

ORDINANCE NO. 19-14

AN ORDINANCE OF THE MAYOR AND CITY COUNCIL OF THE CITY OF MARICOPA, ARIZONA, ADOPTING “CHAPTER 20 CABLE TELEVISION CODE” BY REFERENCE AS CHAPTER 20 OF THE MARICOPA CITY CODE AND REPEALING THE PREVIOUSLY ADOPTED CABLE TELEVISION CODE AND PROVIDING FOR SEVERABILITY AND THE EFFECTIVE DATE THEREOF.

WHEREAS, that certain document known as the “Chapter 20 Cable Television Code” was adopted as a public record by Resolution No. 19-59 on December 3, 2019;

WHEREAS, in 2018 the Arizona State Legislature codified Arizona Revised Statutes Title 9, Chapter 13, declaring that the regulation of video service providers is a matter of state-wide concern; and

WHEREAS, the Act preempts the local governments with respect to the regulation of video service and video service providers, prescribes the process for issuing and renewing licenses for video services, and other regulation of video services and video service providers; and

WHEREAS, the Mayor and City Council of the City of Maricopa believe, after consultation with its staff, that repealing the existing Cable Television Code and adopting Chapter 20 of the Maricopa City Code would be in the best interest of the City of Maricopa and in compliance with the requirements of the Act.

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, that certain document known as “Chapter 20 Cable Television Code” of the Maricopa City Code, electronic copies of which are on file in the office of the City Clerk of the City of Maricopa, Arizona, which document was made a public record by Resolution No. 19-59 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. The previously adopted Cable Television Code and all amendments thereto are hereby repealed in their entirety and replaced with “Chapter 20 Cable Television Code” which was made public record by Resolution No. 19-59 of the City of Maricopa, Arizona.

SECTION 3. Pursuant to Section 20-3(D), any video service provider or other person violating any part of this chapter shall be guilty of a Class 1 misdemeanor.

SECTION 4. 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 5. 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 6. 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 3rd day of December, 2019.

APPROVED:

Christian Price
Mayor

ATTEST:

Vanessa Bueras, MMC
City Clerk

APPROVED AS TO FORM:

Denis Fitzgibbons
City Attorney