

AGENDA

TUSAYAN TOWN COUNCIL MUNICIPAL CODE WORKSHOP

PURSUANT TO A.R.S. § 38-431.02 & §38-431.03

Tuesday, September 4, 2012 at 5:00 P.M.

TUSAYAN TOWN HALL BUILDING

845 Mustang Drive, Tusayan Arizona

Pursuant to A.R.S. § 38-431.02, notice is hereby given to the members of the Tusayan Town Council and to the general public that the Tusayan Town Council will hold a Municipal Code workshop open to the public on Tuesday, September 4, 2012 at the Tusayan Town Hall Building. If authorized by a majority vote of the Tusayan Town Council, an executive session may be held immediately after the vote and will not be open to the public. The Council may vote to go into executive session pursuant to A.R.S. § 38-431.03.A.3 for legal advice concerning any matter on the agenda, including those items set forth in the consent and regular agenda sections. The Town Council may change, in its discussion, the order in which any agenda items are discussed during the course of the meeting.

Persons with a disability may request a reasonable accommodation by contacting the Town Manager at (928) 638-9909 as soon as possible.

As a reminder, if you are carrying a cell phone, electronic pager, computer, two-way radio, or other sound device, we ask that you silence it at this time to minimize disruption of today's meeting.

TOWN COUNCIL MUNICIPAL CODE WORKSHOP

1. CALL TO ORDER AND PLEDGE OF ALLEGIANCE

2. ROLL CALL

MAYOR BRYAN
VICE MAYOR MONTOYA

COUNCILMEMBER FITZGERALD
COUNCILMEMBER RUETER
COUNCILMEMBER SANDERSON

** One or two Councilmembers may attend by telephone*

3. DISCUSSION OF DRAFT LANGUAGE FOR THE TUSAYAN MUNICIPAL CODE

- A. Chapter 1 – General
- B. Chapter 3 – Administration
- C. Chapter 14 – Employment

4. MOTION TO ADJOURN

CERTIFICATION OF POSTING OF NOTICE

The undersigned hereby certifies that a copy of the foregoing notice was duly posted at the General Store in Tusayan, Arizona on this 29th day of August, 2012, at 12:20 p.m. in accordance with the statement filed by the Tusayan Town Council.

DATED this 29th day of August, 2012.

Laura Matthews
Signature of person posting the agenda

TOWN OF TUSAYAN TOWN CODE

CHAPTER 1 GENERAL

ARTICLE 1-1

HOW CODE DESIGNATED AND CITED

The ordinances embraced in the following chapters and sections shall constitute and be designated "The Code of the Town of Tusayan, Arizona," and may be so cited. Such code may also be cited as the "Tusayan Town Code."

ARTICLE 1-2

CONSTRUCTION OF ORDINANCES

The rules and the definitions set forth in this chapter shall be observed in the construction of this code and the ordinances of the Town unless such construction would be inconsistent with either the obvious intent of the Council, the context of this code or the ordinances of the Town.

ARTICLE 1-3

DEFINITIONS

SECTION 1-3-1 GENERAL RULE REGARDING DEFINITIONS

All words and phrases shall be construed and understood according to the common and approved use of the language; but technical words and phrases and such others as may have acquired a peculiar and appropriate meaning in the law shall be construed and understood according to such peculiar and appropriate meaning.

SECTION 1-3-2 DEFINITIONS

Acts by Agents. When an act is required to be done which may by law be done by an agent as the principal, such requirements shall be construed to include all such acts when done by an authorized agent.

And, Or. "And" may be read "or," and "or" may be read "and," if the sense requires it.

Code. When the word "code" is used, it shall mean the Town Code of the Town of Tusayan, Arizona unless the context indicates otherwise.

Council. When the word "Council" is used, it shall mean the Town Council of the Town of Tusayan.

County. When the word "county" is used, it shall mean Coconino County, Arizona unless the context clearly indicates otherwise.

Day. "Day" is the period of time between any midnight and the midnight following.

Daytime, Nighttime. "Daytime" is the period of time between sunrise and sunset. "Nighttime" is the period of time between sunset and sunrise.

Department, Board, Commission, Office, Officer or Employee. Whenever any "department, board, commission, office, officer or employee" is referred to, it shall mean a department, board, commission, office, officer or employee of the Town unless the context indicates otherwise.

Gender; Singular and Plural. Words of the masculine gender include the feminine; words in the singular include the plural and words in the plural include the singular.

Joint Authority. All words purporting to give a joint authority to three or more Town officers or other persons shall be construed as giving such authority to a majority of such officers or other persons unless it shall be otherwise expressly declared in the law giving the authority.

Month. "Month" means a calendar month.

Oath. "Oath" includes an affirmation in all cases in which, by law, an affirmation may be substituted for an oath and in such cases the words "swear" and "sworn" shall be equivalent to the words "affirm" and "affirmed".

Owner. The word "owner" applied to a building or land shall include any part owner, joint owner, tenant in common, joint tenant or lessee of the whole or of part of such building or land.

Person. The word "person" includes a corporation, company, partnership, association or society as well as a natural person.

Personal Property. The term "personal property" includes every species of property, except real property as defined in this section.

Preceding, Following. The words "preceding" and "following" mean next before and next after, respectively.

Property. The term "property" includes lands, tenements and hereditament and personal property.

Real Property. The term "real property" includes lands, tenements and hereditament.

Shall, May. "Shall" is mandatory and "may" is permissive.

Signature or Subscription by Mark. "Signature" or "subscription" includes a mark when the signer or subscriber cannot write, such signer's or subscriber's name being written near the mark by a witness who writes his own name near the signer's or subscriber's name; but a signature or subscription by mark can be acknowledged or can serve as a signature or subscription to a sworn statement only when two witnesses so sign their own names thereto.

State. Whenever "state" is referenced, it shall mean the State of Arizona unless the context clearly requires otherwise.

Tenant or Occupant. The word "tenant" or "occupant" applied to a building or land shall include any person holding a written or an oral lease of, or who occupies the whole or part of such building or land, either alone or with others.

Tenses. The present tense includes the past and future tenses, and the future includes the present.

Time: Computation. The time within which an act is to be done as provided in this code or in any order issued pursuant to any ordinance, when expressed in days, shall be computed by excluding the first day and including the last, except that if the last day is a Saturday, Sunday or holiday it shall be excluded; and when such time is expressed in hours, the whole of Saturday, Sunday or a holiday, from midnight to midnight, shall be excluded.

Time: Reasonable. In all cases where any section of this code shall require any act to be done in a reasonable time or reasonable notice to be given, such reasonable time or notice shall be deemed to mean such time only as may be necessary for the prompt performance of such duty or compliance with such notice.

Town. When the word "Town" is used, it shall mean the Town of Tusayan, Coconino County, Arizona, except as otherwise provided. The words "in the Town" or "within the Town" shall mean and include all territory over which the Town has jurisdiction for the exercise of its police powers or other regulatory powers as authorized by statute.

Week. A week consists of seven consecutive days.

Writing. The term "writing" means any form of recorded message capable of comprehension by ordinary visual means. Whenever any notice, report, statement or record is required or authorized by this code, it shall be made in writing in the English language unless expressly provided otherwise.

Year. "Year" means a calendar year unless otherwise provided.

ARTICLE 1-4

REFERENCE TO CHAPTERS, ARTICLES, OR SECTIONS:

SECTION 1-4-1 ADDITIONAL RULES OF CONSTRUCTION

In addition to the rules of construction specified in Articles 1-2 and 1-3, the rules set forth in this article shall be observed in the construction of this code.

SECTION 1-4-2 REFERENCES TO THIS CODE

All references to chapters, articles, or sections are to the chapters, articles, and sections of this code unless otherwise specified.

SECTION 1-4-3 CONFLICTING PROVISIONS--DIFFERENT CHAPTERS

If the provisions of different chapters of this code conflict with or contravene each other, the provisions of each chapter shall prevail as to all matters and questions growing out of the subject matter of such chapter.

SECTION 1-4-4 CONFLICTING PROVISIONS--SAME CHAPTER

If conflicting provisions are found in different sections of the same chapter, the provisions of the section that is last in numerical order shall prevail unless such construction is inconsistent with the meaning of such chapter.

ARTICLE 1-5

SECTION HEADINGS

Headings of the several sections of this code are intended as a convenience to indicate the contents of the section and do not constitute part of the law.

ARTICLE 1-6

EFFECT OF REPEAL

When any ordinance repealing a former ordinance, clause or provision shall be itself repealed, such repeal shall not be construed to revive such former ordinance, clause or provision, unless it shall be expressly so provided. The repeal of an ordinance shall not affect any punishment or penalty incurred before the repeal took effect nor any suit, prosecution or proceeding pending at the time of the repeal, for any offense committed under the ordinance repealed.

ARTICLE 1-7

SEVERABILITY OF PARTS OF CODE

It is hereby declared to be the intention of the Council that the sections, paragraphs, sentences, clauses and phrases of this code shall be severable, and, if any provision of this code is held unconstitutional for any reason by a court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining provisions of the code.

ARTICLE 1-8

PENALTY

- A. Any person found guilty of violating any provisions of this code, except as otherwise provided, shall be guilty of a Class 2 misdemeanor, and upon conviction thereof shall be punished as provided by law.
- B. Each day that a violation continues shall be a separate offense punishable as herein described.

ARTICLE 1-9

REPEAL OF EXISTING ORDINANCES

SECTION 1-9-1 EFFECTIVE DATE OF REPEAL

All ordinances of the Town listed in the adopting resolution except those specially exempted, now in force and effect are hereby repealed effective at twelve o'clock noon on **TO BE FILLED IN LATER** but all rights, duties, and obligations created by said ordinances shall continue and exist in all respects as if this code had not been adopted and enacted.

SECTION 1-9-2 ORDINANCES EXEMPT FROM REPEAL

The adoption and enactment of this code shall not be construed to repeal or in any way to modify or affect:

- A. Any special ordinance or ordinances regarding franchises, annexations, dedications, road abandonment's, or zoning.
- B. Any ordinance making an appropriation.
- C. Any ordinance affecting any bond issue or by which any bond issue may have been authorized.
- D. The running of the statute of limitations in force at the time this code becomes effective.
- E. Any bond of any public officer.
- F. Any taxes, fees, assessments or other charges incurred or imposed.
- G. Any ordinances authorizing, ratifying, confirming, approving or accepting any compact or contract with any other municipality, the State of Arizona or any county or subdivision thereof, or with the United States or any agency or instrumentality thereof.

ARTICLE 1-10

EFFECTIVE DATE OF CODE (2006-A332)

Each and every section of this code as herein contained and hereby enacted shall take effect and be in force on and after twelve o'clock noon on **TO BE FILLED IN LATER**, except that where a later effective date is provided it shall prevail.

CHAPTER 3
ADMINISTRATION

ARTICLE 3-1

OFFICERS IN GENERAL

SECTION 3-1-1 RESIDENCY

Residency within Town limits for department heads or other personnel may be required for certain positions as reflected in the advertising for the position.

SECTION 3-1-2 DUAL POSITIONS

The provisions below distinguish between two (2) positions that are appointed and reviewed by the Council (Town Manager and Town Attorney), and other department heads that are under review and control of the Town Manager, who may terminate them for cause, but who do not have the severance offer of Section 3-1-3.B. In the event that a person has a dual position, such as Town Manager/ Community Development Director, he or she will have the review and termination rights associated with the higher-level position, but in the event the job title is simply severed, without termination of the individual, such personnel action will not have rights under 3-1-3.B.

SECTION 3-1-3 REMOVAL PROVISIONS

A. Removal for Cause.

The Town Manager and the Town Attorney will be reviewed by the Town Council using procedures that may be adopted by motion of the Council and may be removed from their positions for cause. All other department heads and classified employees report to the Town Manager and may be removed for cause. "Removal for Cause" includes failure to receive satisfactory performance reviews, violation of adopted work rules, violation of drug policies, conviction of a criminal offense involving moral turpitude, loss of any professional license or other qualification necessary for the position, and failure to fulfill tasks assigned by the job description.

B. Termination Other than For Cause.

The Town Manager, Town Attorney (if employed by the Town), may be removed by the Council other than for cause, by offering severance pay of six (6) months' salary, conditioned on the employee and Town signing a mutual release for any employment claims, and including other terms mutually agreeable, as may be authorized by ARS §9-239.C, as may be amended.

C. A manager or department head shall provide the Council with thirty days' written notice of intention to resign his position.

ARTICLE 3-2

OFFICERS

Pursuant to ARS §9-237, as may be amended, in addition to the common Council, The Officers Of The Town Include The Town Clerk, Town Manager, Town Attorney, and other officers (department heads) deemed necessary by the common Council, who shall be appointed as provided by ordinance of the Town. In the temporary absence of the Town Manager, the Town Manager shall appoint a temporary replacement pursuant to Section 3-2-1.1. In the temporary absence of an officer other than the Town Manager, the Town Manager may appoint a temporary replacement.

SECTION 3-2-1 TOWN MANAGER

- A. Office Established. The office of Town Manager is hereby established.
- B. Appointment of Town Manager. The Town Manager shall be appointed by majority vote of the Council on the basis of executive and administrative ability and shall hold office at the pleasure of the Council.
- C. Eligibility. No member of the Council, their spouse or relatives to the first degree shall be eligible for appointment as Town Manager until one year has elapsed after such Council member shall have ceased to be a member of the Council.
- D. Powers and Duties of Town Manager. The Town Manager is the administrative head of the government of the Town under the direction and control of the Council, except as otherwise provided in this article. He shall be responsible for the efficient administration of all the affairs of the Town that are under his control. In addition to his general powers as administrative head and not as a limitation thereon, it shall be his duty and he shall have the following powers:
 - 1. Law Enforcement. To see that all laws and ordinances of the Town and all franchises, contracts, permits, and privileges granted by the Council are faithfully observed and to report any failure in that regard to the Council. The Council shall then give such instruction and direction as it may desire for remedial, corrective or terminating action by the Manager.
 - 2. Authority Over Employees. To control, order and give direction to all heads of departments (other than Council-appointed officers) and to subordinate officers and employees of the Town under his jurisdiction through their department heads.
 - 3. Power of Appointment and Removal. To appoint, remove, promote, and demote any and all officers and employees of the Town, except the Town Attorney, who shall be appointed by the Council. All such actions of the Manager shall be subject to all applicable personnel ordinances, rules and regulations, and state statutes.
 - 4. Administrative Reorganization of Offices. To conduct studies and effect such administrative reorganization of offices, positions, or units under his direction as may be indicated in the interest of efficient, effective, and economical conduct of the town's business.
 - 5. Ordinances. To recommend to the Council for adoption such measures and ordinances as he deems necessary.
 - 6. Attendance at Council Meetings. To attend all meetings of the Council unless the Mayor excuses him individually or unless the Council excuses him, except when his removal is under consideration, in which case the Town Manager's attendance at a meeting shall be governed by the Arizona Open Meeting Act (A.R.S. § 38-431 *et seq.*, as may be amended). He may present recommendations relative to each item on the agenda for approval, rejection, or modification by the Council, and prepare the agenda as provided in Section 2.

7. Financial Reports. To keep the Council at all times fully advised as to the financial condition and needs of the Town.
 8. Budget. To prepare and submit a proposed annual budget to the Council.
 9. Investigations and Complaints. To make investigations into the affairs of the Town and performance of any obligations of the Town and to report all findings to the Council. Further, it shall be the duty of the manager to investigate all complaints in relation to matters concerning the administration of the Town government. If the investigation involves the conduct of a person reporting directly to the Council (the Town Manager or Town Attorney) the Mayor and Vice-Mayor shall designate a person to conduct the investigation. If the Mayor and Vice Mayor cannot agree on such designation, the matter shall be referred to the Council.
 10. Public Buildings. To exercise general supervision over all public buildings, parks, and other public property under the control and jurisdiction of the Council.
 11. Additional Duties. To perform such other duties as may be required by the Council, not inconsistent with federal law, state law, or Town ordinances.
 12. Documents. To sign contracts for budgeted items and other documents that are necessary to conduct the business and affairs of the Town.
- E. Internal Relations.**
1. Council-Manager Relations. The Council and its members shall deal with the administrative services of the Town only through the Town Manager, except for the purpose of inquiry, and neither the Council, nor any member thereof shall give orders or instructions to any subordinates of the Town Manager. The Town Manager shall take his orders and instructions from the Council only when sitting in a duly convened meeting of the Council, and no individual Council member shall give orders or instructions to the Town Manager.
- F. Attendance at Commission Meetings.** The Town Manager may attend any and all meetings of the planning and zoning commission and all other commissions, boards or committees created by the Council. He shall cooperate to the fullest extent possible with the members of all commissions, boards, or committees appointed by the Council.

SECTION 3-2-1.I (RESERVE ACTING TOWN MANAGER)

~~In the absence of the Town Manager from his office, or upon the disability of the Town Manager, or in the event the position has been vacated by either the resignation of the Manager or the termination of his contract by action of the Town Council, the Acting Town Manager shall be appointed as follows:~~

- ~~**A.** For a temporary absence or disability of the Town Manager, the Town Marshal will serve as Acting Town Manager. If the Town Marshal is not available, the Town Clerk will serve as Acting Manager.~~
- ~~**B.** For a vacancy in the position, the Acting Town Manager shall be appointed by resolution of the Council, which may also resolve to keep the position vacant until filled by later selection and contract.~~
- ~~**C.** The Acting Town Manager shall have the duties and responsibilities of the Town Manager as established by this code, ordinance or statute, except that he shall not without prior approval of the Council:

 - ~~1. Incur any unbudgeted indebtedness on behalf of the Town.~~
 - ~~2. Discharge any Town employee except for extreme cause.~~
 - ~~3. Substantially change duties and authorities assigned to other staff members.~~~~
- ~~**D.** The Acting Town Manager may assign, in writing, temporary duties to other staff members for a period not to exceed twenty working days.~~

SECTION 3-2-2 TOWN CLERK

A. Office Established. The Office of the Town Clerk is hereby established. The Town Clerk shall be appointed by the Town Manager on the basis of ability and shall hold office pursuant to Section 3-1-3.A of this code.

B. Duties.

1. Records. The clerk shall keep a true and correct record of all business transacted by the Council and any other records that either pertain to the business of the Town or that the Council directs. The clerk shall number, plainly label, and file separately in a suitable manner all resolutions, notices, deeds, surveys, leases, paid and unpaid vouchers, inventories, letters, orders, and other documents of whatever nature.
2. Public Inspection of Records. The clerk shall keep convenient for public inspection all public reports and public documents under the control of the clerk, as provided by state statute.
3. Monthly Reports. The clerk shall prepare and collect from Town officers and employees such monthly reports prepared in such manner and to include such information as may be directed by the Council.
4. Minutes. The clerk shall prepare or cause to be prepared all minutes of Council proceedings and ensure their correctness and accuracy.
5. Ordinances, Resolutions, Budgets and Notices. The clerk shall process, record, file, publish and, if required by state statute, post all ordinances, resolutions, budgets, and notices that may be passed by the Council.
6. Election Official. The clerk shall be the Town election official and perform those duties required by state statute and as directed by the Council.
7. Licenses. The clerk shall issue or cause to be issued all licenses that may be prescribed by state statute, Town ordinance, or this code.
8. Administrative Duties. The clerk shall perform those administrative responsibilities and duties that are conferred upon the clerk by the Council in addition to those specified in Arizona Revised Statutes, Town ordinances, and this code.

SECTION 3-2-3 (RESERVE FINANCE DIRECTOR)

A. Office Established. (2007-A346)

The office of the Finance Director is hereby established. The Finance Director shall be appointed the Town Manager on the basis of ability.

B. Duties of Finance Director.

The Finance Director shall receive and safely keep all monies that come to the Town and pay out the same as authorized by the Council or the Manager as authorized by the Council. The Finance Director shall keep a separate record and account of each different fund provided by the Council, apportion the monies received among the different funds prescribed by the Council, and keep a complete set of books showing every money transaction of the Town, the state of each fund, from what source the money in each fund is derived, and for what purpose expended. THE DIRECTOR shall make monthly reports to the Council of all receipts and disbursements, and the balance in each fund.

C. Expenditure Control and Purchasing.

The Finance Director is authorized to approve requests to expend funds, but only as authorized in a Council-approved budget and the Town of Camp Verde Policy and Operations guide.

SECTION 3-2-4 (RESERVE - TOWN MARSHAL)

A. Office Established. The office of the Town Marshal is hereby established. The Town Marshal shall be appointed by the Town Manager on the basis of ability, and shall hold office pursuant to Section 3-1-3.A of this code. The Town Marshal shall be a resident of the Town, unless such requirement is waived by the Council.

B. Powers and Duties. The Town Marshal is the administrative head of the police department of the Town under the direction and control of the Town Manager. He shall perform such duties as may be required of him by law and as the Town Manager may deem necessary.

SECTION 3-2-5 (RESERVE - DIRECTOR OF COMMUNITY DEVELOPMENT)

A. Office Established. The Office of Director of Community Development is hereby established. The Director of Community Development shall be appointed by the Town Manager on the basis of ability, and shall hold office pursuant to Section 3-1-3.A of this code.

B. Powers and Duties.

1. Be the zoning administrator pursuant to ARS § 9-462.05 and the code enforcement officer as may be amended, to enforce the zoning regulations of the Town of Camp Verde, either directly or through their designee(s) advise of Town policy and violations, help to determine enforcement priorities, and train and supervise the inspectors.

SECTION 3-2-6 (RESERVE - DIRECTOR OF PUBLIC WORKS/ENGINEER)

A. Office Established. The office of Director of Public Works/Engineer is hereby established. The Director of Public Works/Engineer shall be appointed by the Town Manager on the basis of ability, and shall hold office pursuant to Section 3-1-3.A of this code.

B. Powers and Duties. The Director of Public Works/Engineer is the administrative head of the public works department under the direction and control of the manager. In such position, the Director of Public Works/Engineer shall:

- ~~1. Supervise the operations division which shall have charge of and supervision over the care, maintenance and construction of all streets, sidewalks, alleys and public ways; the construction, operation and maintenance of all storm, water and sanitary sewers and all street gutters, drains, drainage ways, improvement districts, waste water treatment, airports, easements and appurtenances thereto under Town jurisdiction; the care, maintenance and construction of all public buildings, lands and parkways; the operation, maintenance and construction of all other public works projects and improvements within the jurisdiction of the Town.~~
- ~~2. Direct preparation of improvement districts and coordinates work and studies for improvement projects.~~
- ~~3. Direct abandonments and acquisition of right of way for public improvements such as streets, alleys, sewers and drainage ways.~~
- ~~4. Review and approve plans, permits, and specifications for Town construction contracts; direct and advise inspectors of construction projects under his jurisdiction; interpret construction plans and specifications.~~

SECTION 3-2-7 TOWN ATTORNEY

- A. Office Established. The office of Town Attorney is hereby established. The Town Attorney shall be appointed by a majority vote of the Council on the basis of ability and shall hold office pursuant to Sections 3-1-3.A and 3-1-3.B of this code.
- B. Powers and Duties.
 1. The Town Attorney is the administrative head of the legal department under the direction and control of the Council.
 2. The Town Attorney shall act as the legal counselor and advisor of the Council and other Town officials. The Town Attorney shall give his opinion in writing when requested. Major issues should be subject to Council review and majority direction. Any request that is estimated by the Town Attorney to exceed two (2) hours to complete will be considered a major issue that should be placed on the agenda.
 3. If there is a legal issue concerning an agenda item, the Town Attorney may be requested by the Mayor, after direction by the Council, to provide a written opinion to Council, call for a vote for an Executive Session, or to discuss the matter with the interested Council Member in private, rather than give impromptu opinions during the meeting. The Town Manager may also request a formal written opinion in advance of a meeting regarding minor issues. This would not prevent the Attorney from responding to questions on procedures, or explaining the provisions of forms or documents related to the agenda items.
 4. The Town Attorney shall draft and/or review deeds, contracts, conveyances, ordinances, resolutions, and other legal instruments when required. Major issues should be subject to Council review and majority direction. Any request that is estimated by the Town Attorney to exceed two (2) hours to complete will be considered a major issue that should be placed on the agenda.
 5. The Town Attorney shall approve or disapprove as to form, in writing, all documents submitted to the Town Attorney.
 6. The Town Attorney shall return, within ten days, all ordinances and resolutions submitted to him for consideration, with the Town Attorney's approval or disapproval as to form noted thereon, together with his reasons therefore if disapproved.
 7. The Town Attorney shall handle or monitor all suits, actions, or causes where the Town is a party and report to the Council, when required, the condition of any suit or action to which the Town is a party.
 8. Any contract or consulting attorney or legal representative shall report to the Town Attorney who will act as liaison to the Council. No individual Council Member shall be allowed to directly contact contract attorneys. In the event of conflict of interest or unavailability, the Town Manager shall be liaison to that specific item.

ARTICLE 3-3 (RESERVED FOR FUTURE USE)

ARTICLE 3-4

FINANCIAL POLICIES

SECTION 3-4-1 BUDGET POLICY

The Town of Tusayan has an important responsibility to its citizens to carefully account for public funds, manage the finances wisely, and plan for adequate funding of public services, including the provision and maintenance of public facilities. The budget policy, as outlined in the PRINCIPLES OF SOUND FINANCIAL MANAGEMENT, provides guidance for preparing the Town of Tusayan annual budget as well as adoption, implementation, and monitoring of the budget.

SECTION 3-4-1.1 BUDGET PHILOSOPHY

The Town of Tusayan's budget philosophy includes funding the service delivery system using the resources provided through current revenue collection while planning for future needs through capital funding and maintenance.

SECTION 3-4-1.2 BALANCED BUDGET

Arizona law (Title 42 Arizona Revised Statutes) requires the Town Council to annually adopt a balanced budget. The Town of Tusayan will develop a balanced budget where projected revenues meet or exceed projected expenditures. In the event that projected revenues are not adequate to sustain the service delivery system desired by the Town's citizens, a draw on fund balance may be authorized by the Town Council. In addition, the Town will not use one-time (non-recurring) revenues to fund continuing (recurring) expenditures.

SECTION 14-1 CRIMINAL RECORD CHECKS FOR PROSPECTIVE TOWN EMPLOYEES:

1. **Fingerprinting of Applicants.** All applicants for employment with the Town of Tusayan must submit a full set of fingerprints on forms provided by the Coconino County Sheriff's Office for obtaining a state and federal criminal records check.
2. **Use of Department of Public Safety.** The Arizona Department of Public Safety is hereby authorized to exchange the fingerprint data with the Federal Bureau of Investigation pursuant to ARS 41-1750, as may be amended, and Public Law 92-544
3. **Conditional Acceptance of Employment.** Applicants may submit their employment application materials and fingerprint cards for processing up to 10 days before selection by the Town of a candidate. Any employment by the Town is subject to results of the criminal records check, and, if an applicant has been notified of his or her selection and has temporarily assumed a position with the Town, such position may be vacated at the option of the Town depending on the criminal history results.