

ORDINANCE 19-05

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE TOWN OF FOUNTAIN HILLS, ARIZONA, AMENDING ARTICLE 9-5, *MCDOWELL MOUNTAIN PRESERVE*, SECTION 9-5-2, *DEFINITIONS*, OF THE FOUNTAIN HILLS TOWN CODE

RECITALS:

WHEREAS, on November 6, 2018, 82 additional acres of open space lands were added to the Fountain Hills McDowell Mountain Preserve through the adoption of Resolution 2018-56 and the Town Council wishes to reflect said addition in the Town Code.

ENACTMENTS:

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Town Council of the Town of Fountain Hills, Arizona that Section Article 9-5, *McDowell Mountain Preserve*, is hereby amended as follows:

Section 9-5-2. Definitions

- A. "Camping" means any effort to erect a tent or shelter, sleeping, use of a sleeping bag, or the parking of a trailer or camper for the purpose of sleeping or remaining overnight.
- B. "Central Trailhead" means the developed portions of that trailhead located at the terminus of Eagle Ridge Drive.
- C. "Emergency Access Route" means that roadway between the central trailhead and the southwestern corner of the Eagles Nest subdivision that can be used to evacuate people out of the Eagle Ridge North subdivision. Fountain Hills Town Code Page 11 of 15
- D. "Golden Eagle Trailhead" means the developed portions of that trailhead located at the public terminus of Golden Eagle Drive.
- E. The "Preserve" shall mean those lands identified by Resolutions 2002-01 **AND 2018-56** as the Fountain Hills McDowell Mountain Preserve.
- F. "Special Preserve Permit" means a noncommercial permit issued by the Parks and Recreation Department required for group functions in and around the Central Trailhead.
- G. "Spider Trail" means an unauthorized trail or pathway within the Preserve.
- H. "Trail" means an authorized pathway within the Preserve.
- I. "Violation" means any act that violates any of the rules or regulations contained within this Article, punishable as specified in Section 9-5-7 herein.

ENACTMENTS:

SECTION 3. 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 of this Ordinance.

PASSED AND ADOPTED by the Mayor and Council of the Town of Fountain Hills, Arizona, this 19th day of March, 2019.

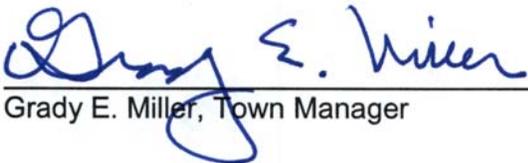
FOR THE TOWN OF FOUNTAIN HILLS:


Ginny Dickey, Mayor

ATTESTED TO:


Elizabeth A. Burke, Town Clerk

REVIEWED BY:


Grady E. Miller, Town Manager

APPROVED AS TO FORM:


Aaron D. Aranson, Town Attorney