

**ORDINANCE NO. 2026-01**

**City Code Amendment, Title 1, "Administration" Chapter 19, "Personnel Rules and Regulations"**

**AN ORDINANCE OF THE MAYOR AND COMMON COUNCIL OF THE CITY OF TOMBSTONE, COCHISE COUNTY, ARIZONA, AMENDING THE CITY CODE, TITLE 1, "ADMINISTRATION", CHAPTER 19, "PERSONNEL RULES AND REGULATIONS"; EFFECTIVE THIRTY (30) DAYS AFTER FINAL PASSAGE.**

**WHEREAS**, Pursuant to the City of Tombstone Charter, Article IV, "Rights, Powers and the Duties of the Common Council" and Article V, "Other Officers, Their Powers and Duties", and A.R.S. §9-240, "General Powers of the Common Council", the Mayor and Common Council of the City of Tombstone are granted the authority to establish local personnel rules for the regulations and administration of City employees; and,

**WHEREAS**, the Mayor and Common Council of the City of Tombstone wishing to amend the City Code Title 1, Chapter 19, to repeal personnel rules and regulations from the City Code and establish administrative personnel rules and regulations pursuant to the City of Tombstone Employee Handbook which shall be established, approved and amended by resolution.

**BE IT NOW ORDAINED BY THE MAYOR AND COMMON COUNCIL:**

**SECTION 1:** The City Code of Tombstone, Arizona, Title 1, "Administration", Chapter 19, "Personnel Rules and Regulations", shall be amended to read as follows:

**1-19-1: PURPOSE:**

The City of Tombstone, in extending services to its citizens, acknowledges that the well being of its employees is essential in maintaining a high standard of operation and that the interests of the City and its employees are harmonious rather than conflicting. The principles and procedures which will be followed by the City in the administration of its personnel program are intended to establish an efficient, equitable and functional system of personnel administration based on principles which govern the employment, promotion, transfer, layoff, dismissal, discipline, and other related conditions of employment.

**1-19-2: ORGANIZATION FOR PERSONNEL ADMINISTRATION:**

A. Mayor and City Council: The Mayor and the City Council shall be the ultimate policy making authority for the City in matters pertaining to personnel administration.

B. City Clerk: The City Clerk is charged by the Mayor and City Council with ensuring the continued fair administration of the personnel program which shall include recruitment, interviewing, testing job applicants (where applicable), maintaining eligible lists from which appointments are made, ensuring that all appointments are made on the basis of merit, aiding in the formulation and interpretation of personnel policy, maintaining the classification plan,

administering the pay plan, keeping records on all employees, supervising the grievance procedures, promoting training programs, and fostering good employee relations. He or she shall also be responsible for maintaining appropriate discipline among City employees and accomplishing such other personnel matters as deemed appropriate by the Mayor and the City Council.

C. Scope: All positions of the City are divided into the unclassified, classified, management, temporary and seasonal positions.

D. Unclassified Positions: Unclassified positions are not subject to personnel rules and regulations and include the following:

1. All elected officials and members of boards and commissions.
2. Volunteer personnel, excepting the Fire Department, and personnel appointed to serve without pay on ad hoc committees.
3. Consultants and counselors providing temporary professional services.
4. Contractual employees as set forth in an employment agreement.

E. Management Positions: Management positions shall include salaried personnel.

F. Classified Positions: The classified positions shall include all other positions in the City that are not specifically placed in unclassified, management, or temporary and seasonal.

G. Temporary and Seasonal Positions: Positions involving temporary or seasonal employment as defined by the employee's personal action form.

### **1-19-3: EMPLOYEE HANDBOOK:**

Personnel policies established and set forth in the Employee Handbook shall apply to all positions in the management or classified services in all departments of the City and to such positions in the unclassified services as may be provided therein.

**SECTION 2:** The remaining sections of the City Code of Tombstone, Arizona, Title 1, "Administration", Chapter 19, "Personnel Rule and Regulations" are hereby repealed in their entirety.

**SECTION 3:** All ordinances and parts of ordinances in conflict with the provisions of this Ordinance or any part of the public record adopted by reference are hereby repealed.


**SECTION 4:** If any section, subsection, sentence, clause, phrase or portion of this Ordinance or any part of the public record adopted herein by reference 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 portion thereof.

**SECTION 5:** Pursuant to A.R.S. §§ 9-812, 9-813 and 39-204, the City Clerk is directed to publish the text of this Ordinance for two (2) consecutive weeks in a newspaper of general circulation, and further, to post a copy of this Ordinance in three (3) or more public places within the City.

**SECTION 6:** The first reading of this Ordinance shall occur on the 13<sup>th</sup> day of January, 2026 and this Ordinance shall become effective thirty (30) days after its final passage and publication.

**PASSED AND ADOPTED BY THE MAYOR AND COMMON COUNCIL OF THE CITY OF TOMBSTONE, ARIZONA, this 12th day of May, 2026.**

**CITY OF TOMBSTONE, ARIZONA**

  
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**DUSTIN ESCAPULE, Mayor**

ATTEST:

  
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**CHARISSA PRESTI, Interim City Clerk**

APPROVED AS TO FORM:

  
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**ANN P. ROBERTS, City Attorney**

**ORDINANCE 2026-01**

Published on 5/13/2026 and 5/22/2024.

Passed and Adopted by 4 of 5 Council Votes.

Posted on May 12, 2026.

Clerk's Initials 