

ORDINANCE NO. 20-07

AN ORDINANCE OF THE MAYOR AND CITY COUNCIL OF THE CITY OF MARICOPA, ARIZONA, AMENDING SECTION 15.05.060(B) OF CHAPTER 15 OF THE MARICOPA CITY CODE, BY ADDING AN AMENDMENT TO SUBSECTION 302.4 OF THE 2018 PROPERTY MAINTENANCE CODE RELATING TO WEEDS AND PROVIDING FOR SEVERABILITY AND THE EFFECTIVE DATE THEREOF.

WHEREAS, that certain document known as the “2018 Amendment - Chapter 7 Building Regulation” was adopted as a public record by Resolution No. 18-23 on October 2, 2018;

WHEREAS, the Mayor and City Council of the City of Maricopa believe, after consultation with its staff, amending Section 15.05.060(B) of Chapter 15, by adding an amendment to subsection 302.4 of the 2018 property maintenance code relating to weeds 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 15.05.060(B)(8) of the City Code shall be created and read as follows:

8. Amend Section 302.4 Weeds as follows:

Premises and exterior property shall be maintained free from weeds or plant growth in excess of **6 inches**. Noxious weeds shall be prohibited. Weeds shall be defined as all grasses, annual plants and vegetation, other than trees or shrubs provided; however, this term shall not include cultivated flowers and gardens.

Upon failure of the *owner* or agent having charge of a property to cut and destroy weeds after service of a notice of violation, they shall be subject to prosecution in accordance with Section 106.3 and as prescribed by the authority having jurisdiction. Upon failure to comply with the notice of violation, any duly authorized employee of the jurisdiction or contractor hired by the jurisdiction shall be authorized to enter upon the property in violation and cut and destroy the weeds growing thereon, and the costs of such removal shall be paid by the *owner* or agent responsible for the property.

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 21st day of July, 2020.

APPROVED:

Christian Price
Mayor

ATTEST:

Vanessa Bueras, CMC
City Clerk

APPROVED AS TO FORM:

Denis Fitzgibbons
City Attorney