

ORDINANCE NUMBER 19-07

AN ORDINANCE OF THE MAYOR AND CITY COUNCIL OF THE CITY OF MARICOPA, ARIZONA, AMENDING SECTIONS 8-2-4(3) AND 8-2-4(7)(a) OF THE CITY CODE OF MARICOPA REGARDING THE SUBMISSION OF FINGERPRINTS RELATED TO ADULT ORIENTED BUSINESSES AND PROVIDING FOR SEVERABILITY AND THE EFFECTIVE DATE THEREOF

WHEREAS, the Mayor and Council of the City of Maricopa, Arizona, have reviewed Sections 8-2-4(3) and 8-2-4(7)(a) of the Code of the City of Maricopa concerning applications related to Adult Oriented Businesses within the City of Maricopa; and

WHEREAS, after consultation with staff, the Mayor and Council of the City of Maricopa, Arizona, have determined that such sections should be revised to specify that fingerprints provided with an application will be submitted for the purpose of obtaining criminal records checks.

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

SECTION 1. Section 8-2-4(3) of the City Code of Maricopa and all amendments thereto are hereby repealed in its entirety and replaced with the following:

All applicants must be qualified according to the provisions of this Article. The application may request and the applicant shall provide such information (including fingerprints) as to enable the city to determine whether the applicant meets the qualifications established in this Article. Applicants shall submit a full set of fingerprints for the purpose of obtaining a state and federal criminal background check pursuant to A.R.S. § 41-1750 and Public Law (PL) 92-544. Fingerprints must be submitted on fingerprint cards provided by the city or designee.

SECTION 2. Section 8-2-4(7)(a) of the City Code of Maricopa and all amendments thereto are hereby repealed in its entirety and replaced with the following:

A color photograph of the applicant clearly showing the applicant's face and the applicant's fingerprints on a form provided by the Police Department. Any fees for the photographs and fingerprints shall be paid by the applicant. Applicants shall submit a full set of fingerprints for the purpose of obtaining a state and federal criminal background check pursuant to A.R.S. § 41-1750 and Public Law (PL) 92-544. Fingerprints must be submitted on fingerprint cards provided by the city or designee.

SECTION 3. 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 4. 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 5. This Ordinance shall become immediately effective thirty (30) days from the date of its passage and adoption by the City Council of the City of Maricopa.

PASSED AND ADOPTED by the Mayor and Council of the City of Maricopa, Arizona, this 16th day of July, 2019.

APPROVED:

Mayor

ATTEST:

City Clerk

APPROVED AS TO FORM:

City Attorney