

**ORDINANCE NUMBER 06-14**

**AN ORDINANCE OF THE MAYOR AND CITY COUNCIL OF THE CITY OF MARICOPA, ARIZONA, ADOPTING THE "PARK RULES AND REGULATIONS OF THE CITY OF MARICOPA" BY REFERENCE AS CHAPTER 18 OF THE MARICOPA CITY CODE AND PROVIDING FOR SEVERABILITY AND THE EFFECTIVE DATE THEREOF AND DECLARING AN EMERGENCY.**

**WHEREAS**, that certain document known as the Park Rules and Regulations of the City of Maricopa was adopted as a public record by Resolution No. 06-36 on September 5, 2006;

**WHEREAS**, on June 20, 2006 the Mayor and City Council approved Ordinance No. 06-08, which adopted the "Park Rules and Regulations of the City of Maricopa" but did not set forth the Penalties associated with the rules and regulations; and

**WHEREAS**, the Mayor and City Council of the City of Maricopa believe, after consultation with its staff, that adopting the Park Rules and Regulations of the City of Maricopa 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, that certain document known as the "PARK RULES AND REGULATIONS OF THE CITY OF MARICOPA," three 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.06-36 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.** A person guilty of violating any provision of the Park Rules and Regulations of the City of Maricopa shall be charged as follows: the first offense shall be a civil petty offense, the second offense shall be a civil petty offense or misdemeanor and the third offense shall be a misdemeanor pursuant to Article 1-8 of the Maricopa City Code as may be amended from time to time. The level of these charges may be amended from time to time. All fines collected under this Chapter shall be deposited into the general fund of the City.

**SECTION 3.** The following violations of the City of Maricopa Park Rules and Regulations shall carry the following fines:

<u>Penalty</u>	<u>Fine</u>
Drinking in Public without a Permit	\$100.00
Park Curfew Violation (First Offense)	\$25.00
Park Curfew Violation (Second Offense)     *Not Waiverable*	\$50.00
Unlicensed Dog	\$100.00
Barking Dog	\$25.00
Dog Running at Large	\$50.00
Unrestrained Dangerous Dog	\$150.00
No Proof of Vaccination	\$50.00
Maintenance of a Nuisance	\$50.00
Improper Parking	\$15.00
Obstructing Traffic	\$15.00
Handicapped Parking Infraction (First Offense)	\$100.00
Handicapped Parking Infraction (Second Offense)	\$200.00
Handicapped Parking Infraction (Third Offense)	\$300.00
Clinging to a Motorized Recreation Vehicle	\$25.00
Prohibited Skating Violation	\$25.00
Smoking in the Park	\$100.00
Use of Tobacco in the Park	\$100.00
Unlawful Discharge of Fireworks	\$100.00
Violation of Provisions of Use Permit	\$100.00
Failure to Pay User Fees	\$100.00
Failure to Pay Special Use Fees	\$100.00

\*Note: Fines double for second offenses unless otherwise specified above.\*

Any of the foregoing fines may be waived at the discretion of the City Prosecutor. In addition to the foregoing fines, the Court may assess Court costs and prosecution fees.


**SECTION 4.** To the extent of any conflict between other City Ordinances and this Ordinance (and the Code enacted hereby), 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.

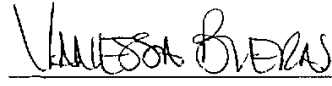
**SECTION 6.** The immediate operation of the provisions of this Ordinance is necessary for the preservation of the public peace, health and safety; therefore, an emergency is hereby declared to exist and this Ordinance shall become immediately effective upon its passage and adoption.

PASSED AND ADOPTED by the Mayor and Council of the City of Maricopa, Arizona, this 5<sup>th</sup> day of September, 2006.

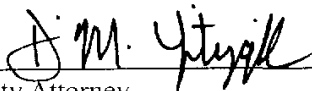
APPROVED:

  
\_\_\_\_\_  
Mayor

ATTEST:

  
\_\_\_\_\_  
City Clerk

APPROVED AS TO FORM:

  
\_\_\_\_\_  
City Attorney