

**ORDINANCE NO. 10-09**

**AN ORDINANCE OF THE MAYOR AND CITY COUNCIL OF THE CITY OF MARICOPA, ARIZONA, ADOPTING "CHAPTER 5 MUNICIPAL COURT" BY REFERENCE AS SECTIONS 5-1 THROUGH 5-62 OF THE MARICOPA CITY CODE AND REPEALING ARTICLES 5-1 THROUGH 5-7 OF THE MARICOPA CITY CODE AND PROVIDING FOR SEVERABILITY AND THE EFFECTIVE DATE THEREOF.**

**WHEREAS**, that certain document known as the "Chapter 5 Municipal Court" was adopted as a public record by Resolution No. 10-46 on September 21, 2010;

**WHEREAS**, on June 1, 2004, the City of Maricopa adopted Chapter 5 Municipal Court as part of the City Code;

**WHEREAS**, the Mayor and City Council of the City of Maricopa believe, after consultation with its staff, that amending Chapter 5 by repealing Articles 5-1 through 5-7 and adopting Sections 5-1 through 5-62 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 "CHAPTER 5 MUNICIPAL COURT" of the Maricopa City Code, 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. 10-46 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**SECTION 2.** Chapter 5 of the Maricopa City Code and all amendments thereto are hereby repealed in their entirety and replaced with Chapter 5 Municipal Court which was made public record by Resolution No. 10-46 of the City of Maricopa, Arizona.

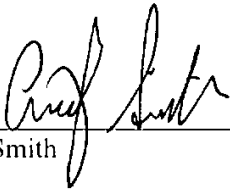
**SECTION 3.** In each case where required by state law, there shall be imposed on the fees imposed in "CHAPTER 5 MUNICIPAL COURT" a penalty or other assessment in an amount equal to the amounts required to be collected pursuant to Arizona Revised Statutes Sections 12-114.01, 12-116, 12-116.01, 12-116.02, and 16-954(C), as may each be amended or superceded from time to time, as well as any other statutes, ordinances or other laws which may be added or revised by the Arizona Legislature, Pinal County or any other governing body relating to the imposition of such surcharges. Currently the fees that may be assessed by the Court may range from not less than twenty dollars (\$20.00) to not more than one thousand dollars (\$1,000.00), unless otherwise specified 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 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 City Council of the City of Maricopa, Arizona, this 21<sup>st</sup> day of September, 2010.

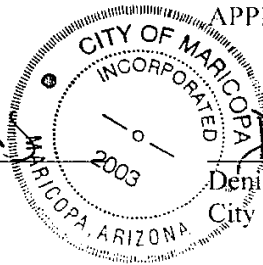
APPROVED:

  
\_\_\_\_\_  
Anthony Smith  
Mayor

ATTEST:

  
\_\_\_\_\_  
Vanessa Bueras, CMC  
City Clerk

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Denis Fitzgibbons  
City Attorney