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**CITY OF SAN LUIS
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CAPTION HEADING:

ORDINANCE

Ordinance No. 478

Repealing Section 2.05.250 and replacing Section 2.05.220 of the City Code to clarify the timing of the oath of office and to create a consistent date to take office for the Mayor and City Council.



Ordinance

No. 478

OFFICE OF THE
MAYOR
CITY OF SAN LUIS

AN ORDINANCE OF THE MAYOR AND CITY COUNCIL OF THE CITY OF SAN LUIS, ARIZONA, REPEALING SECTION 2.05.250 AND REPLACING SECTION 2.05.220 OF THE CITY CODE TO CLARIFY THE TIMING OF THE OATH OF OFFICE AND TO CREATE A CONSISTENT DATE TO TAKE OFFICE FOR THE MAYOR AND CITY COUNCIL.

WHEREAS, this Ordinance aligns with the requirement of A.R.S. § 38-232 for the timing of the Oath of Office; and

WHEREAS, it makes clear the sequence of events for elected or appointed officials that the elected or appointed officials first take and subscribe to the Oath of Office, then assume their official duties; and

WHEREAS, this Ordinance sets a consistent date for all newly elected Mayors and Councilpersons to take office so that one newly elected official does not take office earlier than other newly elected officials;

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

Section 1: In San Luis City Code Title 2 Administration and Personnel, Chapter 2.05 Mayor and Council, Article II. Council, Article II shall change its title to read:

Article II. Mayor and Council

Section 2: San Luis City Code § 2.05.220 is amended and restated to read:

2.05.220 Timing of Oath of Office and Assuming Duties.

(A) Oath of Office.

When the law requires no other specific time, the Mayor and Councilpersons shall take and subscribe to the Oath of Office as follows:

1. **If appointed:** at or before commencement of the term of office.
2. **If elected:** after their certificate of election is issued and before the term of office.

3. **In Public:** The Mayor and each Councilperson shall take and subscribe the Oath of Office in public, at a Swearing-In Ceremony described below.

(B) **Assuming Duties**

Immediately after taking and subscribing to the Oath of Office, the Mayor and each Councilperson shall assume the duties of office.

(C) **Reception**

A reception may immediately follow the taking of the Oath of Office and assumption of duties.

(D) **Official Start Date.**

1. A newly elected Mayor and each newly elected Councilperson shall take the Oath of Office and assume their duties at a publicly noticed, Swearing-In Ceremony on the **first Wednesday in December**, which falls after an August or November regular candidate election of the same year.

2. This date does not apply to those Mayors or Council Members who are appointed to fill a vacancy or elected by a special election.

(E) **Alternative Dates.**

1. If the certificate of election does not issue for one or more of the newly elected officials (the Mayor and Councilpersons) by the first Wednesday in December - due to a delay or delays in counting the votes or legal challenges- then the City shall aim to hold the Swearing-In-Ceremony on another day within the same month of December when all the newly elected officials have their certificates of election and assume office together.

2. If a certificate or certificates of election will be issued after December, the affected officials shall individually take and subscribe to the Oath of Office in public and assume their duties as soon as legally permissible.

Section 3: San Luis City Code § 2.05.250 is repealed in its entirety.

Section 4: 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 5: 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 6: If any section, subsection, sentence, clause, phrase, or portion of Ordinance No. 465 is held to be invalid or unconstitutional by the final decision of any court of competent jurisdiction or operation of law by legislation, such decision or law shall not affect the validity of the remaining portion of this ordinance.

PASSED, ADOPTED, and APPROVED by the Mayor and City Council of the City of San Luis, Yuma County, Arizona, this 28th day of January 2026.



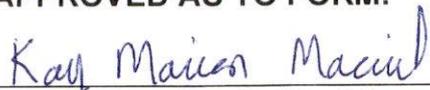
Nieves Riedel, Mayor

ATTEST:



Sonia Cornelio, City Clerk

APPROVED AS TO FORM:



Kay Marion Macuil, City Attorney