

ORDINANCE NUMBER 16-02

AN ORDINANCE OF THE MAYOR AND CITY COUNCIL OF THE CITY OF MARICOPA, ARIZONA, AMENDING SECTION 9-51(E) OF THE MARICOPA CITY CODE REGARDING THE FEE FOR REFUSE SERVICE PERMIT AND PROVIDING FOR SEVERABILITY AND THE EFFECTIVE DATE THEREOF.

WHEREAS, on December 16, 2014, the City of Maricopa adopted Ordinance 14-16 which revised Chapter 9, Health and Sanitation, of the City Code; and

WHEREAS, the Mayor and City Council of the City of Maricopa believe, after consultation with its staff, that amending Section 9-51(e) of the Maricopa City Code would be in the best interest of the City of Maricopa.

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

SECTION 1. That Section 9-51(e) of the Maricopa City Code be deleted in its entirety and replaced with the following:

Sec. 9-51 Permit Required for Refuse Service; Exemptions

- (e) Upon approval of a permit, Solid Waste permittees shall submit to the Public Works Director a report listing all trucks expected to operate within the City during the term of the permit and financial documentation of expected fee collection during the term of the permit. Within thirty (30) days from the end of each quarter, the Solid Waste permittee shall submit to the Public Works Director a per-vehicle fee in an amount established by city council or two percent (2%) of the gross receipts, whichever is greater. The Solid Waste permittee shall immediately notify the Public Works Director in the event the expected trucks operated within the City or fee collection as indicated in the report becomes inaccurate. The City may perform an annual audit to establish the permittee's gross receipts from the collection within the city.

SECTION 2. To the extent of any conflict between other City Ordinances and this Ordinance, this Ordinance shall be deemed to be controlling; provided, however, that this Ordinance is not intended to amend or repeal any existing City Ordinance, Resolution or regulation except as expressly set forth herein.

SECTION 3. If any section, subsection, sentence, clause, phrase or portion of this Ordinance 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.

SECTION 4. This Ordinance shall become effective thirty (30) days from the date of adoption by the City Council for the City of Maricopa.

PASSED AND ADOPTED by the Mayor and Council of the City of Maricopa, Arizona, this 19th day of January, 2016.

APPROVED:

Christian Price
Mayor

ATTEST:

Vanessa Bueras, CMC
City Clerk

APPROVED AS TO FORM:

Denis Fitzgibbons
City Attorney