

## SAHUARITA ORDINANCE NO. 2021-159

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AN ORDINANCE OF THE TOWN OF SAHUARITA, ARIZONA, ADOPTING A TOWN CODE AMENDMENT TO CHAPTER 2.20.050 (POSITIONS APPOINTED BY THE TOWN MANAGER) OF THE TOWN CODE OF THE TOWN OF SAHUARITA, AND REPEALING ALL RESOLUTIONS, ORDINANCES, AND RULES OF THE TOWN OF SAHUARITA IN CONFLICT THEREWITH.

WHEREAS, the Sahuarita Town Code has been adopted by the Town Council, amended from time to time, and on February 13, 2006, pursuant to Ordinance No. 2006-02, the Sahuarita Town Code was codified and renumbered; and

WHEREAS, Chapter 2.20.030 (Classification of Employees) of Title 2 of the Sahuarita Town Code provides all Town employees are either designated as classified or unclassified employees, and that unclassified employees shall be considered “at-will” employees unless employed under a written employment contract; and

WHEREAS, Chapter 2.20.050 (Positions Appointed by the Town Manager) of Title 2 of the Sahuarita Town Code provides that all department heads are unclassified employees, and are appointed and directly report to the Town Manager; and

WHEREAS, as the Town has expanded, so have the number of Town departments and employees necessitating the addition of an Assistant or Deputy Town Manager, to which some department heads shall report directly; and

WHEREAS, the Town Council desires to amend Chapter 2.20.050 (Positions Appointed by the Town Manager) to provide that the Town Manager may appoint one or more Assistant or Deputy Town Managers, who shall be designated as unclassified employees and work at the will of the Town Manager; and

WHEREAS, the Mayor and Council find that it is in the best interest of the Town of Sahuarita and its residents to adopt an amendment to Chapter 2.20.050 (Positions Appointed by the Town Manager) of the Sahuarita Town Code, as provided herein.

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

**Section 1.** Chapter 2.20.050 (Positions Appointed by the Town Manager), of the Sahuarita Town Code, is hereby amended with deleted language shown by ~~strikeout~~ and added language shown by underlined text, as follows:

**2.20.050 Positions appointed by the town manager.**

The town manager shall organize the town into multiple departments, and shall appoint a department head to manage each such department. All department heads shall be appointed from time to time by the town manager, and shall be unclassified employees. The town manager may also appoint one or more assistant or deputy town managers, who shall be unclassified employees and work at the will of the town manager. Department heads ~~They~~ shall report directly to the town manager, or an assigned assistant or deputy town manager, and will be employed at the will of the town manager.

- Section 2.** All tables of contents shall be modified as necessary to reflect the changes set forth in this ordinance.
- Section 3.** The various Town officers and employees are authorized and directed to perform all acts necessary or desirable to give effect to this ordinance and sections of the Town Code.
- Section 4.** All ordinances, resolutions, or motions and parts of ordinances, resolutions or motions of the Town Council in conflict with the provisions of this ordinance are hereby repealed, effective as of the date of this ordinance. All internal reference within the Town Code to any affected provision are hereby updated.
- Section 5.** If any section, subsection, sentence, clause, phrase or portion of this ordinance, or any part of this amendment to the Town Code, is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions thereof.

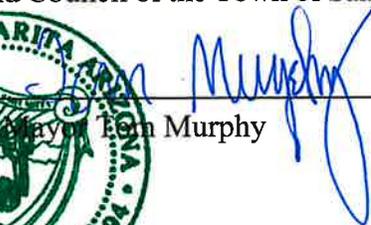
PASSED AND ADOPTED by the Mayor and Council of the Town of Sahuarita, Arizona, this 8th day of November, 2021.

ATTEST:

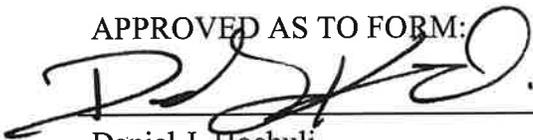


Lisa Cole, MMC  
Town Clerk



Mayor   
Tom Murphy

APPROVED AS TO FORM:



Daniel J. Hochuli  
Town Attorney