ORDINANCE NO. 732

AN ORDINANCE OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, AMENDING TOWN CODE SECTIONS 34.01 THROUGH 34.04 RELATING TO THE TOWN MAGISTRATE COURT.

WHEREAS, pursuant to A.R.S. §22-402, the Town of Payson has established a Magistrate Court; and

WHEREAS, the Town of Payson wishes to amend its Town Code provisions relating to its Magistrate Court,

NOW, THEREFORE, THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, DO HEREBY ORDAIN AS FOLLOWS:

Section 1. That sections 34.01 through 34.04 (Town Magistrate Court) of Chapter 34 of the Code of the Town of Payson set forth in Resolution 2358 were heretofore declared to be a public record by such Resolution, and all the provisions thereof are hereby referred to, amended, and adopted by this reference as though all the provisions thereof were set forth in full in this Ordinance Number 732.

Section 2. That at least three copies of the amendments to sections 34.01 through 34.04 (Town Magistrate Court) of Chapter 34, as adopted by this Ordinance Number 732 shall be filed in the Office of the Town Clerk of the Town of Payson and the same shall be maintained and kept available for public use and inspection.

Section 3. All ordinances and parts of ordinances in conflict with the provisions of this Ordinance Number 732 are hereby repealed to the extent of such conflict.

Section 4. Pursuant to section 34.02(C) of the Code of the Town of Payson, as amended, the Town Council hereby appoints R.O. McDaniel, James Weeks, John Huffman, John Pearlman, and Judge Patti Nolan as Associate Magistrates of the Payson Magistrate Court.

Section 5. Pursuant to section 34.02(E) of the Code of the Town of Payson, as amended, the Town Council determines that the Associate Magistrates shall be compensated at an hourly rate equal to the hourly rate for Judge Pro Tems in the Payson Justice Court.

Section 6. If any section, subsection, sentence, clause, phrase or portion of this Ordinance Number 732 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 Number 732. The Mayor and Common Council of the Town of Payson declares that it would have adopted this Ordinance

1st Reading & Pub. Hrg. MAR 2 7 2008 G.6
2nd Reading & Pub. Hrg. APR 0 3 2008 G.3

Number 732 and each section, subsection, sentence, clause, phrase or portion thereof despite the fact that any one or more sections, subsections, sentences, clauses, phrases or portions would be declared invalid or unconstitutional.

PASSED AND ADOPTED BY THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON this _____ day of _____, 2008, by the following vote:

AYES _____ NOES _____ ABSTENTIONS _____ ABSENT _____

_____
F. Robert Edwards, Mayor

ATTEST:

_____
Silvia Smith, Town Clerk

APPROVED AS TO FORM:

_____
Samuel I. Streichman, Town Attorney