

ORDINANCE NUMBER 14-11

AN ORDINANCE OF THE MAYOR AND CITY COUNCIL OF THE CITY OF MARICOPA, ARIZONA, ADOPTING “ARTICLE 8-6 AUCTIONEERS, PAWNBROKERS, SCRAP DEALERS, AND SECONDHAND DEALERS” AND “ARTICLE 8-7 TOBACCO RETAIL ESTABLISHMENTS” BY REFERENCE AS ARTICLES 8-6 AND 8-7 OF CHAPTER 8 OF THE MARICOPA CITY CODE AND PROVIDING FOR SEVERABILITY AND THE EFFECTIVE DATE THEREOF.

WHEREAS, those certain documents known as “Article 8-6 Auctioneers, Pawnbrokers, Scrap Dealers and Secondhand Dealers” and “Article 8-7 Tobacco Retail Establishments” were adopted as public record by Resolution 14-33 on September 2, 2014; and

WHEREAS, the Mayor and City Council wish to ensure all businesses in Maricopa are regulated appropriately, in a clear and business-friendly manner; and

WHEREAS, the Mayor and City Council previously adopted that certain document known as “City of Maricopa City Code – Chapter 8: Business Regulations” which establishes regulations relating to the operation of businesses in the City of Maricopa; and

WHEREAS, the Mayor and City Council recognize that certain business types require special regulations because they raise unique concerns related to the health, safety, and public welfare of the City of Maricopa; and

WHEREAS, the Mayor and City Council of the City of Maricopa believe, after consultation with its staff, that amending the City Code by adopting Articles 8-6 and 8-7 of Chapter 8 would be in the best interest of the City of Maricopa; and

WHEREAS, A.R.S. §9-802 allows a City to adopt a public record by Ordinance as a means to reduce publication costs while ensuring that the public gets fair notice and opportunity to review its operative provisions.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF MARICOPA, ARIZONA, AS FOLLOWS:

SECTION 1. Pursuant to Arizona Revised Statutes Section 9-802, those certain documents known as “Article 8-6. Auctioneers, Pawnbrokers, Scrap Dealers, and Secondhand Dealers” and “Article 8-7. Tobacco Retail Establishments” of Chapter 8 of the Maricopa City Code, three (3) copies of which are on file in the office of the City Clerk of the City of Maricopa, Arizona, which documents were made public record by Resolution No. 14-33 of the City of Maricopa, Arizona, is hereby referred to, adopted and made a part hereof as if fully set out in this Ordinance.

SECTION 2. “Article 8-6 Auctioneers, Pawnbrokers, Scrap Dealers, and Secondhand Dealers” and “Article 8-7. Tobacco Retail Establishments”, which were made public record by Resolution 14-33 of the City of Maricopa, Arizona, are hereby inserted in Chapter 8 of the

Maricopa City Code.

SECTION 3. A violation of Article 8-6 is an offense, punishable as provided in Article 1-8 of the Maricopa City Code. Each day on which a violation continues shall be a separate offense.

SECTION 4. A violation of Article 8-6 is also grounds for revocation of the license as provided in Section 8-6-14.

SECTION 5. A violation of Article 8-7 is an offense, punishable as provided in Article 1-8 of the Maricopa City Code. Each day on which a violation continues shall be a separate offense.

SECTION 6. A violation of Article 8-7 is also grounds for revocation of the license as provided in Section 8-7-14.

SECTION 7. 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 8. 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 9. 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 2nd day of September, 2014.

APPROVED:

Christian Price
Mayor

ATTEST:

Vanessa Bueras
City Clerk

APPROVED AS TO FORM:

Denis Fitzgibbons
City Attorney