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CAPTION HEADING:

ORDINANCE

Ordinance No. 462
Invocation at Council's Regular meetings



Ordinance

No. 462

OFFICE OF THE
MAYOR
CITY OF SAN LUIS

AN ORDINANCE OF THE MAYOR AND CITY COUNCIL OF THE CITY OF SAN LUIS, ARIZONA, AMENDING THE SAN LUIS CITY CODE SECTION 2.05.440 REGARDING REQUIRING AN OPENING INVOCATION AT COUNCIL'S REGULAR MEETINGS; REPEALING CONFLICTING PROVISIONS, AND PROVIDING FOR SEVERABILITY.

BE IT ORDAINED by the Mayor and City Council of the City of San Luis, Arizona:

Section 1: The San Luis City Code Section 2.05.440(A)(2) shall be amended to add subsection (a) which shall read:

After the Pledge of Allegiance to the Flag, an opening invocation shall be conducted to open the business of Council in each Regular Meeting. The Council declares that in requiring the invocation on its agenda, it does not discriminate based on religion, and the invocation is in keeping with historical tradition. The purpose is to solemnize the proceedings before conducting the public's business. The Council's policy is to have an invocation for the benefit of the Council.

(i) The invocation shall not be listed or recognized as part of the Consent Agenda or any discussion or action items.

(ii) The invocation may include prayer, a moment of silence, or other ceremony with the purpose of solemnizing the proceedings.

(iii) To align with the Council's non discriminatory intent and purpose to solemnize the proceedings, invocation speakers shall be guided by the following:

- direct the invocation to the Council;
- avoid addressing the audience or asking the audience to join in reciting a prayer or other participation;
- do not proselytize, threaten damnation, promote, or disparage any spiritual faith, belief system, doctrine, religious or non-religious views;
- do not advertise the invocation speaker's place of worship including but not limited to stating the time and place of meetings; and

- avoid political statements or campaigning.
- limit the invocation to one (1) to five (5) minutes.

(iv) Invocation speakers who do not follow the above guidelines may be disqualified from offering future invocations.

(v) Other than providing the guidelines for invocation speakers in the above subsection, the Council, its Members, City employees, and other City agents are prohibited from engaging in any prior inquiry, review of, or involvement in the content of any invocation to be offered by an invocation speaker.

(vi) Attendees are free to stand; however, no one shall be required to participate in any invocation that is offered. Attendees have the right to refrain from standing, to leave the room, or otherwise not participate. They shall be allowed to do so without comment.

(vii) The following statement shall be printed before the Pledge of Allegiance item in English and Spanish in at least 10-point type: "Any opening invocation that is offered before the official start of the Council meeting shall be the voluntary offering of a private person, to and for the benefit of the Council. The views or beliefs expressed by the invocation speaker have not been previously reviewed or approved by the City Council or the city staff. The City is not allowed by law to endorse the religious or non-religious beliefs or views of such speakers. Any invitation to stand during the Pledge of Allegiance or invocation shall not be construed as a demand, order, or any other type of command. No person in attendance at the meeting shall be required to participate in any Pledge of Allegiance or an opening invocation that is offered."

(viii) The invocation speaker shall be a City Chaplain who is available. If no City Chaplain is available, then the selection of an invocation speaker should be non-discriminatory and inclusive, ensuring that invocation speakers are chosen based on their involvement in the community rather than their religious affiliation.

Section 2: The City Council authorizes and directs the appropriate City officers and employees to perform all necessary or desirable acts to give effect to this Ordinance."

Section 3: If a conflict arises between the provisions of this ordinance and any resolution, other ordinance, regulation, or policy of the City of San Luis, the conflicting provisions are amended, superseded, and replaced, and this Ordinance shall govern.

Section 4: If any section, subsection, sentence, clause, phrase, or portion of this Ordinance is held to be invalid or unconstitutional by the final decision of any court of competent jurisdiction or operation of law by controlling legislation, such decision or law shall not affect the validity of the remaining portion of this ordinance.

[Intentionally left blank, signature page follows.]

PASSED, ADOPTED, and APPROVED by the Mayor and City Council of the City of San Luis, Yuma County, Arizona, this 26th day of March 2025.



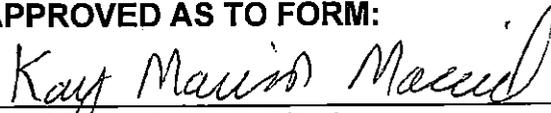
Nieves Riedel, Mayor

ATTEST:



Sonia Cornelio, City Clerk

APPROVED AS TO FORM:



Kay Marion Macuil, City Attorney