

ORDINANCE NO. 18-09

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE TOWN OF FOUNTAIN HILLS, ARIZONA, AMENDING TOWN CODE CHAPTER 11 “OFFENSES” BY ADDING SECTION 11-1-7(J) “NUISANCE PARTY” AND DECLARING AN EMERGENCY.

WHEREAS, the Town Council for the Town of Fountain Hills (“Town”) finds and determines that the control of large parties, gatherings or events on private property is necessary when such continued activity is determined to be a threat to the peace, health, safety, or general welfare of the public; and

WHEREAS, the Town Council has determined that it is in the best interest of the residents of the Town to amend Chapter 11 of the Town Code by adding Section 11-1-7(J); and

WHEREAS, the Town Council declared Section 11-1-7(J) of the Town Code, which is incorporated herein by this reference, a public record by Resolution No. 2018-46 and ordered one paper copy and one electronic copy maintained in compliance with ARIZ. REV. STAT. § 44-7041 on file in the office of the town Clerk and open for public inspection during normal business hours; and

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE TOWN OF FOUNTAIN HILLS as follows:

SECTION 1. The recitals above are hereby incorporated as if fully set forth herein.

SECTION 2. The gathering of one (1) or more persons on any private property shall be subject to the requirements of Section 11-1-7(J) of the Town Code.

SECTION 3. If any section, subsection, clause, phrase or portion of this Ordinance or any part of the newly adopted Town Code Section 11-1-7(J) is for any reason held 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 4. Because of the urgent need for the implementation of the Town’s regulations concerning nuisance parties, and the immediate operation of this Ordinance is necessary for the preservation of the health, safety, and general welfare, an emergency is hereby declared to exist and this Ordinance, shall be in full force and effect from and after its passage and approval by the Mayor and Council as required by law and is hereby exempt from the referendum provisions of the Constitution and laws of the State of Arizona.

PASSED AND ADOPTED by the Mayor and Council of the Town of Fountain Hills,
June 19, 2018.

FOR THE TOWN OF FOUNTAIN HILLS:

ATTESTED TO:



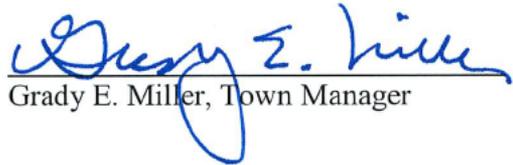
Linda M. Kavanaugh, Mayor



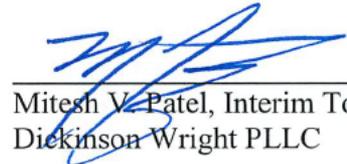
Bevelyn J. Bender, Town Clerk

REVIEWED BY:

APPROVED AS TO FORM:



Grady E. Miller, Town Manager



Mitesh V. Patel, Interim Town Attorney
Dickinson Wright PLLC