, an acting mayor to sign such ordinance, resolution, contract, warrant, demand, or other document or instrument which when so signed shall have the same force and effect as if signed by the mayor.

*(Ord. No. 2003-15, §§ 1-2, 11-4-03)*

## **ARTICLE 2-3. COUNCIL ELECTION**

### **Sec. 2-3-1. Primary election.**

Any candidate who shall receive at the primary election a majority of all the votes cast shall be declared to be elected to the office for which he is a candidate effective as of the date of the general election, and no further election shall be held as to said candidate, provided that if more candidates receive a majority of all of the votes cast than there are offices to be filled, then those candidates equal in number to the offices to be filled receiving the highest number of votes shall be declared to be elected.

### **Sec. 2-3-2. General election nomination.**

If at any primary election held as above provided, there be any office or offices for which no candidate is elected, then as to such office or offices, said election shall be considered to be a primary election for nomination of candidates for such office or offices, and the second or general municipal election shall be held to vote for candidates to fill such office or offices. Candidates to be placed on the ballot at such second or general municipal election shall be those not elected at such first election, shall be equal in number to twice the number to be elected to any given office or less than that number if there be less than that number named on the primary election ballot, and persons who receive the highest number of votes for the respective offices at such first election shall be the only candidates at such second election, provided that if there be any person who, under the provisions of this article, would have been entitled to become a candidate for any office except for the fact that some other candidate received an equal number of votes therefor, then all such persons receiving an equal number of votes shall likewise become candidates for such office.

*(Ord. No. 2003-15, §§ 1-2, 11-4-03)*

### **Sec. 2-3-3. Election to office.**

The candidates equal in number to the persons to be elected who receive the highest number of votes in a general election shall be declared elected.

*(Ord. No. 2003-15, §§ 1-2, 11-4-03)*

## **ARTICLE 2-4. COUNCIL PROCEDURE**

### **Sec. 2-4-1. Regular meetings.**

The council shall hold regular meetings on the first and third Tuesdays of each month at 7:00 p.m., exempting the first meeting in July and the second meeting in December which shall not be held, provided that when the day fixed for any regular meeting of the council falls upon a date designated by law as a legal holiday, election, or when a quorum of the city council may not be available, such meeting shall be held at a time designated by the city council at a public meeting. Additionally, the mayor and city manager shall have the discretion to cancel a regular meeting in the event that there is no business for the council to conduct and shall notify all council members and the public of the cancellation. All regular meetings of the council shall be held in the council chambers, unless the council directs otherwise.

*(Ord. No. 220, § 1, 1-9-85; Ord. No. 240, § 1, 10-1-85; Ord. No. 337, 9-3-91; Ord. No. 478, 10-17-00; Ord. No. 2003-15, §§ 1-2, 11-4-03; Ord. No. 2005-11, § 1, 5-3-05; Ord. No. 2009-19; § 1, 12-1-09)*

**State law reference**—Similar provisions, A.R.S. § 9-233.

### **Sec. 2-4-2. Special meetings.**

The mayor, any council member, or the city manager, or upon motion duly made and passed at any regular or special open meeting, may convene the council at any time by notifying the members of the date, hour and purpose of such special meeting.

*(Ord. No. 240, § 2, 10-1-85; Ord. No. 2003-15, §§ 1-2, 11-4-03)*

**State law reference**—Similar provisions, A.R.S. § 9-233.

### **Sec. 2-4-3. Meetings to be public.**

All proceedings of the council shall be open to the public, except that the council may meet in closed executive session subject to the provisions of Arizona Revised Statutes, Section 38-431 et seq. Notice shall be provided to the public in accordance with state law. The official location for posting notices of meetings is the bulletin board affixed to the city hall building.

*(Ord. No. 2003-15, §§ 1-2, 11-4-03)*

**State law reference**—Similar provisions, A.R.S. § 38-431.02(A)(3).

### **Sec. 2-4-4. Quorum.**

A majority of the council members shall constitute a quorum for transacting business but a lesser number may adjourn from time to time and compel the attendance of absent members.

(Ord. No. 478, 10-17-00; Ord. No. 2003-15, §§ 1-2, 11-4-03)

**State law reference**—Similar provisions, A.R.S. § 9-233.

**Sec. 2-4-5. Agenda and packet.**

- (a) At least one day prior to each council meeting and in accordance with state law, the clerk shall prepare an agenda and shall furnish each council member, the mayor and the attorney with a copy. Copies shall also be available for public perusal at the meeting.
- (b) At least one day prior to each council meeting or on or before a time fixed by the council for preparation and distribution of the agenda packet, whichever is earlier, the clerk shall collect all written reports, communications, ordinances, resolutions, contracts, agenda item forms, and other supporting documents pertaining to agenda items to be presented to the council and shall prepare an agenda packet containing such supporting documents. One copy of said packet shall be made available for public perusal at City Hall. One copy shall be made available for public perusal at the meeting and copies shall be furnished to each council member, the mayor, the attorney and others designated by the council. Copies of prior meeting minutes to be approved at a council meeting shall be provided to each council member, the city attorney and others per council direction at least two (2) days prior to any regular meeting.

(Ord. No. 201, § 3, 9-5-84; Ord. No. 478, 10-17-00; Ord. No. 2003-15, §§ 1-2, 11-4-03)

**Sec. 2-4-6. Order of business.**

- (a) *Rules of order.* Establishment of city council agendas and conducting of business during city council meetings shall be done in accordance with state law and in the manner set forth in the rules of order adopted by the city council.
- (b) *Conduct of proceedings.* The presiding officer shall preserve order in the meeting, decide all questions of order and conduct the proceedings of the meetings in accordance with the parliamentary rules contained in Robert's Rules of Order, in all cases to which they are applicable and in which they are not inconsistent with Arizona Revised Statutes, this chapter of the Show Low City Code and any special rules of order adopted by resolution of the city council.
- (c) *Variation in order of business.* The council may vary the order of business set forth under paragraph (a) to accommodate its specific wishes and needs, so long as the business of the council is taken up for consideration and disposition in a manner in conformity with the intent of this Code.

(Ord. No. 70, § 1, 8-25-76; Ord. No. 78, § 1, 2-22-78; Ord. No. 169, § 1, 3-9-83; Ord. No. 201, § 2, 9-5-84; Ord. No. 318, 7-17-90; Ord. No. 478, 10-17-00; Ord. No. 2003-15, §§ 1-2, 11-4-03)

**State law reference**—Power of council to regulate proceedings, A.R.S. § 9-234.

#### **Sec. 2-4-7. Committees and commissions.**

The council may create such committees and commissions, standing or special, as it deems necessary. They shall consist of as many members and shall perform such duties as the council may require and shall exist at the pleasure of the council. The city attorney shall be the legal advisor to any such committee or commission so created.

#### **Sec. 2-4-8. Voting.**

- (a) The mayor shall vote as a member of the council.
- (b) The ayes and nays upon any question shall be taken and entered in the minutes.

(Ord. No. 478, 10-17-00)

**State law reference**—Similar provisions, A.R.S. § 9-234.

### **ARTICLE 2-5. ORDINANCES, RESOLUTIONS, FRANCHISES AND CONTRACTS**

#### **Sec. 2-5-1. Prior approval.**

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

#### **Sec. 2-5-2. Requirements for an ordinance.**

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

(Ord. No. 2003-15, §§ 1-2, 11-4-03)

**Sec. 2-5-3. Reading of proposed ordinance.**

All ordinances shall have at least one reading. This reading may be by title only if the city council, in possession of printed copies of said ordinance, by majority vote allows reading by title only.

*(Ord. No. 2003-15, §§ 1-2, 11-4-03)*

**Sec. 2-5-4. Effective date of ordinances.**

No ordinance, resolution or franchise shall become operative until thirty (30) days after its passage by the council and approval by the mayor, except measures necessary for the immediate preservation of the peace, health or safety of the city, but such an emergency measure shall not become immediately operative unless it states in a separate section the reason why it is necessary that it should become immediately operative, and unless it is approved by the affirmative vote of three-fourths of all of the members elected to the council, taken by ayes and nays.

*(Ord. No. 2003-15, §§ 1-2, 11-4-03)*

**State law reference**—Similar provisions, A.R.S. § 19-142(B).

**Sec. 2-5-5. Signatures required.**

Every ordinance passed by the council shall, before it becomes effective, be signed by the mayor, attested by the city clerk and approved as to form by the city attorney.

*(Ord. No. 2003-15, §§ 1-2, 11-4-03)*

**Sec. 2-5-6. Publishing required.**

All ordinances and only such orders, resolutions, motions, regulations or proceedings of the council shall be published as may be required by state statutes or expressly ordered by the council.

*(Ord. No. 2003-15, §§ 1-2, 11-4-03)*

**State law reference**—Similar provisions, A.R.S. § 9-812.

**Sec. 2-5-7. Posting required.**

Every ordinance imposing any penalty, fine, forfeiture or other punishment, shall, after passage, be posted by the clerk in three (3) or more public places within the city and an

affidavit of the person who posted the ordinances shall be filed in the office of the clerk as proof of posting.

*(Ord. No. 2003-15, §§ 1-2, 11-4-03)*

**State law reference**—Similar provisions, A.R.S. § 9-813.

### **Sec. 2-5-8. Franchises.**

Any person soliciting a franchise shall, upon introducing the same, furnish one copy thereof for each member of the council and the city attorney, and shall bear and pay all expense connected with the consideration of such franchise, including printing and recording, and any and all other expenses necessarily incurred; provided, however, that in case any franchise is refused, no expense shall be chargeable to the applicant other than he may have voluntarily incurred in introducing the proposed franchise.

No ordinance granting any franchise shall in any instance be placed upon its final passage, until after the expiration of thirty (30) days from the date of its introduction, nor until it has been considered and passed upon by the city attorney, who shall make his return within thirty (30) days.

*(Ord. No. 2003-15, §§ 1-2, 11-4-03)*

## **ARTICLE 2-6. INITIATIVE AND REFERENDUM**

### **Sec. 2-6-1. Power reserved; time of election.**

There is reserved to the qualified electors of the city the power of the initiative and the referendum as prescribed by the state constitution. The process for undertaking an initiative or referendum shall be as prescribed by state law, except as specifically set forth in this article.

*(Ord. No. 333, 6-18-91; Ord. No. 2003-15, §§ 1-2, 11-4-03)*

### **Sec. 2-6-2. Number of signatures.**

- (a) The total number of registered voters qualified to vote at the last municipal election, whether regular or special, immediately preceding the date upon which any initiative petition is filed shall be the basis upon which the number of qualified electors of the city required to file an initiative petition shall be computed.
- (b) The basis upon which the number of qualified electors of the city required to file a referendum petition shall be as determined by state law.

**Sec. 2-6-3. Publicity pamphlet and fees.**

- (a) A publicity pamphlet shall be prepared for any initiative or referendum proposition added to an election ballot as prescribed by state law. It shall contain the initiative or referendum proposition and a summary of each proposition, followed by any arguments supporting the proposition followed by any arguments opposing the proposition.
- (b) Arguments supporting and opposing a proposition shall be submitted and filed in the form prescribed by state law.
- (c) Each argument submitted for inclusion in a publicity pamphlet shall be accompanied by a fee, in an amount established from time to time by resolution, to offset the proportionate cost of paper and printing. This requirement shall not be waived on any account.

(Ord. No. 333, 6-18-91; Ord. No. 2009-04, § 1, 2-3-09)

**ARTICLE 2-7. FINANCIAL DISCLOSURE**

**Sec. 2-7-1. Definitions.**

In this article, unless the context otherwise requires:

- (a) *Business* includes any enterprise, organization, trade, occupation or profession, whether or not operated as a legal entity or for profit, including any business trust, corporation, partnership, joint venture or sole proprietorship.
- (b) *Compensation* means anything of value or advantage, present or prospective, including the forgiveness of debt.
- (c) *Controlled business* means any business in which the local public officer or any member of his household has an ownership or beneficial interest, individually or combined, amounting to more than a fifty percent (50%) interest.
- (d) *Dependent business* means any business in which the local public officer or any member of his household has an ownership or beneficial interest, individually or combined, amounting to more than a ten percent (10%) interest, and during the preceding calendar year the business received from a single source more than ten thousand dollars (\$10,000.00) and more than fifty percent (50%) of its gross income.

- (e) *Gift* includes any gratuity, special discount, favor, hospitality, service, economic opportunity, loan or other benefit received without equivalent consideration and not provided to members of the public at large.
- (f) *Local public officer* means a person holding an elective office of the City of Show Low.
- (g) *Member of household* means a local public officer's spouse and any minor child of whom the local public officer has legal custody.

**Sec. 2-7-2. Duty to file financial disclosure statement; contents; exceptions.**

- (a) In addition to other statements and reports required by law, every local public officer, as a matter of public record, shall file with the city clerk on a form prescribed by the city clerk a verified financial disclosure statement covering the preceding calendar year ending December 31. The statement shall disclose:
  - (1) The name and address of the local public officer and each member of his household and all names and addresses under which each does business.
  - (2) The name and address of each employer and of each other source of compensation other than gifts amounting to more than one thousand dollars (\$1,000.00) received during the preceding calendar year by the local public officer and members of his household in their own names, or by any other person for the use or benefit of the local public officer or members of his household, a description of the services for which the compensation was received and the nature of the employer's business. This section shall not be construed to require the disclosure of individual items of compensation that constituted a portion of the gross income of the business from which the local public officer or members of his household derived compensation.
  - (3) For a controlled business, a description of the goods or services provided by the business, and if any single source of compensation to the business during the preceding calendar year amounts to more than ten thousand dollars (\$10,000.00) and is more than twenty-five percent (25%) of the gross income of the business, the disclosure shall also include a description of the goods or services provided to the source of compensation. For a dependent business the statement shall disclose a description of the goods or services provided by the business and a description of the goods or services provided to the source of compensation from which the dependent business derived the amount of gross income described in section 2-7-1(d). If the source of compensation for a controlled or dependent business is a business, the statement shall

disclose a description of the business activities engaged in by the source of compensation.

- (4) The names and addresses of all businesses and trusts in which the local public officer or members of his household, or any other person for the use or benefit of the local public officer or members of his household, had an ownership or beneficial interest of over one thousand dollars (\$1,000.00) at any time during the preceding calendar year, and the name and addresses of all businesses and trusts in which the local public officer or any member of his household held any office or had a fiduciary relationship at any time during the preceding calendar year, together with the amount or value of the interest and a description of the interest, office or relationship.
- (5) All real property interests and real property improvements, including specific location and approximate size, located in the City of Show Low, in which the local public officer, any member of his household or a controlled or dependent business held legal title or a beneficial interest at any time during the preceding calendar year, and the value of any such interest, except that this section does not apply to a real property interest and improvements thereon used as the primary personal residence or for the personal recreational use of the local public officer. If a local public officer, any member of his household or a controlled or dependent business acquired or divested any such interest during the preceding calendar year, he shall also disclose that the transaction was made and the date it occurred. If the controlled or dependent business is in the business of dealing in real property interests or improvements, disclosure need not include individual parcels or transactions as long as the aggregate value of all parcels of such property is reported.
- (6) The names and addresses of all creditors to whom the local public officer or members of his household, in their own names or in the name of any other person, owed a debt of more than one thousand dollars (\$1,000.00) or to whom a controlled business or dependent business owed a debt of more than ten thousand dollars (\$10,000.00) which was also more than thirty percent (30%) of the total business indebtedness at any time during the preceding calendar year, listing each such creditor. This section shall not be construed to require the disclosure of debts owed by the local public officer or any member of his household resulting from the ordinary conduct of a business other than a controlled or dependent business. Nor shall disclosure be required of credit card transactions, retail installment contracts, debts on residences or recreational property exempt from disclosure under section 2-7-2(a)(5), debts on motor vehicles not used for commercial purposes, debts secured by cash values on life insurance or debts owed to relatives. It is sufficient disclosure of a creditor if the name and address of a person to whom payments are made is disclosed. If the

local public officer, any member of his household or a controlled or dependent business incurred or discharged a debt which is reportable under this section during the preceding calendar year, the report shall disclose that the transaction was made and the date it occurred.

- (7) The identification and amount of each debt exceeding one thousand dollars (\$1,000.00) owed at any time during the preceding calendar year to the local public officer and member of his household in their own names, or to any other person for the use or benefit of the local public officer or any member of his household. The disclosure shall include the identification and amount of each debt exceeding ten thousand dollars (\$10,000.00) to a controlled business or dependent business which was also more than thirty percent (30%) of the total indebtedness to the business at any time during the preceding calendar year. This section shall not be construed to require the disclosure of debts from the ordinary conduct of a business other than a controlled or dependent business. If the local public officer, any member of his household or a controlled or dependent business incurred or discharged a debt which is reportable under this section during the preceding year, the report shall disclose that the transaction was made and the date it occurred.
- (8) The name of each source of any gift, or accumulated gifts from a single source, or more than five hundred dollars (\$500.00) received by the local public officer and members of his household in their own names during the preceding calendar year, or by any other person for the use or benefit of the local public officer or any member of his household except gifts received by will or by virtue of intestate succession, or received by way of distribution from any interviews or testamentary trust established by a spouse or by an ancestor, or gifts received from any other member of the household or relatives to the second degree of consanguinity. Political campaign contributions shall not be construed as gifts if otherwise publicly reported as political campaign contributions as required by law.
- (9) A list of all business licenses issued by the City of Show Low or by any other governmental agency which requires for its issuance the consideration of the application for such license by the council of the City of Show Low, to, held by or in which the local public officer or any member of his household had an interest at any time during the preceding calendar year, including the name in which the license was issued, the type of business and its location.
- (10) A list of all bonds, together with their value, issued by the City of Show Low, any industrial development authority of the City of Show Low, or any nonprofit corporation organized or authorized by the City of Show Low held at any time during the preceding calendar year by the local public officer or any member of his household, which bonds issued by a single

entity had a value in excess of one thousand dollars (\$1,000.00). If the local public officer or any member of his household acquired or divested any bonds during the preceding calendar year which are reportable under this section, the fact that the transaction occurred and the date shall also be shown.

- (b) If an amount or value is required to be reported pursuant to this section, it is sufficient to report whether the amount or value of the equity interest falls within:
  - (1) *Category 1*, one thousand dollars (\$1,000.00) to twenty-five thousand dollars (\$25,000.00).
  - (2) *Category 2*, more than twenty-five thousand dollars (\$25,000.00) to one hundred thousand dollars (\$100,000.00).
  - (3) *Category 3*, more than one hundred thousand dollars (\$100,000.00).
- (c) This section does not require the disclosure of any information that is privileged by law.
- (d) The statement required to be filed pursuant to section 2-7-2(a) shall be filed by all persons who qualified as local public officers at any time during the preceding calendar year on or before January 31 of each year, with the exception that a local public officer appointed to fill a vacancy shall, within sixty (60) days following his taking of such office, file a financial disclosure statement covering as his annual period the twelve-month (12-month) period ending with the last full month prior to the date of his taking office.
- (e) The city clerk shall prepare written guidelines, forms and samples for completing the financial disclosure statement required by this section. A copy of the guidelines, forms and samples shall be distributed to each local public officer and shall be made available to each candidate required to file a financial disclosure statement pursuant to section 2-7-3 of this article.

**Sec. 2-7-3. Duty to file financial disclosure statement by candidate for local office.**

A candidate for local public office as specified in section 2-7-1(f) shall file a financial disclosure statement covering the preceding twelve-month (12-month) period and containing the information described in section 2-7-2 of this article on a form prescribed by the city clerk at the time of filing nomination papers.

**Sec. 2-7-4. Penalties.**

Any public officer or candidate for public office who fails to file a financial disclosure statement required by sections 2-7-2 and 2-7-3 of this article or who knowingly and intentionally files an incomplete financial disclosure statement or who knowingly and intentionally files a false financial disclosure statement is guilty of a Class 1 misdemeanor, and is subject to a civil penalty of fifty dollars (\$50.00) for each day of noncompliance but not more than five hundred dollars (\$500.00) that may be imposed as prescribed in A.R.S. §16-924.

(Ord. No. 2009-22, § 1, 12-1-09)