

**ORDINANCE 96-A116
ADOPTION OF THE TOWN CODE OF CAMP VERDE**

AN ORDINANCE OF THE TOWN OF CAMP VERDE, YAVAPAI COUNTY, ARIZONA, ADOPTING BY REFERENCE THE CAMP VERDE TOWN CODE, A RE-CODIFICATION OF SELECTED PRIOR ORDINANCES OF THE TOWN, AND PROSCRIBING PENALTIES FOR VIOLATIONS THEREOF.

Section 1. Adoption by Reference. Pursuant to ARS 9-802 (as amended), the Town hereby adopts for application and enforcement the **Town Code of Camp Verde**, dated September 18, 1996, a compilation of selected previously-adopted and modified ordinances, as listed below, and declared a public record pursuant to Resolution 96-365.

Section 2. Effective Date. The effective date of the **Town Code of Camp Verde**, dated September 18, 1996, shall be November 1, 1996, or upon completion of publication and posting as a penal ordinance as provided by law, whichever date is later.

Section 3. Repeal. The **Town Code of Camp Verde** generally excludes ordinances concerning zoning, taxation, or adoption of intergovernmental agreements. The following specific ordinances are hereby repealed by the **Code** as of noon on November 1, 1996:

Ord 86-A01 through Ord 87-A22
Ord 88-A26
Ord 88-A28 and Ord 88-A29
Ord 88-A31 and Ord 88-A32
Ord 89-A35
Ord 89-A37 and Ord 89-A38
Ord 90-A44
Ord 90-A46 and Ord 90-A47
Ord 90-A49 and Ord 90-A50
Ord 91-A61
Ord 92-A74 through Ord 92-A77
Ord 93-A80
Ord 94-A86 and Ord 94-A87
Ord 94-A91
Ord 94-A94

Section 4: Copies of the Town Code. At least three (3) copies of the **Town Code of Camp Verde**, dated September 18, 1996, and any future amendments or revisions, shall be kept on file in the office of the Town Clerk, who may place working copies with the receptionist, Town

Manager, Town Attorney, library, Marshal's Office, and other places for public access. Additional copies may be purchased by the public at nominal cost for materials and reproduction. Copies placed for public access shall be readily available for public inspection during normal working hours.

Section 5: Penalty. Pursuant to ARS 9-240.B.29/ARS 13-602, it is hereby declared that any violation of the **Town Code of Camp Verde**, dated September 18, 1996, and revisions adopted thereto, is a Class 2 misdemeanor, with punishment as provided by law, unless otherwise specified within a particular section of the **Code**.

PASSED AND ADOPTED in open meeting by the Town Council, Town of Camp Verde, Arizona, on the 18th day of September, 1996, to be effective on November 1, 1996, or when publication and posting, pursuant to ARS 9-813, is completed, whichever date is later.

Approved: A. Carter Rogers
A. Carter Rogers, Mayor

Attest:

Dane Bullard
Dane Bullard, Clerk

Approved as to form:
Ronald C. Ramsey
Ronald C. Ramsey, Town Attorney

RESOLUTION 96-365

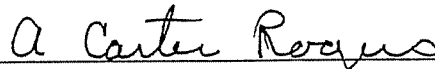
A RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF CAMP VERDE, YAVAPAI COUNTY, ARIZONA, DECLARING THE TOWN CODE OF CAMP VERDE, DATED SEPTEMBER 18, 1996, TO BE A PUBLIC RECORD

WHEREAS, ARS 9-802 permits the enactment and publication by reference of a code or public record, including a statute, rule, or regulation of the municipality, in the interests of economy, and

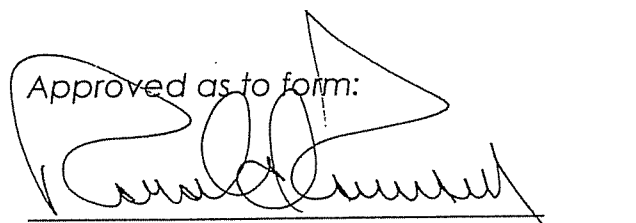
WHEREAS, the document entitled *The Town Code of Camp Verde*, dated September 18, 1996, is a lengthy re-codification of prior ordinances enacted by the Town, together with additions and amendments, to be adopted by Ordinance 96-A116, and which would qualify for enactment by reference by law,

NOW THEREFORE THE MAYOR AND THE COMMON COUNCIL OF THE TOWN OF CAMP VERDE HEREBY DECLARE THE TOWN CODE OF CAMP VERDE, ATTACHED HERETO AND INCORPORATED HEREIN, TO BE A PUBLIC RECORD PURSUANT TO ARS 9-802, TO BE ENACTED BY ORDINANCE 96-A116, AND ORDER THAT THREE (3) COPIES OF THE CODE, TOGETHER WITH ANY FUTURE AMENDMENTS OR ADDITIONS WHICH ARE ADOPTED, BE PERMANENTLY FILED IN THE OFFICE OF THE TOWN CLERK AND AVAILABLE FOR PUBLIC USE AND INSPECTION.

PASSED, APPROVED AND ADOPTED by the Mayor and Common Council of the Town of Camp Verde, Yavapai County, Arizona, on the 18th day of September, 1996.


A. Carter Rogers, Mayor

Attest: 
Dane Bullard, Town Clerk

Approved as to form:

Ronald C. Ramsey, Town Attorney

Original

TOWN CODE

of

CAMP VERDE

**Town of Camp Verde
Yavapai County, Arizona**

September 18, 1996

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CHAPTER I

GENERAL

CHAPTER 1 GENERAL

Article 1-1 HOW CODE DESIGNATED AND CITED

The ordinances embraced in the following chapters and sections shall constitute and be designated "The Code of the Town of Camp Verde, Arizona," and may be so cited. Such code may also be cited as the "Camp Verde Town Code."

Article 1-2 CONSTRUCTION OF ORDINANCES

The rules and the definitions set forth in this chapter shall be observed in the construction of this code and the ordinances of the Town unless such construction would be inconsistent with either the manifest intent of the council, the context of this code or the ordinances of the Town.

Article 1-3 DEFINITIONS

- 1-3-1 General Rule Regarding Definitions
- 1-3-2 Definitions

Section 1-3-1 General Rule Regarding Definitions

All words and phrases shall be construed and understood according to the common and approved use of the language; but technical words and phrases and such others as may have acquired a peculiar and appropriate meaning in the law shall be construed and understood according to such peculiar and appropriate meaning.

Section 1-3-2 Definitions

- A. Acts by Agents. When an act is required to be done which may by law as well be done by an agent as by the principal, such requirements shall be construed to include all such acts when done by an authorized agent.
- B. And, Or. "And" may be read "or," and "or" may be read "and," if the sense requires it.
- C. Code. When the word "code" is used, it shall mean the Town Code of the Town of Camp Verde, Arizona unless the context indicates otherwise.
- D. Council. When the word "Council" is used, it shall mean the Town Council of the Town of Camp Verde.
- E. County. When the word "county" is used, it shall mean Yavapai County, Arizona unless the context clearly requires otherwise.
- F. Day. "Day" is the period of time between any midnight and the midnight following.
- G. Daytime, Nighttime. "Daytime" is the period of time between sunrise and sunset. "Nighttime" is the period of time between sunset and sunrise.
- H. Department, Board, Commission, Office, Officer or Employee. Whenever any "department, board, commission, office, officer or employee" is referred to, it shall mean a department, board, commission, office, officer or employee of the Town unless the context requires otherwise.

GENERAL (Cont.)

- I. Gender; Singular and Plural. Words of the masculine gender include the feminine; words in the singular include the plural and words in the plural include the singular.
- J. Joint Authority. All words purporting to give a joint authority to three or more Town officers or other persons shall be construed as giving such authority to a majority of such officers or other persons unless it shall be otherwise expressly declared in the law giving the authority.
- K. Month. "Month" means a calendar month.
- L. Oath. "Oath" includes an affirmation in all cases in which, by law, an affirmation may be substituted for an oath and in such cases the words "swear" and "sworn" shall be equivalent to the words "affirm" and "affirmed".
- M. Owner. The word "owner" applied to a building or land shall include any part owner, joint owner, tenant in common, joint tenant or lessee of the whole or of part of such building or land.
- N. Person. The word "person" includes a corporation, company, partnership, association or society as well as a natural person.
- O. Personal Property. The term "personal property" includes every species of property, except real property as defined in this section.
- P. Preceding, Following. The words "preceding" and "following" mean next before and next after, respectively.
- Q. Property. The term "property" includes lands, tenements and hereditament and personal property.
- R. Real Property. The term "real property" includes lands, tenements and hereditament.
- S. Shall, May. "Shall" is mandatory and "may" is permissive.
- T. Signature or Subscription by Mark. "Signature" or "subscription" includes a mark when the signer or subscriber cannot write, such signer's or subscriber's name being written near the mark by a witness who writes his own name near the signer's or subscriber's name; but a signature or subscription by mark can be acknowledged or can serve as a signature or subscription to a sworn statement only when two witnesses so sign their own names thereto.
- U. State. Whenever "state" is referenced, it shall mean the State of Arizona unless the context clearly requires otherwise.
- V. Tenant or Occupant. The word "tenant" or "occupant" applied to a building or land shall include any person holding a written or an oral lease of, or who occupies the whole or part of such building or land, either alone or with others.

GENERAL (Cont.)

- W. Tenses. The present tense includes the past and future tenses, and the future includes the present.
- X. Time: Computation. The time within which an act is to be done as provided in this code or in any order issued pursuant to any ordinance, when expressed in days, shall be computed by excluding the first day and including the last, except that if the last day is a Saturday, Sunday or holiday it shall be excluded; and when such time is expressed in hours, the whole of Saturday, Sunday or a holiday, from midnight to midnight, shall be excluded.
- Y. Time: Reasonable. In all cases where any section of this code shall require any act to be done in a reasonable time or reasonable notice to be given, such reasonable time or notice shall be deemed to mean such time only as may be necessary for the prompt performance of such duty or compliance with such notice.
- AA. Town. When the word "Town" is used, it shall mean the Town of Camp Verde, Yavapai County, Arizona, except as otherwise provided. The words "in the Town" or "within the Town" shall mean and include all territory over which the Town has jurisdiction for the exercise of its police powers or other regulatory powers as authorized by statute.
- BB. Week. A week consists of seven consecutive days.
- CC. Writing. The term "writing" means any form of recorded message capable of comprehension by ordinary visual means. Whenever any notice, report, statement or record is required or authorized by this code, it shall be made in writing in the English language unless expressly provided otherwise.
- DD. Year. "Year" means a calendar year unless otherwise provided.

Article 1-4 REFERENCE TO CHAPTERS, ARTICLES OR SECTIONS:
CONFLICTING PROVISIONS

- 1-4-1 Additional Rules of Construction
- 1-4-2 References to this Code
- 1-4-3 Conflicting Provisions--Different Chapters
- 1-4-4 Conflicting Provisions--Same Chapter

Section 1-4-1 Additional Rules of Construction

In addition to the rules of construction specified in Articles 1-2 and 1-3, the rules set forth in this article shall be observed in the construction of this code.

Section 1-4-2 References to this Code

All references to chapters, articles or sections are to the chapters, articles and sections of this code unless otherwise specified.

GENERAL (Cont.)

Section 1-4-3 Conflicting Provisions--Different Chapters

If the provisions of different chapters of this code conflict with or contravene each other, the provisions of each chapter shall prevail as to all matters and questions growing out of the subject matter of such chapter.

Section 1-4-4 Conflicting Provisions--Same Chapter

If conflicting provisions are found in different sections of the same chapter, the provisions of the section which is last in numerical order shall prevail unless such construction is inconsistent with the meaning of such chapter.

Article 1-5 SECTION HEADINGS

Headings of the several sections of this code are intended as a convenience to indicate the contents of the section and do not constitute part of the law.

Article 1-6 EFFECT OF REPEAL

When any ordinance repealing a former ordinance, clause or provision shall be itself repealed, such repeal shall not be construed to revive such former ordinance, clause or provision, unless it shall be expressly so provided. The repeal of an ordinance shall not affect any punishment or penalty incurred before the repeal took effect nor any suit, prosecution or proceeding pending at the time of the repeal, for any offense committed under the ordinance repealed.

Article 1-7 SEVERABILITY OF PARTS OF CODE

It is hereby declared to be the intention of the council that the sections, paragraphs, sentences, clauses and phrases of this code shall be severable, and, if any provision of this code is held unconstitutional for any reason by a court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining provisions of the code.

Article 1-8 PENALTY

- A. Any person found guilty of violating any provisions of this code, except as otherwise provided, shall be guilty of a Class 2 misdemeanor, and upon conviction thereof shall be punished as provided by law.
- B. Each day that a violation continues shall be a separate offense punishable as hereinabove described.

Article 1-9 REPEAL OF EXISTING ORDINANCES

- 1-9-1 Effective Date of Repeal
- 1-9-2 Ordinances Exempt from Repeal

Section 1-9-1 Effective Date of Repeal

All ordinances of the Town listed in the adopting resolution except those specially exempted, now in force and effect are hereby repealed effective at twelve o'clock noon on November 1, 1996 but all rights, duties and obligations created by said ordinances shall continue and exist in all respects as if this code had not been adopted and enacted.

GENERAL (Cont.)

Section 1-9-2 Ordinances Exempt from Repeal

The adoption and enactment of this code shall not be construed to repeal or in any way to modify or affect:

- A. Any special ordinance or ordinances regarding franchises, annexations, dedications, road abandonments or zoning.
- B. Any ordinance making an appropriation.
- C. Any ordinance affecting any bond issue or by which any bond issue may have been authorized.
- D. The running of the statute of limitations in force at the time this code becomes effective.
- E. The continued existence and operation of any department, agency, commission or office heretofore legally established or held.
- F. Any bond of any public officer.
- G. Any taxes, fees, assessments or other charges incurred or imposed.
- H. Any ordinances authorizing, ratifying, confirming, approving or accepting any compact or contract with any other municipality, the State of Arizona or any county or subdivision thereof, or with the United States or any agency or instrumentality thereof.

Article 1-10 EFFECTIVE DATE OF CODE

Each and every section of this code as herein contained and hereby enacted shall take effect and be in force on and after twelve o'clock noon on _____, 19__ except that where a later effective date is provided it shall prevail.

CHAPTER 2

MAYOR
and
COUNCIL

CHAPTER 2 MAYOR AND COUNCIL

Article 2-1 COUNCIL

- 2-1-1 Elected Officers
- 2-1-2 Corporate Powers
- 2-1-3 Assumption of Office
- 2-1-4 Vacancies in Council
- 2-1-5 Oath of Office

Section 2-1-1 Elected Officers

- A. The elected officers of the Town shall be a mayor and six council members. The mayor and council members shall constitute the council and shall continue in office until assumption of duties of office by their duly elected successors.
- B. The term of office of the mayor shall be two years.
- C. Council members shall serve four-year staggered terms as provided by ARS 9-232.02, with three (3) members in each class.

Section 2-1-2 Corporate Powers

The corporate powers of the Town shall be vested in the council and shall be exercised only as directed or authorized by law. All powers of the council shall be exercised by ordinance, resolution, order or motion.

Section 2-1-3 Assumption of Office

Members of the council shall assume the duties of office no later than the regularly scheduled council meeting next following the date of the general election at which the council members were elected, or at any special meeting called to conduct business after the general election by the former council. If a council candidate, including mayor, receives a majority of all votes cast at a primary election, then pursuant to ARS 9-821.01 such candidate shall be declared elected to the office, but effective as of the date of the general election, to be seated as set forth herein.

Section 2-1-4 Vacancies in Council

The council shall fill by appointment for the unexpired term and vacancy on the council, including mayor, that may occur for any reason, within 60 days of the vacancy, unless a primary or general election for council is set within 120 days. The vacancy shall not reduce any council quorum requirements.

Section 2-1-5 Oath of Office

Immediately prior to assumption of the duties of office, the mayor and each council member shall, in public, take and subscribe to the oath of office.

MAYOR and COUNCIL (Cont.)

Article 2-2 MAYOR

- 2-2-1 Direct Election of Mayor
- 2-2-2 Vice Mayor
- 2-2-3 Acting Mayor
- 2-2-4 Powers and Duties of the Mayor
- 2-2-5 Absence of Mayor
- 2-2-6 Failure to Sign Documents

Section 2-2-1 Direct Election of Mayor

- A. The mayor shall be directly elected by the people pursuant to ARS 9-821.01. If a candidate receives a majority of all votes cast at a primary election, he or she shall be declared mayor effective as of the date of the general election, and no general election shall be held for that position.
- B. The term of the Mayor shall be for two years. In every election one of the declared vacancies on the council shall be reserved for the election of the mayor.
- C. A candidate may not run for both mayor and council member at the same election.

Section 2-2-2 Vice Mayor

The council shall annually select, at the first scheduled meeting in June, a vice mayor, who shall serve at the pleasure of the council. The vice mayor shall assume the duties of the mayor in the absence, disqualification or resignation of the mayor.

Section 2-2-3 Acting Mayor

In the absence or disability of both the mayor and vice mayor, the council may designate another of its members to serve as acting mayor who shall have all the powers, duties and responsibilities of the mayor during such absence or disability.

Section 2-2-4 Powers and Duties of the Mayor

The powers and duties of the mayor shall include the following:

- A. The mayor shall be the chief executive officer of the Town except as to the administrative duties delegated by Section 3-2-1 to the Manager, or other department heads, and in accordance with the procedures set forth in the code and applicable portions of any personnel manual adopted by the Town.
- B. The mayor shall be the chairman of the council and preside over its meetings. The mayor may make and second motions and shall have a voice and vote in all its proceedings.

MAYOR and COUNCIL (Cont.)

- C. The mayor shall execute and authenticate by his signature such instruments as the council or any statutes, ordinances or this code shall require.
- D. The mayor shall make such recommendations and suggestions to the council as he may consider proper.
- E. The mayor may, by proclamation, declare a local emergency to exist due to fire, conflagration, flood, earthquake, explosion, war, bombing or any other natural or man-made calamity or disaster or in the event of the threat or occurrence of riot, rout or affray or other acts of civil disobedience which endanger life or property within the Town. After declaration of such emergency, the mayor shall govern by proclamation and impose all necessary regulations to preserve the peace and order of the Town, including but not limited to:
1. Imposition of a curfew in all or any portion of the Town.
 2. Ordering the closing of any business.
 3. Closing to public access any public building, street or other public place.
 4. Calling upon regular or auxiliary law enforcement agencies and organizations within or without the political subdivision for assistance.
- F. The mayor shall perform such other duties required by state statute and this code as well as those duties required as chief executive officer of the Town.

Section 2-2-5 Absence of Mayor

The mayor shall not absent himself from the Town for a greater period than fifteen consecutive days without the consent of the council.

Section 2-2-6 Failure to Sign Documents

If the mayor refuses or fails to sign any ordinance, resolution, contract, warrant, demand or other document or instrument requiring his signature for five days consecutively, then a majority of the members of the council may, at any regular or special meeting, authorize the vice mayor or, in his absence, an acting mayor to sign such ordinance, resolution, contract, warrant, demand or other document or instrument which when so signed shall have the same force and effect as if signed by the mayor.

Article 2-3 COUNCIL PROCEDURE

- 2-3-1 Regular Meetings
- 2-3-2 Special Meetings
- 2-3-3 Posting of Notices
- 2-3-4 Meetings to Be Public
- 2-3-5 Quorum
- 2-3-6 Preparation of Agenda
- 2-3-7 Order of Business
- 2-3-8 Voting
- 2-3-9 Declaration of Vacancy

MAYOR and COUNCIL (Cont.)

Section 2-3-1 Regular Meetings

The council shall hold regular meetings on the first and third Wednesdays of each month, special meetings for hearing planning and zoning matters on the fourth Wednesday, and work sessions, as needed, on the second Wednesday. All meetings shall be at Town Hall, 473 South Main Street, beginning at 6:30 p.m.

Section 2-3-2 Special Meetings

Special and emergency meetings, as permitted by law, shall be called and posted in the same manner as regular meetings by the mayor or the Town clerk, after confirmation of the availability of a quorum.

Section 2-3-3 Posting of Notices

- A. Notice of council meetings and agendas shall be posted at Town Hall, the United States Post Office, and at Bashas' store at Outpost Mall. Other public notices, such as public meetings of Commissions, committees, or boards, bidding, holidays, auctions, and zoning matters, will be posted only at Town Hall. Locations for posting may be changed by council resolution.
- B. All notices shall contain a statement of posting signed by the Town clerk or a designated representative showing the date and time of posting.

Section 2-3-4 Meetings to Be Public

All proceedings of the council shall be open to the public, except that upon approval by a majority vote of the council, the council may meet in a closed executive session pursuant to the provisions of state law.

Section 2-3-5 Quorum

No action shall be taken unless a quorum is present. Four or more council members (the Mayor counting as a member) shall constitute a quorum for transacting business, but a lesser number may adjourn from time to time to compel the attendance of absent members. In any meeting where a quorum is present, it shall take a majority vote of the entire council, or a minimum of four (4) votes, to enact any measure, resolution, ordinance, or other business on the agenda.

Section 2-3-6 Preparation of Agenda

- A. Prior to each council meeting, or on or before a time fixed by the council for preparation and distribution of an agenda, whichever is earlier, the manager shall collect all written reports, communications, ordinances, resolutions, contracts and other documents to be submitted to the council, prepare an agenda in consultation with the mayor according to the order of business and furnish each council member, the mayor and the attorney with a copy of the agenda and other necessary reports and materials together with a copy of the minutes of the last preceding council meeting.
- B. The Town may use a consent agenda to dispose of routine matters coming before the council.

MAYOR and COUNCIL (Cont.)

- C. Agenda items which were acted upon by the council will not be returned at a subsequent meeting without showing the name of the person or persons requesting the reconsideration. Once placed on the new agenda, the council shall then vote on whether or not to allow reconsideration, and if passed, when it will be reconsidered, giving due time for public input or preparation by the agencies or individuals involved with the item. Generally, reconsideration will not be favored unless there is good cause, such as legal deficiencies in the procedure or action taken at its first consideration, or new information is presented which was not available to council or staff that would be material to its determination, and would likely affect the outcome of the voting.

Section 2-3-7 Order of Business

The business of the council shall be the following items, not necessarily in that order:

- A. Call to Order: The mayor shall take the chair precisely at the hour appointed for the meeting and shall immediately call the council to order. In the absence of the mayor, the vice mayor shall call the council to order. In the absence of both the mayor and vice mayor, the clerk shall call the council to order and an acting mayor shall be selected to chair the meeting. Upon the arrival of the mayor or the vice mayor, the vice mayor or the acting mayor shall immediately relinquish the chair upon the conclusion of the business immediately before the council. The mayor shall preserve order and decorum and decide all questions of order and conduct. Questions from the staff or public are addressed to the chair.
- B. Pledge of Allegiance.
- C. Roll Call. Before proceeding with the business of the council, the clerk or the clerk's designee shall record the roll of the members, and the names of those present shall be entered in the minutes. If a quorum is not present, the members present may adjourn pursuant to Section 2-3-5 of this code.
- D. Consent Agenda: (Routine business, meeting dates, disbursements, resolutions). Unless a reading of the minutes of the council meeting is requested by a member of the council, the minutes of the preceding meeting shall be considered approved if correct, and errors rectified if any exist.
- E. Call to the Public. Petitions, remonstrances, communications, comments or suggestions from citizens present may be heard by the council on items designated for public input. All such remarks shall be addressed to the council as a whole, and not to any member thereof, or the staff. Such remarks shall be limited to five minutes, unless additional time is granted by the mayor. No person other than the individual speaking shall enter into the discussion without the permission of the presiding officer. There will also be a Call to the Public for items NOT on the agenda. Council may direct staff to follow up on the item with a report or placement on an upcoming agenda.
- F. Ordinances/Resolutions/Other Actions Requiring Council Approval. The council shall consider any ordinances or resolutions or other actions requiring council approval as may be listed on the agenda.

MAYOR and COUNCIL (Cont.)

- G. Reports by Officers. Town officials and committees shall present any reports required by the council.
- H. Information and Updates.
- I. Adjournment. The council may, by a majority vote of those present, adjourn from time to time to a specific date and hour. A motion to adjourn shall always be in order and decided without debate.

Section 2-3-8 Voting

- A. The mayor shall vote as a member of the council.
- B. If requested by a Council member, the minutes shall show the ayes and nays of any question to be taken. Council members wishing to abstain for a conflict of interest shall state such on the record prior to any discussion or vote on the item. Any other abstention must be declared at the time of the calling for a vote, or a silence will be record as an affirmative vote. The mayor or chairman of the meeting will announce on the record whether the motion passed or failed.

Section 2-3-9 Declaration of Vacancy

The office of any Council member be deemed vacant pursuant to ARS 39-291 if such member fails to discharge the duties of his or her office for three (3) consecutive months, including failure to attend council meetings unless otherwise authorized by the Council.

Article 2-4 ORDINANCES, RESOLUTIONS AND CONTRACTS

- 2-4-1 Prior Approval
- 2-4-2 Introduction
- 2-4-3 Reading of Proposed Ordinance
- 2-4-4 Requirements for an Ordinance
- 2-4-5 Effective Date of Ordinances
- 2-4-6 Signatures Required
- 2-4-7 Publishing Required
- 2-4-8 Posting Required

Section 2-4-1 Prior Approval

All ordinances, resolutions and contract documents shall, before presentation to the council, have been reviewed as to form by the attorney and shall, when there are substantive matters of administration involved, be referred to the person who is charged with the administration of the matters. Such person shall have an opportunity to present his objections, if any, prior to the passage of the ordinance, resolution or acceptance of the contract.

MAYOR and COUNCIL (Cont.)

Section 2-4-2 Introduction

Ordinances, resolutions, and other matters or subjects requiring action by the council shall be introduced and sponsored by a member of the council, except that the attorney or the manager may present ordinances, resolutions and other matters or subjects to the council, and any member of the council may assume sponsorship thereof by moving that such ordinance, resolution, matter or subject be adopted; otherwise, they shall not be considered.

Section 2-4-3 Reading of Proposed Ordinance

Ordinances shall be read, prior to adoption, but may be read by title only, provided that the council is in possession of printed copies of said ordinance. A member of the council may request that the ordinance under consideration be read in full.

Section 2-4-4 Requirements for an Ordinance

Each ordinance should have but one subject, the nature of which is clearly expressed in the title. Whenever possible, each ordinance shall be introduced as an amendment to this code or to an existing ordinance, and, in such case, the title of the sections to be amended shall be included in the ordinance.

Section 2-4-5 Effective Date of Ordinances

- A. No ordinance, resolution or franchise shall become operative until thirty days after its passage by the council and execution by the mayor, except measures necessary for the immediate preservation of the peace, health or safety of the Town, but such an emergency measure shall not become immediately operative unless it states in a separate section the reason why it is necessary that it should become immediately operative, and unless it is approved by the affirmative vote of three-fourths of all the members elected to the council, taken by ayes and nays. Pursuant to ARS 9-462.04.H, a decision by the Council involving rezoning of land which is not owned by the Town and which changes the zoning classification of such land may not be enacted as an emergency measure.
- B. In addition to the provisions of subsection A of this section, the clerk shall certify the minutes of any council meeting at which an ordinance, resolution or franchise, except an emergency measure, is passed. The thirty day period specified in subsection A shall be calculated from the date of passage by the council, execution by the mayor, and approval as to form by the Town Attorney, and a copy available to the public pursuant to ARS 19-142.C.

CHAPTER 3

ADMINISTRATION

CHAPTER 3 ADMINISTRATION

Article 3-1 OFFICERS IN GENERAL

- 3-1-1 Residency
- 3-1-2 Employment Contract
- 3-1-3 Removal Provisions

Section 3-1-1 Residency

Residency within Town limits for the manager, department heads, or other personnel may be required for certain positions as reflected in the advertising for the position.

Section 3-1-2 Employment Contract

The Council may, by affirmative vote, enter into an employment contract with the manager for other department heads delineating supplemental terms and conditions of employment not inconsistent with state law or any provisions of the code.

Section 3-1-3 Removal Provisions

- A. The manager and department heads may be removed from office by a majority vote of the Town Council. In case of his/her intended removal by the Council, the individual shall be furnished with a written notice stating the council's intention to remove him/her at least thirty days before the effective date of the removal. If requested, the Council shall grant him a public hearing within thirty days following notice of removal. During the interim, the Council may suspend the individual from duty with or without pay.
- B. Limitation on Removal. Notwithstanding the provisions of this subsection, the individual shall not be removed from office, other than for misconduct in office, during or within a period of ninety days next succeeding any general municipal election held in the Town at which election a member of the Council is elected or when a new Council Member is appointed. After the expiration of the ninety day period, the provisions of this subsection as to the removal of the individual shall apply and be effective. The purpose of this provision is to require any newly elected or appointed member of the Council or a reorganized Council to observe the actions and ability of the individual's actual performance of the powers and duties of his office.
- C. A manager or department head shall provide the Council with thirty days written notice of intention to resign his position.

Article 3-2 OFFICERS

- 3-2-1 Town Manager
- 3-2-2 Town Clerk
- 3-2-3 Town Marshal
- 3-2-4 Director of Community Development
- 3-2-5 Director of Public Works
- 3-2-6 Town Attorney

ADMINISTRATION (Cont.)

Section 3-2-1 Town Manager

- A. Office Established. The office of Town Manager is hereby established.
- B. Appointment of Town Manager. The Town Manager shall be appointed by majority vote of the Council on the basis of executive and administrative ability and shall hold office at the pleasure of the Council.
- C. Eligibility
No member of the Council, their spouse or relatives to the first degree shall be eligible for appointment as Town Manager until one year has elapsed after such Council member shall have ceased to be a member of the Council.
- D. Acting Town Manager.
In the absence of the Town Manager from his office, or upon the disability of the Town Manager, or in the event the position has been vacated by either the resignation of the Town Manager or the termination of his contract by action of the Council, the acting Town Manager shall be appointed as follows:
1. For a temporary absence or disability of the Town Manager, the acting Town Manager shall be the Town Clerk or, if the clerk is not available, the Town Marshal.
 2. For a vacancy in the position, the acting Town Manager shall be appointed by resolution of the Council, which may also resolve to keep the position vacant until filled by later selection and contract.
- E. The acting Town Manager shall have the duties and responsibilities of the Town Manager as established by this code, ordinance or statute, except that he shall not without prior approval of the Council:
1. Incur any indebtedness on behalf of the Town exceeding \$500.00.
 2. Discharge any Town employee except for extreme cause.
 3. Substantially change duties and authorities assigned to other staff members.
- F. The acting Town Manager may assign, in writing, temporary duties to other staff members for a period not to exceed twenty working days.
- G. Powers and Duties. The Town Manager is the administrative head of the government of the Town under the direction and control of the Council except as otherwise provided in this article. He shall be responsible for the efficient administration of all the affairs of the Town which are under his control. In addition to his general powers as administrative head, and not as a limitation thereon, it shall be his duty and he shall have the following powers:

ADMINISTRATION (Cont.)

1. Law Enforcement. To see that all laws and ordinances of the Town, and that all franchises, contracts, permits and privileges granted by the Council are faithfully observed and to report any failure in that regard to the Council, and the Council shall give such instruction and direction as it may desire for remedial, corrective or terminating action by the Manager.
2. Authority Over Employees. To control, order and give direction to all heads of departments and to subordinate officers and employees of the Town under his jurisdiction through their department heads.
3. Power of Appointment and Removal. To appoint, remove, promote and demote any and all officers and employees of the Town except the Town Clerk and/or Town treasurer/finance director, the Town Attorney and the Town Marshal, and department heads all of whom shall be appointed by the Council. As to these officers, he shall recommend appointment and removal to the Council. All such actions of the Manager shall be subject to all applicable personnel ordinances, rules and regulations and state statutes.
4. Administrative Reorganization of Offices. To conduct studies and effect such administrative reorganization of offices, positions or units under his direction as may be indicated in the interest of efficient, effective and economical conduct of the town's business.
5. Ordinances. To recommend to the Council for adoption such measures and ordinances as he deems necessary.
6. Attendance at Council Meetings. To attend all meetings of the Council unless he is excused therefrom by the mayor individually or by the Council, except when his removal is under consideration. He may present recommendations relative to each item on the agenda for approval, rejection or modification by the Council, and prepare the agenda as provided in Section 2-3-6.A.
7. Financial Reports. To keep the Council at all times fully advised as to the financial condition and needs of the Town.
8. Budget. To prepare and submit a proposed annual budget and a proposed annual salary plan to the Council.
9. Expenditure Control and Purchasing. To see that no expenditures shall be submitted or recommended to the Council except on approval of the Town Manager or his authorized representative; to be responsible for the purchase of all supplies for all the departments or divisions of the Town, provided that the purchase of any item in excess of five hundred dollars shall be approved by the Council. In case of accident, disaster or other circumstances creating a public emergency, the manager may award contracts and make purchases for the purpose of meeting said emergency, but he shall file promptly with the Council a certificate showing such emergency and the necessity of such action, together with an itemized account of all expenditures. It shall be the duty of the manager to see that no

ADMINISTRATION (Cont.)

indebtedness is incurred or expenditure made in violation of the Arizona Constitution and the state budget laws.

10. Investigations and Complaints. To make investigations into the affairs of the Town and performance of any obligations of the Town and to report all findings to the Council. Further, it shall be the duty of the manager to investigate all complaints in relation to matters concerning the administration of the Town government and in regard to the service maintained by public utilities in said Town and report findings to the Council.
11. Public Buildings. To exercise general supervision over all public buildings, parks and other public property under the control and jurisdiction of the Council.
12. Additional Duties. To perform such other duties as may be required by the Council, not inconsistent with federal law, state law or Town ordinances.
13. Salary Schedule. To recommend to the governing body a standard schedule of pay for each appointive office and position in Town service, including minimum, intermediate and maximum rates. To authorize the payment of overtime pay for such employees as may work in excess of a normal work period. Such rates of pay and periods of work shall be in conformity with rates and salaries enacted by the Council.

H. Internal Relations.

1. Council-Manager Relations. The Council and its members shall deal with the administrative services of the Town only through the Town Manager, except for the purpose of inquiry, and neither the Council nor any member thereof shall give orders or instructions to any subordinates of the Town Manager. The Town Manager shall take his orders and instructions from the Council only when sitting in a duly convened meeting of the Council, and no individual Council member shall give orders or instructions to the Town Manager.
2. Attendance at Commission Meetings. The Town Manager may attend any and all meetings of the planning and zoning commission and all other commissions, boards or committees created by the Council. He shall cooperate to the fullest extent possible with the members of all commissions, boards or committees appointed by the Council.

Section 3-2-2 Town Clerk

- A. Office Established. The office of Town Clerk is hereby established. The Town Clerk shall be appointed by a majority vote of the Council on the basis of ability and shall hold office at the pleasure of the Council.

ADMINISTRATION (Cont.)

B. Acting Town Clerk.

1. In the absence of the Town Clerk, the deputy Town Clerk shall be the acting Town Clerk, and, if not available, the Town Manager shall be the acting Town Clerk.
2. The acting Town Clerk shall have the duties and responsibilities as established by law, this code or ordinance.

C. Vacancy of Office. In the event of a vacancy in the office of Town Clerk, such as that created by termination, resignation or death, the manager may assign the powers and duties of the office of Town Clerk as provided in subsection D of this section until such time as the Town Clerk is replaced.

D. Duties.

1. Records. The clerk shall keep a true and correct record of all business transacted by the Council and any other records that either pertain to the business of the Town or that the Council directs. The clerk shall number, plainly label and file separately in a suitable cabinet all resolutions, notices, deeds, surveys, leases, paid and unpaid vouchers, inventories, letters, orders and other documents of whatever nature.
2. Public Inspection of Records. The clerk shall keep convenient for public inspection all public reports and public documents under the control of the clerk, as provided by state statute.
3. Monthly Reports. The clerk shall prepare and collect from Town officers and employees such monthly reports prepared in such manner and to include such information as may be directed by the Council.
4. Minutes. The clerk shall prepare or cause to be prepared all minutes of Council proceedings and ensure their correctness and accuracy.
5. Ordinances, Resolutions, Budgets and Notices. The clerk shall process, record, file, publish and, if required by state statute, post all ordinances, resolutions, budgets and notices that may be passed by the Council.
6. Duties as Treasurer. The clerk shall hold the office of Town Treasurer and receive and safely keep all monies that shall come to the Town and pay out the same when authorized by the Council, or manager as authorized by the Council. The Treasurer shall keep a separate record and account of each different fund provided by the Council, apportion the monies received among the different funds as prescribed by the Council and keep a complete set of books showing every money transaction of the Town, the state of each fund, from what source the money in each fund is derived and for what purpose expended. He shall make monthly reports to the Council of all receipts and disbursements and the balance in each fund.

ADMINISTRATION (Cont.)

7. Election Official. The clerk shall be the Town election official and perform those duties required by state statute and as directed by the Council.
8. Licenses. The clerk shall issue or cause to be issued all licenses that may be prescribed by state statute, Town ordinance or this code.
9. Administrative Duties. The clerk shall perform those administrative responsibilities and duties that are conferred upon the clerk by the Council in addition to those specified in Town ordinances and this code.

Section 3-2-3 Town Marshal

- A. Office Established. The office of Town Marshal is hereby established. The Town Marshal shall be appointed by a majority vote of the Council on the basis of ability and shall hold office at the pleasure of the Council.
- B. Acting Town Marshal.
 1. In the event of the temporary absence or disability of the Marshal, the powers and duties of the office shall devolve upon the officer second in command. In the event of the absence of that officer, the Manager shall then designate an officer of the Town to be the temporary acting Town Marshal.
 2. In the event of a vacancy in the office of Marshal, such as that created by termination, resignation or death, the Council may assign the powers and duties of the office of Marshal to another person until such time that the marshal is replaced.
- C. Powers and Duties. The Town Marshal is the administrative head of the police department of the Town under the direction and control of the manager and Town Council. He shall perform such duties as may be required of him by law and as the Council may deem necessary.

Section 3-2-4 Director of Community Development

- A. Office Established. The office of Director of Community Development is hereby established. The Director of Community Development shall be appointed by a majority vote of the Town Council on the basis of his or her ability and shall hold office at the pleasure of the Council.
- B. Acting Director of Community Development
 1. In the event of the temporary absence or disability of the Director of Community Development the powers and duties of the office shall devolve upon the Town Manager.
 2. In the event of a vacancy in the office of Director of Community Development, such as that created by termination, resignation or death, the Town Manager may assign the powers and duties of the office of Director of Community Development to another person until such time that the Director of Community Development is replaced.

ADMINISTRATION (Cont.)

- C. Powers and Duties. The Director of Community Development shall:
1. Be the zoning administrator pursuant to ARS 9-462.05 to enforce the zoning regulations of the Town of Camp Verde, either directly or through his designee; advise the zoning inspector of Town policy and violations, help to determine enforcement priorities, and train and supervise the inspectors.
 2. Act as the head of the Town's Department of Community Development.
 3. Have the following duties in regard to economic development:
 - a. Organize and develop the economic planning for the Town.
 - b. Participate in development, to plan and implement goals, and objectives, along with the Camp Verde Chamber of Commerce, and the Town's Economic Development Commission, or similar organizations, to stimulate retail sales, encourage new and exiting business development with increased employment and better wages, and location of commerce and industry to Camp Verde
 - c. Act as representative for the Town and liaison with potential new retailers, and industrial or commercial business.
 - d. Serve as technical advisor to the Economic Development Commission, the Council, the Chamber of Commerce, and the Town Manager on municipal and regional economic development issues.
 - e. Direct the preparation of agenda items for the Economic Development Commission, and assist with preparation of the agendas for the Council and Chamber of Commerce for issues involving economic planning and implementation.
 - f. Respond to and resolve issues and questions on economic and industrial development.
 4. Have the following duties in regard to Town Planning.
 - a. Develop goals and objectives for planning, including supervision of the preparation or updating of the general plan of the Town.
 - b. Conduct and supervise planning studies in the community to gather data for evaluating current and advanced planning projects.
 - c. Direct the preparation of agenda items for the Council, the Planning and Zoning Commission and other committees, commissions, and boards involved in land use and planning.

ADMINISTRATION (Cont.)

- d. Serve as technical advisor to the Commission, Council, Manager and other Town departments and civic groups on planning, zoning and code enforcement.
 - e. Confer with engineers, developers, architects, other governmental agencies, and the general public in acquiring information and coordinating planning and zoning matters including providing such persons or agencies with information on Town subdivisions and zoning codes.
 - f. Conduct special studies and assignments, research complex planning problems, and prepare reports.
 - g. Assign inspector(s) to respond to and resolve citizen complaints and inquiries regarding planning and zoning matters.
5. Select, train, supervise, motivate and evaluate department personnel; establish and monitor employee performance objectives; prepare and present employee work performance reviews; implement discipline and termination procedures in accordance with Town personnel manuals and directives.
 6. Serve as a member of the Town's management team, provide information and recommendations regarding operations; assist in making decisions relating to all facets of municipal government.
 7. Supervise and participate in the development and administration of the department's operating budget, including forecasting additional funding and capital improvement needs and approval of expenditures.
 8. Supervise the building department, report on the needs of the building code amendments, and assist the building inspector in adjudicating conflicts.

Section 3-2-5 Director of Public Works

- A. Office Established. The office of Director of Public Works is hereby established. The Director of Public Works shall be appointed by a majority vote of the Council on the basis of ability and shall hold office at the pleasure of the Council.
- B. Acting Director of Public Works.
 1. In the event of the temporary absence or disability of the Director of Public Works, the powers and duties of the office shall devolve upon the Town Manager.
 2. In the event of a vacancy in the office of Director of Public Works, such as that created by termination, resignation or death, the Town Manager may assign the powers and duties of the office of Director of Public Works to another person until such time that the Director of Public Works is replaced.

ADMINISTRATION (Cont.)

- C. Powers and Duties. The Director of Public Works is the administrative head of the public works department under the direction and control of the manager and Council. In such position, the Director of Public Works shall:
1. Supervise the operations division which shall have charge of and supervision over the care, maintenance and construction of all streets, sidewalks, alleys and public ways; the construction, operation and maintenance of all storm, water and sanitary sewers and all street gutters, drains, drainage ways, improvement districts, waste water treatment, airports, easements and appurtenances thereto under Town jurisdiction; the care, maintenance and construction of all public buildings, lands and parkways; the operation, maintenance and construction of all other public works projects and improvements within the jurisdiction of the Town.
 2. Direct preparation of improvement districts and coordinate work and studies for improvement projects.
 3. Direct abandonments and acquisition of right-of-way for public improvements such as streets, alleys, sewers and drainage ways.
 4. Review and approve plans, permits and specifications for Town construction contracts; direct and advise inspectors of construction projects under his jurisdiction; interpret construction plans and specifications.
 5. Write and direct operating procedures and analyze personnel requirements and utilization, prepare budgets, approve purchases and draft ordinances and resolutions.
 6. Represent, as directed or required, the Town in dealing with other governmental jurisdictions, contractors and the general public to include attending Council meetings.
 7. Perform related work and supervision as required.

Section 3-2-6 Town Attorney

- A. Office Established. The office of Town Attorney is hereby established. The Town Attorney shall be appointed by a majority vote of the Council on the basis of ability and shall hold office at the pleasure of the Council.
- B. Powers and Duties.
1. The Town Attorney is the administrative head of the legal department under the direction and control of the Council.
 2. The Town Attorney shall act as the legal counselor and advisor of the Council and other Town officials, as designated by the Council, and as such shall give his opinion in writing when requested.

ADMINISTRATION (Cont.)

3. The Town Attorney shall draft all deeds, contracts, conveyances, ordinances, resolutions and other legal instruments when required by the Council.
4. The Town Attorney shall approve or disapprove as to form, in writing, all documents submitted to him.
5. The Town Attorney shall return, within ten days, all ordinances and resolutions submitted to him for consideration by the Council, with his approval or disapproval as to form noted thereon, together with his reasons therefor if disapproved.
6. The Town Attorney shall prosecute and defend all suits, actions or causes where the Town is a party and report to the Council, when required, the condition of any suit or action to which the Town is a party.

C. Conflict of Interest.

1. Appointment. Pursuant to ARS 9-239 (A) and ARS 9-240 (B)(29) granting authority to the Town to appoint agents and officers and to establish the manner of prosecution of criminal cases, the Yavapai County Attorney's office is hereby appointed to represent the Town as the Town Attorney and special prosecutor in cases where the Town Attorney certifies that he has a conflict of interest. This appointment shall commence with the entry of a not guilty or not responsible plea of the defendant and continue through the filing of a notice of appeal by either party. The special prosecutor shall have full discretion in handling the case, including dismissal and plea bargaining in the interests of justice, and the responsibility of acts required by the state as prosecutor under applicable rules of criminal procedure.
2. Compensation. The Yavapai County Attorney's office may receive monetary compensation for the time rendered as special prosecutor according to rates for hourly services that it may from time to time establish, if payment is demanded. However, the Town Attorney is directed and authorized to reciprocate in handling criminal prosecutions for the Yavapai County Attorney's office in lieu of monetary compensation, and such reciprocal services shall be preferred over any monetary charges filed by the Yavapai County Attorney's office.
3. Duration. This subsection shall be effective when passed and remain in effect until revoked by subsequent ordinance of the Town. It shall supersede any contractual provisions with the Town Attorney and may be further elaborated by an intergovernmental agreement between the Town and Yavapai County with terms not inconsistent with the provisions of this subsection.

ADMINISTRATION (Cont.)

Article 3-3 PURCHASING

- 3-3-1 Scope of Article
- 3-3-2 Council Approval; When Required
- 3-3-3 Purchasing Director; Duties
- 3-3-4 Emergency Purchases; Procedure
- 3-3-5 Purchases in General; Bids
- 3-3-6 Bidding Procedure
- 3-3-7 Lowest Responsible Bidder
- 3-3-8 Performance Bond
- 3-3-9 Exclusive Service
- 3-3-10 Professional and Technical Services
- 3-3-11 Cooperative Purchasing
- 3-3-12 Purchases from Mayor or Council members

Section 3-3-1 Scope of Article

This article shall govern the purchase of any goods or services for or on behalf of the Town. This article is intended to supplement state law; however, should applicable state law provide more strict provisions regarding any proposed transaction, those more stringent provisions shall apply.

Section 3-3-2 Council Approval; When Required

Notwithstanding the provisions of Section 3-4-5, no purchases shall be made by or on behalf of the Town without first obtaining Council approval in the following instances:

- A. Where prior approval is required by state law or Town code;
- B. Where the purchase of the item is not provided in the budget as adopted;
- C. Where funds for the purchase are not provided in the budget as adopted;
- D. For the expenditure of funds in an amount in excess of ten thousand dollars.

Section 3-3-3 Purchasing Director; Duties

- A. The manager shall serve as the purchasing director and shall direct and control all purchases of goods and services made by or on behalf of the Town. The purchasing director may delegate his/her administrative function.
- B. The purchasing director shall approve or deny all purchase requests and shall report to the Council on any purchase requiring Council approval.

Section 3-3-4 Emergency Purchases; Procedure

In case of an emergency which requires immediate purchase of supplies or services and when time is of the essence and applicable state law does not provide otherwise, the mayor shall be empowered to authorize the purchasing director to acquire goods or services without complying with the requirements and procedures in this article. A full report of the circumstances of such emergency and the goods or services obtained shall be made to the Council at its next regular meeting.

ADMINISTRATION (Cont.)

Section 3-3-5 Purchases In General; Bids

- A. Purchases Under \$1,000. Whenever the contemplated purchase or contract for services is for the sum of less than \$1,000, upon completion of a requisition form and purchase order form, the purchasing director may obtain the goods or services without further formality.
- B. \$1,000 to \$2,499 Inclusive. Whenever any contemplated purchase or contract for services is for the sum of at least \$1,000 but not more than \$2,499, after completion of a requisition form, the purchasing director shall obtain at least three bids. At the discretion of the purchasing director, bids may be solicited by phone or in writing. Documentation of the bids solicited is to be maintained and attached to a completed purchase order form. Upon review of the bids, the purchasing director shall award the purchase or contract to the lowest, responsible bidder.
- C. \$2,500 to \$5,000. Whenever any contemplated purchase or contract is for a sum of at least \$2,500 but not more than \$5,000, after completion of a requisition form, the purchasing director shall obtain written price quotes from suppliers. The written price quotes are to be attached to a completed purchase order form. Upon review of the written bids, the purchasing director shall award the purchase or contract to the lowest, responsible bidder.
- D. \$5,001 to \$10,000. Whenever any contemplated purchase or contract is for a sum in excess of \$5,000 but not more than \$10,000, the purchasing director shall advertise for bids according to the procedures provided in this article. The purchase or contract shall be awarded to the lowest responsible bidder, but the Town shall reserve the right to reject any and all bids and re-advertise.
- E. In Excess of \$10,000. No purchase or contract in an amount in excess of \$10,000 shall be awarded without prior Council approval. The purchasing director shall present the bids obtained to the Council and shall report to them on the need for the goods or service and the advantages or disadvantages of the contract and bid proposals. The Council reserves the right to reject any and all bids and re-advertise.

Section 3-3-6 Bidding Procedure

Except as provided in state law, the purchasing director shall follow the procedure set forth in this section for all purchases and contracts subject to the bidding process:

- A. A notice of solicitation for bids shall state the date, time and place of opening, and the place and time period within which bids shall be submitted.
- B. The notice shall state with particularity the goods or services required and shall state the place where specifications may be examined.
- C. Bids shall be submitted in a sealed envelope clearly identified as a bid on the front of the envelope. Any bid not received within the time period allowed shall be rejected.

ADMINISTRATION (Cont.)

- D. All bids shall be opened in public at the time and place specified, and a tabulation of all bids shall be posted in Town Hall for public inspection.
- E. All bidders shall be notified in writing of the award or rejection of any and all bids.

Section 3-3-7 Lowest Responsible Bidder

- A. Unless the Council or the purchasing director, as appropriate, shall exercise the right of rejection, all goods and services shall be awarded to the lowest, responsible bidder. In determining the lowest, responsible bidder, the Council or the purchasing director shall consider:
 - 1. The ability, capacity and skill of the bidder to perform the contract or provide the services required in a timely manner;
 - 2. The quality of performance in previous contracts with the Town, together with previous and existing compliance with the ordinances of the Town;
 - 3. The financial resources and ability of the bidder;
 - 4. The quality, availability and adaptability of the goods or service.
- B. The purchasing director shall select providers of goods and services without regard to race, color, national origin, ethnicity, religion or creed, sex, handicap, age, marital or familial status as required by the Town policy of equal opportunity and non-discrimination.
- C. These provisions may be superseded by bidding on qualification requirements in federal or state grants.

Section 3-3-8 Performance Bond

The purchasing director shall have the authority to require a performance bond, in such amount as the purchasing director may deem sufficient, to secure the execution of a contract for construction, provided however, that in a contract for construction in excess of \$10,000, such a bond shall be required. In all cases of construction to which state law applies, any requirement for a bond shall be incorporated into the contract.

Section 3-3-9 Exclusive Service

In the event that there is only one person or entity capable of providing a particular commodity or service, the requirement of this article concerning bidding procedures shall not be applicable.

Section 3-3-10 Professional and Technical Services

- A. The provisions of this article shall not apply to professional or technical services.

ADMINISTRATION (Cont.)

- B. No person or firm practicing in a professional or technical field for which a license is required by state law shall be engaged by the Town unless possessing a current license in good standing.
- C. Upon engagement, the Town shall enter into a written agreement or memorandum of understanding for the performance of the services for which engaged, setting forth the scope of services and the unit or total price therefor.

Section 3-3-11 Cooperative Purchasing

This article shall not apply to purchases made by, through or with the State of Arizona or its political subdivisions. The Town may make purchases or award contracts for services without a formal bidding process whenever other governmental units have done so for the same item or service, if, in the opinion of the purchasing director, a separate bidding process is not likely to result in a lower price for such items or services.

Section 3-3-12 Purchases from Mayor or Council members

Pursuant to ARS 38-503(C), the Town, through its common Council, may purchase supplies, materials and equipment not to exceed three hundred dollars in cost in any single transaction or a total of one thousand dollars annually, or as may be adjusted by law from the mayor or any member of the common Council without using competitive public bidding procedures according to an annually adopted Town policy.

CHAPTER 4

BOARDS
and
COMMISSIONS

CHAPTER 4

BOARDS, COMMISSIONS AND COMMITTEES

Article 4-1 MEMBERSHIP

- A. Membership and Organization. Each board and commission shall be made up of seven members appointed by the Council in accordance with the procedures contained in subsection B of this article. The organization of boards and commissions shall include a chairperson, and vice-chairperson who are elected from the membership in accordance with Article 4-2.
- B. Selection of New Members. Prior to the expiration of terms for board and commission members, the Council shall call for letters of interest from the general public. Such letters shall be filed with the Town in accordance with the time lines and other related procedures established by the Council. Membership requirements for appointees are subject to the requirements established in the appropriate resolution or ordinance which created the board or commission. Any other requirements may be established by the Council at the time such appointments are sought for the purpose of aiding the Council in completing the selection process.
- C. Terms of Members. All members appointed to boards and commissions are limited to a three year term which begins on October 1 of the year such appointment is made. Members may be re-appointed to additional terms if approved by the Council. Such terms are to be staggered so that the terms of no more than three members shall expire in any given year. Such terms shall overrule and do hereby repeal any existing terms which were previously established by the Council, except those persons serving at the time of the adoption of the code shall continue in office until their present term expires.
- D. Removal. Members of boards or commissions may be removed for cause including excessive lack of attendance, absences of three consecutive meetings or more than half of all scheduled meetings in any municipal year or improper conduct as determined by the mayor and Council.

Article 4-2 ORGANIZATION

- A. First Meeting. Each board and commission, during its first meeting of the month of October of each calendar year, shall:
1. Elect a Chairperson. The board or commission shall accept nominations from its membership for a chairperson. Such nominations shall be made, and seconded, and selection of one chairperson shall result upon a majority vote of the full membership of the board or commission.
 2. Elect a Vice-Chairperson. The board or commission shall accept nominations from its membership for a vice-chairperson. Such nominations shall be made, and seconded, and selection of one vice-chairperson shall result upon a majority vote of the full membership of the board or commission.

BOARDS, COMMISSIONS and COMMITTEES (Cont.)

3. Set the Regular Meeting Schedule. The board or commission shall review and approve a meeting schedule which establishes the regular meeting time, regular meeting date and regular meeting place. Such schedule shall contain, at the very least, one regular meeting a month. The regular meeting date shall be on a recognized day or days of the month such as the first Thursday of the month. Special meetings and work sessions may be scheduled by the Town Council.
- B. Duties of Officers/Members. The duties and powers of the various officers and members of the boards and commissions are as follows:
1. Chairperson. The chairperson shall preside at all meetings and hearings of the board or commission, decide all points of order or procedure and perform any duties required by law, ordinance or the requirements established in this chapter. The term of the chairperson shall be one year, unless reelected to succeeding terms by a majority vote of the membership. The chairperson shall be responsible for becoming familiar with and adhering to the provisions of the open meeting law. The chairperson shall also become familiar with the provisions of Roberts Rules of Order, and, although general informality in such rules of order may prevail, shall adhere to such rules in the conduct of meetings where emotional content of the subject matter or the conflict of personalities may otherwise interfere with the orderly conduct of business. The chairperson may, to the extent necessary, work with the department head assigned to the board or commission to assist with special needs, requirements for assistance from the staff, reviewing monthly budget reports and preparation of agendas. At the first regular meeting of each calendar quarter, the chairperson, or his or her designee, will provide a written and verbal report to the mayor and Council summarizing the board or commission activities during the prior quarter, identify upcoming activities and review any problems, concerns or proposals. Such reports are to be submitted to the Town Manager in advance of the meeting for inclusion in the Council meeting packets. In addition, all minutes and resolutions of the board or commission shall be signed by the chairperson.
 2. Vice-Chairperson. The vice-chairperson shall have the responsibility of assuming all of the duties and responsibilities of the chairperson in the event that the chairperson should be absent or the position vacant. Additional duties or activities may be assigned by the chairperson upon majority approval of the board or commission as determined necessary.

Article 4-3 MEETINGS

- A. Agendas and Minutes. Each board and commission shall provide for the posting of agendas and the preparation and approval of minutes for all meetings. The following minimums shall apply to agendas and minutes:
1. Agendas. Agendas shall be posted on the Town Hall bulletin board a minimum of twenty-four hours in advance of all regular, special and work session meetings of the board or commission and in other locations as deemed necessary.

BOARDS, COMMISSIONS and COMMITTEES (Cont.)

- a. Format. The order of the agenda items may be arranged according to the format approved by the board or commission and additional items may be added. The agenda format shall include at least the following:
- (1) Name of board or commission
 - (2) Date, time and place of meeting with a statement that the meeting place is handicapped accessible
 - (3) Call to order
 - (4) Roll call
 - (5) Discussion and possible action on the following items
 - (6) Consent agenda
 - (7) Approval of the minutes
 - (8) Call to the public
 - (9) New business
 - (10) Set next meeting, time and date
 - (11) Adjournment
- b. Call to the Public. The "Call to the Public" item shall allow for public input on items either on the agenda or other items which may reasonably affect the board or commission. The board or commission may call for non-agenda item input at this time if appropriate input is allowed during all discussion items. The open meeting law prohibits the board or commission from discussing or making decisions on non-agenda items, however, the board or commission may choose to delegate Town staff to handle the issue or place the item for discussion on a future agenda.
- c. Special or Work Sessions. The board or commission may, upon majority vote, set a special meeting or work session. In addition, if determined necessary by the affected department head, a special meeting or work session may be called upon discussion with the chairperson.
- d. Agenda Packets. Upon completion of agenda posting and preparation of attachments to the agenda, copies of the agenda and any attachments shall be made available to the members of the board or commission in the manner deemed appropriate by the department head. Copies of the complete agenda packets shall be placed in the front reception area of Town Hall for disbursal to interested members of the public a minimum of twenty-four hours in advance of the meeting.
- e. Agenda Items. The content of the agenda discussion items shall be determined by the department head depending upon the format of the board or commission. If determined prudent for the board or commission, the chairperson may set the agenda with concurrence from the department head. Such procedures are determined necessary to ensure that the business of the board or commission is conducted in a timely manner. Should a member wish to place an item on the agenda, the member may request such at the next regular meeting of the board or

BOARDS, COMMISSIONS and COMMITTEES (Cont.)

commission. In the case of conflicts, items may be brought to the board or commission for a vote to consider whether or not the item should be agendaized. In the case of the planning and zoning commission and the board of adjustments and appeals, all current applications which require review of the board or commission must be agendaized in accordance with state law and may not be removed from the agenda until a vote on the matter has occurred.

2. Minutes. The Town Manager will provide for secretarial/ recording services for the commissions. Tape recording of work sessions is preferred, but, if not possible, detailed minutes shall be taken by hand by the secretary or recording secretary assigned by the department head. The following procedures shall be followed:
 - a. Approval. Minutes of the previous meeting(s) shall be presented at the most reasonable date following the meeting, usually the next meeting of the board or commission. Such minutes shall be reviewed and approved by a majority vote of the board or commission.
 - b. Filing. Upon approval of minutes, the signed original shall be provided to the Town Clerk within seventy-two hours of approval. In addition, copies shall be maintained by the affected department for public review.
 - c. Disbursal. In no case shall minutes be provided to the public until such time as they are approved or a draft is placed on an agenda for the board or commission's consideration. After approval, the minutes become a public record and shall be available for public review upon request. Copies of minutes may be released and appropriate copy fees charged to the requesting party in accordance with Town Council policy.
 - d. Content. Minutes shall contain, at minimum, all discussion of each agenda item. Roll call shall be included with a listing of the members present and absent from the meeting, including any staff present. When an action is taken by the board or commission, the motion maker, the seconding party and the numerical vote shall be listed in the minutes along with a complete wording of the motion. If a roll call vote is conducted, the name and vote of all members shall be listed. The minutes shall be as complete as possible with emphasis on discussion to determine the reason(s) for the board or commission's action on an item.

B. Voting Procedures, Quorums and Abstentions. The action of any board or commission shall be taken by a vote of the membership. Voting procedures shall be in accordance with Robert's Rules of Order and shall include the minimum:

1. Motion. A motion can only be made by a member of the board or commission, and such motion shall only take place after the introduction of an agenda item. If an agenda item is listed as a public hearing, such motion shall not take place until the public hearing has been called and closed.

BOARDS, COMMISSIONS and COMMITTEES (Cont.)

2. Second. A motion must receive a second from a member of the board or commission. Once a second is received, additional discussion may take place on the item before the vote is taken. If a motion is not seconded, the motion dies.
3. Voting. The chairperson shall call for a vote upon completion of a motion, second and any discussion. Such vote shall consist of votes in favor, votes in opposition or abstentions. For a motion to pass, a minimum of four votes shall be in favor of the motion. If less than four votes are received in favor, the motion is then considered to be a vote of denial of the motion. Items may be tabled or referred to a later agenda if it is determined, by majority vote, that such decision would best be rendered upon receiving more information or if requested by the applicant. Tabled or delaying of agenda items should be based upon a definitive time frame and reason. Such should only be considered when necessary or if the applicant is absent or requests a delay.
4. Quorum. A majority of the membership of the board or commission (four) is considered a quorum. If a quorum is present, the meeting shall commence and voting may occur. An affirmative vote shall be unanimous if only four members are present.
5. Abstentions/Conflict of Interest. If a member of a board or commission determines that they have a conflict of interest, they shall remove themselves from the meeting room and not take part in either the discussion or the vote. Such conflict should be stated prior to the item being introduced or just after introduction but prior to discussion. A member may abstain from voting on an item even if a conflict of interest is not present, however, this is not a preferred action.

Article 4-4 GENERAL DUTIES AND REQUIREMENTS

All boards and commissions are established by a separate document which conveys the specific duties and powers of the group. The following general duties and requirements apply to all members of boards and commissions.

- A. The board or commission must operate under the statutory requirements of the Arizona Revised Statutes. Upon appointment to a board or commission, such member shall obtain information regarding the open meeting law and shall become familiar and abide by all statutory requirements. All members of a board or commission are to be provided with copies of this chapter upon appointment and shall become familiar with the duties and requirements of this chapter and other ordinances, resolutions or information affecting the board or commission and the general subject matter/department which they discuss.
- B. Actions of a board or commission are recommendations only, and final action shall be taken by the Council upon items involving financial matters or other items affecting the duties of the staff or creation of new rules and regulations in accordance with state law. The decisions of the board of adjustments and appeals are final unless appealed to superior court.

BOARDS, COMMISSIONS and COMMITTEES (Cont.)

- C. A subcommittee of members of the board or commission may meet to discuss special projects as long as such subcommittee is less than a majority of members, such special subcommittee may be assigned only from the membership and shall not be construed to allow for appointment of non-members to any special committee or group unless approved by the Council in advance of such action.
- D. Boards and commissions should review the proposed budget of the affected department where appropriate. Such review should provide general guidance to the department. No formal changes to the proposed budget can be made without the department head's approval. Should conflicts arise, such may be referred to the Town Manager in writing, if deemed appropriate.
- E. Boards and commission shall annually review, as necessary, the operating policies and procedures for that activity within their purview. Changes deemed appropriate by the board or commission shall be forwarded, in writing, to the department head and Town Manager and may be provided for consideration by the mayor and Council if necessary.
- F. Boards and commissions shall annually, if necessary, conduct a review of the facilities to include buildings, grounds or any other real property or facilities operated by the Town that are within their purview. A report of the review shall be issued for consideration by the department head and Town Manager and referred to the Council if necessary for formal consideration.
- G. A development plan may be developed by the board or commission regarding the department activities which they are empowered to act upon. Such plan should be forward thinking (five years) and include considerations for the facilities, staffing, equipment, materials and other items. Such report shall be submitted to the department head and Town Manager for review for final consideration by the Council.
- H. Members of boards and commissions are hereby encouraged to interact with persons serving in similar capacities in other communities as well as those regional and state officials whose duties include an advisory capacity to them. The purpose of this chapter is not to encumber each of the boards and commissions with specific duties and responsibilities as to interfere with the opportunity for expression of imagination and creativity. Rather, it is the intent of this chapter to assure the orderly and timely conduct of the business of boards and commissions. Structured activity, procedures and policies are needed to ensure that the work of the board or commission is worthwhile, productive and successful.
- I. A board or commission may vote to consider a request for scheduling a joint work session with the Council. Such request may be made in writing after approval of the board or commission and shall include a description of the reason(s) for the meeting. Such request shall then be presented for consideration of the Council. The Council may also request joint work sessions with any board or commission and may set any items for discussion at such meeting.

BOARDS, COMMISSIONS and COMMITTEES (Cont.)

- J. All powers and authorities of the Town are reserved to the mayor and Council except to the extent that they are specifically delegated to various members of the staff or board or commission by the mayor and Council or by statute. Boards and commissions are basically to serve in an advisory capacity. Notwithstanding such reservation, the following powers and authorities are delegated to the boards or commissions:
1. Each board or commission shall have the power and the express authority to review those matters specifically assigned to it by ordinance or statute. They shall have the power and authority to issue reports and to discuss such reports with the manager and the Council and to hold any necessary public forums required to assist them in the development of any such reports. Said public forums may include discussion with the press, discussions with the public in general, special meetings and public hearings. In no case, however, shall a board or commission have the power or authority to enter into a contract or to obligate the Town to expend funds. Any such contract or obligation of funds shall be undertaken by request submitted to the Town Manager. Such request shall be responded to, in writing, either positively or negatively within thirty days of receipt of such request by the Town Manager.
 2. Executive sessions, as may be allowed pursuant to ARS 38-431.03, to discuss disciplinary actions, legal matters or property acquisition, shall be requested by the chairman and scheduled jointly with the Council.

Article 4-5 COMMITTEES

The Council may appoint temporary *ad hoc* committees for limited purposes. All committees are required to follow the procedures for meetings as set forth in Article 4-3.

CHAPTER 5

MUNICIPAL COURT

CHAPTER 5 MUNICIPAL COURT

Article 5-1 MUNICIPAL COURT ESTABLISHED; JURISDICTION

There is hereby established in the Town a municipal court which shall have jurisdiction of all violations of this code, and jurisdiction concurrently with justices of the peace of precincts in which the Town is located of violations of laws of the state committed within the limits of the Town.

Article 5-2 PRESIDING OFFICER

- 5-2-1 Town Magistrate
- 5-2-2 Powers and Duties of Town Magistrate
- 5-2-3 Hearing Officers
- 5-2-4 Judges Pro Tem

Section 5-2-1 Town Magistrate

The presiding officer of the municipal court shall be the Town Magistrate, who shall be appointed by the Council for a two year term.

Section 5-2-2 Powers and Duties of Town Magistrate

The powers and duties of the Magistrate shall include:

- A. The powers and duties set forth and conferred upon him under the provisions of the state constitution and statutes, this code and the ordinances and resolutions of the Town.
- B. The keeping of a docket in which shall be entered each action and the proceedings of the court therein.
- C. The responsibility for fixing and receiving all bonds and bails and receiving all fines, penalties, fees and other monies as provided by law.
- D. Payment of all fees, fines, penalties and other monies collected by the court at least once each month to the treasurer or other officer as designated by the Council.
- E. Submitting a monthly report to the Council summarizing court activities for that month.
- F. Preparation of a schedule of traffic violations not involving the death of a person, listing specific bail for each violation.
- G. Designation of a deputy other than a law enforcement officer and a specific location at which the deputy shall, during hours when court is not open, set the amount of bail in accordance with the foregoing schedule and collect such bail, or accept proper bail bonds in lieu thereof, for and on behalf of the court.

MUNICIPAL COURT (Cont.)

- H. Preparation of a schedule of civil traffic violations listing a specific deposit for each violation. The Magistrate shall designate a person, a specific location and the hours during which such person will be at the location to accept proper deposits for civil traffic violations for and on behalf of the court.
- I. The Magistrate shall prepare an annual departmental budget as required by the Town manager.

Section 5-2-3 Hearing Officers

The Council may appoint one or more hearing officers to preside over civil traffic violation cases when, in their opinion, the appointment of such hearing officers is necessary to assure prompt disposition of civil traffic violation cases. Hearing officers may hear and dispose of civil traffic violation cases under supervision of the presiding officer of the Magistrate court which are appealable to the superior court pursuant to Title 22, Chapter 2, Article 4, Arizona Revised Statutes.

Section 5-2-4 Judges Pro Tem

The Town Magistrate may recommend to the Council the names of individuals qualified to serve as judges pro tem for the Magistrate court, subject to the assignment and direction of the Town Magistrate, once appointed. All judges pro tem shall serve for an unspecified term, subject to removal by the Council. All duly appointed judges pro tem shall be compensated per a fee established by the Council, and subject to the reimbursement of those travel expenses and other out-of-pocket allowances permitted for Town employees. All judges pro tem shall be independent contractors and not subject to the benefits or wage provision for Town employees.

CHAPTER 6

ANIMALS

CHAPTER 6 ANIMALS

Article 6-1 ANIMAL CONTROL AND LICENSING

- 6-1-1 Animal Control Officer
- 6-1-2 Animals at Large
- 6-1-3 Licensing of Dogs
- 6-1-4 Keeping of Dogs
- 6-1-5 Stray Animals
- 6-1-6 Penalty

Section 6-1-1 Animal Control Officer

- A. Pursuant to ARS 9-499.04, the town hereby establishes the office of animal control officer (ACO) who may commence an action or proceeding before a court for any violation or enforcement of this article, other local ordinances and state statutes relating to animal control which occurs within the jurisdiction of the town. Any certified peace officer may also enforce this article, ordinances and statutes.
- B. It is unlawful for any person to interfere with the ACO or a law enforcement agent in the performance of their duties.

Section 6-1-2 Dogs at Large

It is unlawful for an owner or person responsible for the care of a dog to permit it to be at large within the town limits. Evidence that the person permitted the dog to be at large may be shown from prior warnings by the ACO, verbal or written, complaints from adjoining or neighborhood property owners or the public to the ACO or marshal's office that the dog was observed loose or unattended, the owner or responsible person allowed the dog to be in a public place without any physical restraints or that the dog was being maintained on the property or residence of the owner or responsible party without sufficient or reasonable enclosures or restraints after being notified that the dog had been leaving the property. A dog is not at large if it is unrestrained on the property or residence of the owner or person responsible for its care.

Section 6-1-3 Licensing of Dogs

- A. Each dog four months of age or over that is kept, harbored or maintained within the town limits for at least thirty consecutive days shall be licensed by the town. Fees and penalties for licenses shall be established by resolution of the council, and the town shall provide durable dog tags with the name of the town, license number and expiration date. Before a license is issued, the owner must present a rabies vaccination certificate signed by a licensed veterinarian stating the owners name and address, and giving the dog's description, date of vaccinations, types, manufacturer and serial number of the vaccine and the date the revaccination is due.

ANIMALS (Cont.)

- B. It is unlawful for any person who fails within fifteen days after notification by the ACO, verbally or in writing, to obtain a license for a dog required to be licensed under this article or as may otherwise be required by law, or to remove a dog tag from a dog required to be licensed, or to place a dog tag on a dog other than the dog for which the license was issued.

Section 6-1-4 Keeping of Dogs

It is unlawful for any person, owner or responsible party to keep or harbor within the town limits any dog which barks, howls or makes other aggravating noises which unreasonably disturbs the peace and quiet of the neighborhood.

Section 6-1-5 Stray Animals

Any person who keeps or cause to be kept any horse, mule, cattle, burro, goat, sheep, swine (including potbellied pigs), or other livestock or poultry shall keep such animals in a pen or similar enclosure to prevent the animals from being at large within Town limits. Any such animals found at large may be impounded, with the cost for care to be paid by the owners or responsible parties, and a citation for animal at large may be issued.

Section 6-1-6 Penalty

Any person who violates or fails to comply with any provision of this article shall be guilty of a petty offense on the first offense, and of a Class 2 misdemeanor on any subsequent offense, whether or not the subsequent offense involves the same animal, punishable as may be established by law.

CHAPTER 7

BUILDING

CHAPTER 7 BUILDING

Article 7-1 ADOPTION OF THE UNIFORM BUILDING CODE (UBC) AND RELATED PUBLIC CODES

Pursuant to ARS 9-802 (as amended), the Town hereby adopts for application and enforcement for all construction within Town limits the following codes heretofore in existence, together with all future amendments, revisions, and modifications as issued by the respective publishing agencies.

1. **Uniform Building Code**, published by the International Conference of Building Officials (ICBO), 1991 edition.
2. **Uniform Building Code Standards**, published by the International Conference of Building Officials, (ICBO), 1991 edition.
3. **Uniform Fire Code**, published by the International Fire Code Institute, 1991 edition.
4. **Uniform Fire Code Standards**, published by the International Association of Plumbing and Mechanical Officials, 1991 edition.
5. **IAPMO Installation Standards**, published by the International Association of Plumbing and Mechanical Officials, 1991 edition.
6. **Uniform Mechanical Code**, published by the International Conference of Building Officials, 1991 edition.
7. **National Electric Code**, published by the National Fire Protection Association , 1993 edition.

The effective date of the ordinance shall be July 1, 1994, after which all new construction and work in progress shall meet the standards set forth in the UBC and the above related codes.

Fee schedules for inspection and certification under the codes shall be adopted by the Town Council from time to time, upon recommendation of the Community Development Director.

At least three (3) copies of the UBC and the above codes, and any future amendments or revisions, shall be kept on file in the office of the Town Clerk, who may permanently place working copies with the Community Development Department. All copies shall be readily available for inspection, including any supplementary pamphlets or explanatory booklets for distribution to the public.

It shall be unlawful for any person, firm or corporation to erect, construct, enlarge, alter, repair, move, improve, remove, convert or demolish, equip, use, occupy or maintain any building or structure or cause or permit the same to be done in violation of any standard or provision of the UBC and above related codes, including their subsequent revisions and modifications. Violations for a first offense, per site or per person, shall be a petty offense and for any second or subsequent offense committed within twelve (12) months of any prior citation or conviction, a class 2 misdemeanor.

BUILDING (Cont.)

In addition to the criminal penalties, the Court, upon conviction, may order abatement or removal of the construction, and issue appropriate injunctive relief. No final certificate of occupancy shall be issued by the Director of Community Development until the construction or action described in this paragraph has been inspected and shown to meet all UBC and related code requirements, and all fees to the Town paid.

The Director of Community Development shall be the administrative authority duly appointed to enforce these codes.

Construction of a total cost of twenty-five hundred (\$2,500) dollars or less, including market value of materials and reasonable labor costs, shall be exempt from the UBC and above codes, except as may be otherwise provided by law.

Article 7-2 ADOPTION OF THE UNIFORM CODE FOR THE ABATEMENT OF DANGEROUS BUILDINGS

Pursuant to ARS 9-802 (as amended), the Town hereby adopts for application and enforcement for all structures within the Town limits the Uniform Code for the Abatement of Dangerous Buildings (International Conference of Building Officials, 1994) a code which has been previously published as set forth in ARS 9-801, together with all future amendments, revisions, and modifications as issued by the publishing agency. The enforcement provisions of the abatement code include the right of the proper officials to enter and inspect the property, order an abatement, cause the demolition of the structures declared to be a dangerous building and recover the costs by liens and personal assessments on the property owners, which shall be to the Board of Adjustment. The Director of Community Development shall be the administrative authority duly appointed to enforce these codes.

Article 7-3 CONFORMANCE WITH ZONING ORDINANCE

Whenever a building permit is issued and a building inspection performed, such building must conform to the provisions of the zoning ordinance of Camp Verde in addition to the provisions of this chapter.

Article 7-4 BUILDING OFFICIAL

The building official and administrative authority, as such may be referenced in any section of this chapter for all matters pertaining to any building, plumbing, electrical or any other inspections, shall be vested in the office of the Town Manager or his designee, provided that the manager or the Council may authorize such deputies as needed to perform any inspection work or other functions that may be required by this chapter.

Article 7-5 ROAD SPECIFICATIONS AND DETAILS

That certain document entitled "Uniform Standard Specifications" and that certain document entitled "Uniform Standard Details" as published by the Maricopa Association of Governments, are hereby adopted as the Town road standards and made a part of this chapter the same as though said documents were specifically set forth in full herein.

BUILDING (Cont.)

Article 7-6 STREET NAMING AND ADDRESSING

- A. That certain document entitled "Street Naming and Addressing Standards and Guidelines" declared a public record by Resolution 91-165 is hereby adopted and made a part of this chapter the same as though said document was specifically set forth in full herein; and at least three copies of said document shall be filed in the office of the clerk and kept available for public use and inspection.
- B. This program is hereby declared the only legal addressing system for the incorporated areas within the Town.
- C. Any person who fails to comply with the addressing requirements of this article within thirty days of initial notification by the addressing official shall be subject to a petty offense for the first offense, and a Class 3 Misdemeanor for a second or subsequent offense as to the same property. Each day the property is not in compliance may constitute a separate offense. "Person" includes the property owner, occupant or any persons having control over the use of the property.

CHAPTER 8

TRANSACTION PRIVILEGE TAX

CHAPTER 8

TRANSACTION PRIVILEGE TAX

Article 8-1 ADOPTION OF TAX CODE

That certain document known as "The Tax Code of the Town of Camp Verde, Arizona", three copies of which are on file in the office of the town clerk of the Town of Camp Verde, Arizona, which document was made a public record by Resolution No. 88-45 of the Town of Camp Verde, Arizona, and any amendments thereto is hereby referred to, adopted and made a part hereof as if fully set out in this chapter.

Article 8-2 TRANSIENT LODGING

In addition to the taxes levied as provided in Section 8-1 ["Sales Tax"] there is hereby levied and shall be collected an additional tax in an amount equal to **THREE PERCENT (3 %)** of the gross income from the business activity of any hotel engaging or continuing within the Town in the business of charging for lodging and/or lodging space furnished to any transient. "Transient" means any person who, for any period of not more than thirty (30) consecutive days, either at his own expense or at the expense of another, obtains lodging or the use of nay lodging space in any hotel for which lodging or use of lodging space a charge is made. "Hotel" as defined as any public or private hotel, inn, hostelry, tourist home, house, motel, rooming house, apartment house, trailer, or other lodging place within the Town offering lodging, wherein the owner thereof, for compensation, furnishes lodging to any transient, except foster homes, rest homes, sheltered care homes, nursing homes, or primary health care facilities.

CHAPTER 9

BUSINESS REGULATIONS

CHAPTER 9 BUSINESS REGULATIONS

Article 9-1 PEDDLERS, SOLICITORS AND CANVASSERS

9-1-1	Definitions
9-1-2	License Required
9-1-3	Applications
9-1-4	Investigation of Applicant
9-1-5	Fees
9-1-6	Fees for Charitable, Religious or Civic Organizations
9-1-7	License to be Posted
9-1-8	Location Restrictions
9-1-9	Undue Noise Prohibited
9-1-10	Enforcement by Police Officers
9-1-11	Revocation
9-1-12	Notice of Hearing and Appeal
9-1-13	Signs to be Observed

Section 9-1-1 Definitions

In this article unless the context otherwise requires:

- A. "Canvasser or solicitor" means any person, whether a resident of the Town or not, traveling either by foot, wagon, automobile, motor truck or any other type of conveyance from place to place, from house to house or from street to street taking or attempting to take orders for sale of goods, wares and merchandise, personal property of any nature whatsoever for future delivery or for services to be furnished or performed in the future, whether such person is collecting advance payments on such sales or not, provided that such definition shall include any person who, for himself or for another person, hires, leases, uses or occupies any building, structure, tent, railroad car, boat, hotel room, lodging house, apartment, shop or any other place within the Town for the sole purpose of exhibiting samples and taking orders for future delivery.
- B. "Peddler" means any person, whether a resident of the Town or not, traveling by foot, wagon, automobile or any other type of conveyance from place to place, from house to house or from street to street carrying, conveying or transporting goods, wares, merchandise, meats, fish, vegetables, fruits, garden truck farm products or provisions, offering and exposing the same for sale or making sales and delivering articles to purchasers, or a person who, without traveling from place to place, shall sell or offer the same for sale from a wagon, automotive vehicle, railroad car or other vehicle or conveyance. It is further provided that a person who solicits orders and, as a separate transaction, makes delivery to purchasers as a part of the scheme or design to evade the provisions of this chapter shall be deemed a peddler subject to the provisions herein contained. The word "peddler" shall include the words "hawker" and "huckster".

BUSINESS REGULATIONS (Cont.)

- C. "Transient merchant", "itinerant merchant" or "itinerant vendor" means any person, whether owner or otherwise, whether a resident of the Town or not, who engages in a temporary business of selling and delivering goods, wares and merchandise within the Town, and who, in furtherance of such purpose, hires, leases, uses or occupies any building, structure, motor vehicle, tent, railroad car, boat, hotel room, lodging house, apartment, shop, or any street, alley or other place within the Town for the exhibition and sale of such goods, wares and merchandise, either privately or at public auction, provided that such definition shall not be construed to include any person, firm or corporation who, while occupying such temporary location, does not sell from stock but exhibits samples only for the purpose of securing orders for future delivery. The person so engaged shall not be relieved from complying with the provisions of this chapter merely by reason of associating temporarily with any local dealer, trader, merchant or auctioneer or by conducting such transient business in connection with, as a part of or in the name of any such local dealer, trader, merchant or auctioneer.

Section 9-1-2 License Required

It is unlawful for any peddler, solicitor, canvasser, transient merchant, itinerant merchant or itinerant vendor to engage in such business within the corporate limits of the Town without first obtaining a permit and license in compliance with the provisions of this chapter.

Section 9-1-3 Applications

- A. Applicants for permit and license under this chapter must file with the clerk a sworn application in writing, in duplicate, on a form to be furnished by the clerk, which shall give the following information:
1. Name and description of the applicant.
 2. Address, legal and local.
 3. A brief description of the nature of the business and the goods to be sold and, in the case of products of farm or orchard, whether produced or grown by the applicant.
 4. If employed, the name and address of the employer, together with credentials establishing the exact relationship.
 5. The length of time for which the right to do business is desired.
 6. If a vehicle is to be used, a description of the same, together with license number and other means of identification.
 7. A statement as to whether or not the applicant has been convicted of any crime, misdemeanor or violation of any municipal laws and the nature of the offense and the punishment or penalty assessed therefore.
- B. At the time of filing the application, a fee shall be paid to the clerk to cover the cost of investigation.

BUSINESS REGULATIONS (Cont.)

C No license issued hereunder shall be transferable.

Section 9-1-4 Investigation of Applicant

Upon receipt of an application the clerk shall cause an investigation of such person's business responsibility to be made as the clerk deems necessary for the protection of the public good. If, as a result of the investigation, the applicant's business responsibility is found to be unsatisfactory, the application shall be denied. If, as a result of the investigation, the business reputation appears to be satisfactory, a license shall be issued by the clerk. The clerk shall keep a full record in his office of all licenses issued. The license shall contain the number of the license, the date it is issued, the nature of the business authorized to be carried on, the amount of the license fee paid, the expiration date of the license, the place where the business may be carried on under the license, and the name of the person authorized to carry on the business.

Section 9-1-5 Fees

- A. The license fees for peddlers, solicitors, canvassers and transient merchants and the application fee provided in Section 9-1-3 shall be determined by resolution of the Council.
- B. No fee shall be required of anyone selling products of the farm or orchard actually produced by the seller.

Section 9-1-6 Fees for Charitable, Religious or Civic Organizations

There shall be no fees for charitable, religious or civic organizations. It shall be the duty of the clerk or the Town Marshal to determine if the organization making the application is a charitable, religious or civic organization and that the individual making the application is a member of the organization. The determination by the clerk or the Town Marshal may be appealed pursuant to Section 9-1-12.

Section 9-1-7 License to be Posted

The license issued by the clerk shall be posted in a conspicuous place if the licensee is using a vehicle or a building in his business and otherwise must be kept by the person and exhibited at any time upon request.

Section 9-1-8 Location Restrictions

No peddler, canvasser or transient merchant shall locate on the public street or property, and must have written permission of a property owner for private property. It is unlawful for any peddler, canvasser or transient merchant to operate in any stationary location, to operate within three hundred feet of a public school ground or to operate in any congested area where such operation might impede or inconvenience the public, or cause traffic or parking hazards. The judgment of a police officer exercised in good faith shall be deemed conclusive as to whether the area is congested or the public impeded or inconvenienced.

Section 9-1-9 Undue Noise Prohibited

No licensee, nor any person on the licensee's behalf, shall shout, make any outcry, blow a horn, ring a bell or use any sound device, including any loud speaking radio or sound amplifying system, for the purpose of attracting attention to any goods, wares

BUSINESS REGULATIONS (Cont.)

or merchandise which such licensee proposes to sell upon any of the streets, alleys, parks or other public places of the Town or upon any private premises in the Town where sound of sufficient volume is emitted or produced therefrom to be capable of being plainly heard upon the public thoroughfares.

Section 9-1-10 Enforcement by Police Officers

It shall be the duty of any police officer of the Town to enforce the provisions of this article. The Town Marshal shall report to the clerk all convictions for violation of the provisions of this chapter, and the clerk shall maintain a record for each license issued and record the reports of violations therein.

Section 9-1-11 Revocation

Permits and licenses issued under the provisions of this chapter may be revoked by the clerk after notice and hearing for any of the following causes:

- A. Fraud, misrepresentation or false statement contained in the application for license;
- B. Fraud, misrepresentation or false statement made in the course of carrying on his business;
- C. Any violation of this article;
- D. Conviction of any crime or misdemeanor involving moral turpitude;
- E. Conducting business in an unlawful manner or in such a manner as to constitute a breach of the peace or to constitute a menace to the health, safety or general welfare of the public.

Section 9-1-12 Notice of Hearing and Appeal

- A. Notice of the hearing for revocation of license shall be given in writing, setting forth specifically the grounds of complaint and the time and place of hearing. Such notice shall be mailed, postage prepaid, to the licensee at his last known address at least five days prior to the date set for hearing.
- B. Any person aggrieved by the denial of an application for license as provided herein or by a decision with reference to the revocation of a license shall have the right of appeal to the Council. Such appeal shall be made by filing with the Council, within fourteen days after notice of the action complained of has been mailed to such person's last known address, a written statement fully setting forth the grounds for the appeal. The Council shall set a time and place for a hearing on such appeal, and notice of such hearing shall be given to the appellant in the same manner as provided for notice of hearing on revocation. The decision and order of the Council on such appeal shall be final and conclusive.

Section 9-1-13 Signs to be Observed

It is unlawful for any peddler in the course of his business to ring the doorbell or knock at any building whereon a sign bearing the words "No Peddlers" or a similar message is exposed to public view. It is unlawful for any solicitor, canvasser or transient merchant in the course of his business to ring the doorbell or knock at any building whereon a sign bearing the words "No Solicitors or Canvassers" or a similar message is exposed to public view.

BUSINESS REGULATIONS (Cont.)

Article 9-2 SPECIAL EVENTS PERMITS

- 9-2-1 Application
- 9-2-2 Procedure
- 9-2-3 Operations
- 9-2-4 Restrictions
- 9-2-5 Penalty

Section 9-2-1 Application

This article shall govern all special event sales and operations within the Town limits. "Special event" include temporary sales and displays by street vendors, craft shows, fair booths and similar operations usually associated with a special event or holiday. This article does not apply to garage sales, auctions, sidewalk sales, student fund raising sales, bake sales or swap meets. No permit shall be issued for a period longer than three consecutive days.

Section 9-2-2 Procedure

All operators of booths or vendor displays or other special event operations shall, prior to setting up a display area:

- A. Obtain the written permission of the property owner and tenant, if any, for the operation.
- B. Obtain any necessary health or other regulatory permits required by law.
- C. Complete an application for a casual business permit with the Town, including describing the nature of the operations, name, address and driver's license of the owner of the business, licenses of any vehicles to be used in or near the display area, and other information required by the Town Marshal to ensure proper origin of the goods and services to be offered for sale and the responsibility of the proprietor.
- D. Pay any fees required as the Council by resolution may set.

Section 9-2-3 Operations

Casual business operations shall be conducted within the following guidelines, enforceable by the penalty provisions of this article, which shall be delivered to all applicants:

- A. The permit will be for the location and hours of operation specified and will not be transferable.
- B. The permit will be prominently displayed at the site at all times.
- C. The operator will not operate the booth or site in such a manner that unreasonable noise or the nature of the display interferes with other operators or the program for the event and shall maintain the booth or site in a clean manner.

BUSINESS REGULATIONS (Cont.)

- D. The permit may be terminated for failure of the operator to abide by the procedures and requirements of this article, and forfeiture of a permit for cause may result in denial of a permit in the future by the proprietor.
- E. The Council may impose additional requirements for operations as to a particular event.

Section 9-2-4 Restrictions

The Town Clerk shall not issue any permit under this article for operation or location of a special event permit within any Town street, right-of-way or on residentially zoned properties.

Section 9-2-5 Penalty

Violations of this article, including any regulations adopted by reference, shall be a petty offense upon a first offense, and, upon a subsequent offense, a class 3 misdemeanor. Repeat offenders may also be denied any display or sale privileges.

Article 9-3 BUSINESS LICENSES

- 9-3-1 Purpose
- 9-3-2 Registration
- 9-3-3 Issuance of Certificate
- 9-3-4 Payment
- 9-3-5 Posting of Certificate
- 9-3-6 License not Transferable
- 9-3-7 Fees
- 9-3-8 Penalty

Section 9-3-1 Purpose

The Council has determined that it is in the best interest of the public to maintain a list of business activities within the Town to provide contacts for emergency services, directories, compliance with zoning, tax or other ordinances and statutes.

Section 9-3-2 Registration

A person actively conducting any business subject to taxation under Chapter 8 of this code and any business, profession, game, calling or occupation shall procure a certificate of registration from the Town Clerk.

Section 9-3-3 Issuance of Certificate

- A. It is the duty of the Town Clerk to prepare and issue a certificate under this article for every person, firm, company or corporation liable therefor; the period of time covered; the name of the person, firm or corporation for whom issued; the type of business; the location or place of business and verification of privilege tax license.
- B. Issuance of the certificate does not imply that the Town in any way regulates or warrants the manner in which the operator does business.

BUSINESS REGULATIONS (Cont.)

Section 9-3-4 Payment

- A. All business certificate fees shall be paid at the office of the Town Clerk in such manner as may be specified by the clerk.
- B. A late charge of ten dollars shall be added for all businesses which do not pay the required fees within thirty days of their due date. After sixty days, an additional late fee of fifty dollars per month shall be charged.
- C. A full fee shall be paid for each fee period or portion of a fee period in which a business is carried on.
- D. A separate certificate must be obtained for each branch established or separate place of business in which any business is carried on.

Section 9-3-5 Posting of Certificate

Every person, firm, company or corporation, having a certificate under the provisions of this article, shall keep such certificate posted and exhibited, while in force, in some conspicuous part of the place of business. Every person having such certificate and not having a fixed place of business shall carry such certificate with him at all times while carrying on that business for which the same was granted. Every person, firm, company or corporations having a certificate under the provisions of this article shall produce and exhibit the same whenever requested to do so by any officer authorized to issue, inspect or collect by the Town.

Section 9-3-6 License not Transferable

No certificate issued under the provisions of this article shall in any manner be assignable or transferable to any other person, firm, company or corporation other than as specified in this article without permission from the Town Clerk.

Section 9-3-7 Fees

All businesses liable shall pay a set fee as set forth by the Council by resolution.

Section 9-3-8 Penalty

It is unlawful for any person to commence, transact or carry on any business within the Town without first having obtained a license from the Town, if required, or to comply with all provisions of this article. Violations shall be punishable as a petty offense with each day that such business is practiced, transacted or carried on constituting a separate offense.

Article 9-4 MINING

- 9-4-1 General Provisions
- 9-4-2 Definitions
- 9-4-3 Permitting Requirements and Procedures
- 9-4-4 General Regulations
- 9-4-5 Administration

BUSINESS REGULATIONS (Cont.)

Section 9-4-1 General Provisions

- A. Authority. The authority of the Town to establish the regulations in this article is granted by ARS 9-462.01, 9-240 B5(c).
- B. Purpose. It is the intent of the Town to establish regulations on uses that mine, quarry or extract resources which are taken from the natural environment. These regulations are intended to aid in managing the town's resources by complimenting the federal, state, county and local regulations.
- C. Applicability and Exemptions. The regulations contained in this article apply to all business operations which mine, quarry or extract natural resources as defined herein. This article shall not be construed to prevent, restrict or otherwise regulate the use or occupation of land or improvements for railroad, grazing or general agricultural purposes. Mining, quarrying or processing of natural resources for personal use, as defined herein, are exempt from the requirements of this article. This article supersedes sections 104 and 105 of the Planning and Zoning Ordinance as far as the activities and uses described herein.

Any existing legal non-conforming operations as of the date of adoption of this article are considered a "grandfathered" right of continued use unless one or a combination of the following occur:

1. Operations on the site were illegally installed on the property as defined herein as a non-conforming use;
2. The mining, quarrying or extracting operations are discontinued for a period of six continuous months or more unless written permission is granted by the director;
3. The land area used for the mining, stockpiling and/or processing operations is increased, by purchase or annexation, to encompass more than the original land area used for the mining operation, this article is not to be construed to require a permit for operations where mining is moving from one location to another within the boundaries of the property lines where an existing non-conforming mining operation is located;
4. The introduction of different processing uses which are related to the mining, quarrying or processing operation such as crushing, batching or other related processing of mined materials; this does not apply to new methods which are similar or the same as existing processing operations or any uses that are listed in the grandfathered use permits; and/or
5. The operation expands to mine or quarry a new resource not previously extracted from the site, this does not include resources which are mined as part of the existing operation but are not necessarily processed or sold.

BUSINESS REGULATIONS (Cont.)

In no case is this exemption to be construed to allow any existing non-conforming use to operate in a fashion so as to cause a public nuisance pursuant to Section 108-A of the Planning and Zoning Ordinance. Where the processing of natural resources is conducted as a sole use, not combining with a mining or quarry operation, such uses are restricted to appropriate zoning districts.

Section 9-4-2 Definitions

In this article unless the context otherwise requires:

- A. "Agent" means any person, business, corporation or other entity proposing an application on behalf of the property owner. Agent will provide a copy of the agreement that the requested use is permissible from the owner.
- B. "Agricultural purpose" means grazing, growing of crops or other bona fide agricultural uses of property as defined by the State of Arizona.
- C. "Applicant" means any real property owner or agent applying for a permit according to this article.
- D. "Commission" means the Planning and Zoning Commission of the Town of Camp Verde.
- E. "Department" means the Community Development of the Town of Camp Verde.
- F. "Director" means the director of the Community Development Department of the Town of Camp Verde.
- G. "Environmental impact" means a change, modification or effect which positively or negatively influences the condition, volume, number, nature or quality of air, water, earth, plant and animal life, natural resources, noise, public services, transportation and circulation, land use, aesthetics, cultural, archeological and historical resources, the provision of public utilities, human health and recreation.
- H. "Established residential area" means an area which is zoned for residential use and is subdivided or contains a residential structure. Such areas are delineated by the exterior property line of the subdivided lot or residential site.
- I. "Existing illegal non-conforming use" means any use which is conducted without the required permits or is not a legal non-conforming use.
- J. "Extract" means removing, cutting, gathering, digging, scraping, pumping or other similar action resulting in the separation of a natural resource from its original environment as part of a mining, quarrying or processing operation.

BUSINESS REGULATIONS (Cont.)

- K. "Legal, non-conforming use" means any use which legally exists with all permits required at the time the use was installed.
- L. "Mining or quarrying operation" means any commercial or industrial operations involving extraction, removal, processing, quarrying or transportation of natural resources and related products, and the storage, stockpiling, distribution and sale thereof from the site where such resources were derived. Such operations include the extraction, removal and the delivery of the product off-site, of natural resources for monetary gain, regardless of the size of the site or the volume of extraction.
- M. "Natural resource" means sand and gravel, rock or any mineral, gas or petroleum product, geo-thermal energy, earth or clay which is naturally found on a property.
- N. "Permanent mining operation" means any mining operation which is conducted on a site for a period of six continuous months or more.
- O. "Permittee" means any person, business, company, corporation or entity who is granted approval of a use permit according to this article.
- P. "Personal use" means on site excavation and movement, on or off site, of natural resources to improve a site for the purposes of agriculture or development. Materials under this definition will be limited to incidental sales as determined by the director. In no case shall this definition be construed to require a permit under this article if excavation activities are specifically related to agriculture or development of the property and not for monetary gain from the sale of natural resources.
- Q. "Planning and zoning ordinance" means ordinance no. 87-A23 as adopted and amended from time to time, by the Town that regulates land use and development within the Town.
- R. "Processing" means the act of preparing, mixing, batching, washing, crushing or otherwise modifying a natural resource for the purpose of creating a saleable commodity or product.
- S. "Temporary mining operation" means a short term use, less than six months in one time period, where natural resources are mined from a site specifically for monetary gain. Such operations are subject to the requirements listed in Section 9-4-4.

Section 9-4-3 Permitting Requirements and Procedures

A. Permit Required.

1. The establishment or expansion of mining or quarrying operations may occur in any zoning district if a conditional use permit is approved by the Council. The set-back requirements of mining or quarrying operations will be a maximum of 300 feet from the property line; however as individual cases may warrant, the set-back

BUSINESS REGULATIONS (Cont.)

requirement will be regulated by the Council on a case by case basis determined by, but not limited to, topography and adjacent land uses.

2. For uses applicable to this article, a complete use permit application must be filed with the department. All use permits shall be processed in accordance with this article and sections 108 J and 113 of the planning and zoning ordinance.
3. For temporary mining or quarrying operations, as defined herein, a temporary use permit shall be reviewed. Permits must comply with criteria in subsection B of this section and are processed according to subsection E of this section. The Council reserves the right to apply reasonable and necessary conditions on permanent and temporary mining operations as they deem in the best interest of the public.

B. Procedure for Obtaining Permits.

1. Any party who wishes to install or expand a mining, quarrying or processing operation shall complete a use permit or temporary use permit application obtained from the department. This application will be filed with the appropriate filing fee as established by Council resolution.
2. When the application is completed and submitted to the department, the director shall place the application on the next available commission agenda. The procedures in subsection E of this section apply for temporary permits. Appropriate projects shall be noticed, posted and advertised for public hearing according to state law and the requirements of the planning and zoning ordinance.
3. Prior to filing an application, the applicant will meet with the director or other duly appointed representative of the Town, for the purpose of discussing the intended use. The department will also prepare a list of requested data based upon the discussion of the intended use, any preliminary project data provided by the applicant and federal, state and local requirements. This list will assist the applicant in preparing the required application, but in no means should be construed as a complete listing of all requirements from all agencies. It is the applicant's responsibility to acquire all necessary permits and licenses. When the application is completed to the satisfaction of the director, it will be submitted, if required, to

BUSINESS REGULATIONS (Cont.)

the commission for review. A recommendation from the commission will then be submitted to the Council with a request for Council action. Provided a permit is issued by the Town to an applicant, such permit is not transferable without written consent of the director or approved by Council. The report may include but is not limited to the following:

a. Based on Local Requirements

- (1) Completed Application - Use permit/temporary use permit.
- (2) Proposed Location - Impacts to existing residentially developed properties.
- (3) Noise - Impacts related to noise created by truck traffic, engine warm-up and operation of mining and processing equipment.
- (4) Dust - Impacts on surrounding land uses.
- (5) Screening - Screening and buffering of operation from properties zoned residential.
- (6) Operational Controls - Related to setbacks and environmental impacts.
- (7) Lighting - Planning and zoning ordinance.
- (8) Parking - Planning and zoning ordinance.
- (9) Post Mining Plan - A proposed use of the area following the mining project.
- (10) Noise and Vibration Control Plan - Planning and zoning ordinance.
- (11) Other Environmental Impacts - Impacts identified by the applicant or staff.
- (12) Other information as determined by the Council or director.

b. Based on Federal, State, County Requirements and Local Input

- (1) Transportation - Impacts related to truck traffic routes and associated traffic hazards. ADOT/Local
- (2) Excavation and Reclamation - Quality and effectiveness of site restoration plan and consideration of site reuse and development timing. FEMA/Local
- (3) Hydrology Plan - County, Army Corps of Engineers
- (4) Sanitation Permit - County
- (5) EPA Permits - Federal/State
- (6) DEQ/ADEQ Permits - Federal/State
- (7) Erosion Plan - FEMA/Army Corps of Engineers/County
- (8) Archeological Permit - State
- (9) Others, as determined by Federal, State, County or Local requirements.

C.

Application Requirements for Permanent Mining Operations. An application filed for permanent mining, quarrying and processing operations, as defined in this article, shall include the following information:

1. A completed use permit application form.
2. An 8-1/2" x 11" xerox (transparency) reduction of the site plan.
3. A site excavation and reclamation plan containing all required data contained in subsection D of this section.

BUSINESS REGULATIONS (Cont.)

4. A complete list of all required permits from county, state and federal agencies who regulate the proposed use. This list shall include a description of the required permit, the agency which is responsible for issuing the permit, including contact person names; phone numbers and addresses, and an anticipated time frame for obtaining each required permit.

D. Excavation and Reclamation Plan. As required by subsection C of this section, all use permit applications for mining operations shall include an excavation and reclamation plan. If the proposed operation is located in a flood plain area, a topographic survey shall be provided in accordance with Yavapai County Flood Control District and/or Army Corps of Engineers requirements. The Excavation and Reclamation Plan shall be reviewed in conjunction with the information gathered by staff. For the purposes of ensuring that the site is reclaimed for reuse and the site is mined in an expeditious manner, the applicant shall provide the following:

1. The general location of resources to be mined, overlaid on the topographic survey of the site, if provided.
2. The method of grading and restoring vegetation.
3. The location and containment methods for stockpiling of mined materials, including dust and erosion control.
4. A description of the mining method.
5. An estimate of the costs associated with the restoration of the site.
6. For preliminary and secondary review application, the applicant will provide the department with sufficient copies of all required documents.

E. Permit Requirements for Temporary Mining Operations.

1. Certain temporary mining operations, as defined herein, may not require the same permitting procedures as permanent uses. Only one temporary permit per site may be issued. Successive permits or occasional use of temporary permits are not allowed, and such operations shall be deemed permanent mining operations subject to the permitting requirements provided in this article.
2. For temporary mining operations, such as major grading operations where excavated fill is to be sold or other similar types of operations, a permit may be reviewed and approved by the Council without advertising a public hearing, when these operations do not exceed a period of thirty days. If such operations are to exceed a thirty day time period but are less than six months in duration, the temporary use permit shall be reviewed by the commission and a recommendation forwarded to the Council. Upon filing an application for a temporary mining operation, the operator shall provide the following information:

BUSINESS REGULATIONS (Cont.)

- a. The site plan and permit requirements for permanent mining operations stated in subsection C, paragraphs 2, 3 and 4 of this section.
- b. The excavation and restoration information required in subsection D, paragraphs 2, 3, 4 and 5 of this section.
- c. Other information, as requested by Council.

Section 9-4-4 General Regulations

The general regulations contained in this article shall apply to all mining operations and permits.

- A. Site Development and Operational Regulations. All mining, quarrying and processing operations shall conform to all applicable plans and documentation approved as presented or revised in the use permit or temporary use permit application. In addition to the conditions applied on the permit, all operations shall meet the following operational regulations:
 1. Dust Control. All haul roads, public or private, connecting internal operations and roads connecting to paved public streets or easements shall be kept wetted, treated with a dust palliative or hard-surfaced and maintained so as to control dust while in use.
 2. Setbacks. The set-back requirements of mining or quarrying operations will be a maximum of three hundred feet from the property line; however as individual cases may warrant, the set-back requirement will be regulated by the Council on a case by case basis determined by, but not limited to, topography and adjacent land uses.
 3. Noise. May be regulated depending on haul route and the neighborhood.
- B. Implementation of Use Permit. If the Council approves the permit, the applicant shall provide the following prior to the issuance of the use permit:
 1. Written proof and verification of approval of all required permits from county, state or federal agencies.
 2. Written verification of compliance with all conditions of approval placed on the permit as applicable.
 3. The applicant shall provide appropriate financial assurance equal to the amount and method approved by the Town for restoration of the site. The Council or director will make a determination based on the excavation and reclamation plan and using one or more of the following options:
 - a. Allowing the applicant to provide property as security.

BUSINESS REGULATIONS (Cont.)

- b. Allowing a percentage of the monetary gain to be placed in trust as security.
- c. Other approved methods of assurance.

Section 9-4-5 Administration

- A. Subsequent Review and Expiration of Permits. All use permits issued pursuant to this article are subject to periodic review and expiration as determined by the Council.
- B. Revocation of Use Permit. Violation of any applicable federal, state or local regulation is sufficient grounds for action by the Council which may lead to revocation of the use permit.
- C. Appeals. If the applicant or affected property owner disagrees with the decision of the director to issue or deny a temporary permit or the requirements for permit processing related to a permanent or temporary operation, such person may file a written appeal with the director within ten days of the director's decision. Such appeal shall be referred to the board of adjustment pursuant to Section 112 of the planning and zoning ordinance. Further appeals are possible through Superior Court.
- D. Permit Status. Issuance of a permit is not an approval by the Town of any use or activity that is prohibited by any other governmental agency or private covenant.

Section 9-4-6 Penalty

Any person who fails to comply with any provision of this article, or uses property in violation of any provision of this article or a permit issued herein, shall be guilty of a petty offense for the first offense and a misdemeanor for a second or subsequent offense as to the same property or activity, with each day the property or activity is not in compliance constituting a separate offense. "Person" includes the property owner, occupant, agent or any person having control over the use of the property. Enforcement of this ordinance may also be pursuant to Council action under ARS 9-462.05, as amended.

CHAPTER 10

HEALTH and SANITATION

CHAPTER 10

HEALTH AND SANITATION

Article 10-1 TRANSPORTATION OF REFUSE

- 10-1-1 Definitions
- 10-1-2 Transporting Refuse
- 10-1-3 Penalty

Section 10-1-1 Definitions

In this article unless the context otherwise requires:

- A. " Bulky items " means all wood, timber, household or construction discards, large pieces of metal, stones, concrete or other building materials or similar material.
- B. " Garbage " means all putrescible wastes, except sewage and body wastes, including but not limited to, dead animals and all organic wastes that have been prepared for, or intended to be used as, food or have resulted from the preparation of food, including all such substances from all public and private establishments and residences.
- C. " Plant trimmings " means shrubs or tree growth of more than four feet in length and more than one-half inch in diameter.
- D. " Refuse " means all garbage and trash.
- E. " Trash " means all nonputrescible solid wastes consisting of combustible or noncombustible wastes, including but not limited to, paper, cardboard, cans, yard clippings, plant trimmings, ashes, bedding, glass, crockery, bulky items or other accumulation of debris.
- F. " Yard clippings " means grass, sod and plant growth of less than four feet in length and less than one-half inch in diameter.

Section 10-1-2 Transporting Refuse

It is unlawful for any person to transport, or cause to be transported, any refuse on or along any public street or alley within the Town, unless the load is so covered or secured with netting, fabric or other device so as to prevent any of said load from dropping, sifting, leaking or otherwise escaping. In the case of timber or bulky items, ropes, straps, cables or chains may be substituted for netting or fabric so as to provide a securely anchored load.

Section 10-1-3 Penalty

Any person found guilty of violating this article, except as otherwise provided, shall be guilty of a class 3 misdemeanor, and upon conviction shall be punished by a minimum fine of thirty-five dollars. No judge shall suspend imposition of sentence, except community service may be used in lieu of fine.

HEALTH and SANITATION (Cont.)

Article 10-2 REMOVAL OF TRASH, RUBBISH AND DEBRIS

- 10-2-1 Declaration of Nuisance
- 10-2-2 Notice
- 10-2-3 Abatement and Lien
- 10-2-4 Unlawful Dumping

Section 10-2-1 Declaration of Nuisance

It is hereby declared to be a public nuisance, fire hazard and hazard to public health and safety to allow the accumulation of rubbish, trash, filth, debris, abandoned inoperable vehicles, dilapidated buildings and structures, litter, garbage, dead animals, brush, street cleaning, industrial wastes or other unsanitary matter of any kind on any property, buildings, lots, grounds, tracts of land and the contiguous sidewalks, streets and alleys.

Section 10-2-2 Notice

Written notice of any violation of Section 10-2-1 shall be either personally served or sent to the owner, lessee or occupant of the property at his last known address by registered or certified mail, or the address to which the tax bill for the property was last mailed. If the owner does not reside on such property, a duplicate notice shall also be sent to him at his last known address. The notice shall be dated, signed by the zoning inspector, have attached a copy of this article and be substantially in the following form:

Notice to Compel Property Cleanup

Property Description/Address:

You are the record owner, lessee or occupant of the above property which was recently inspected by the Town and found to have accumulated trash, and other material in violation of Article 10-2 of the Camp Verde Town Code (attached). You have thirty days from receipt of this notice to clean up the property by removing the material or abating the condition which constitutes a hazard to public health and safety, or the Town will cause the removal and abatement at an estimated cost of \$_____ plus an additional 5% (for inspection and incidental costs) of \$_____. This total amount of \$_____ will then be an assessment and, when recorded in Yavapai County, becomes a lien on the property which will be enforceable and foreclosed as provided under ARS 9-499 (as amended).

The description of the violation is as follows:

You have a right to appeal this notice, and the costs of abatement or assessment, to the Council, by making a written request posted and received within the above thirty day period to the zoning inspector at the following address: Zoning Inspector, Town of Camp Verde, Post Office Box 710, Camp Verde, AZ 86322

If the Council sustains the notice and assessment, your time for compliance will be ten days from the Council meeting, or the time remaining in the initial thirty days, whichever is greater.

Date of Notice: _____

Signed: _____
Zoning Inspector

HEALTH and SANITATION (Cont.)

Section 10-2-3 Abatement and Lien

If a property owner, lessee or occupant, after receipt of the above notice, does not remove the trash or other material specified herein, or otherwise abate such condition which constitutes a hazard to public health and safety, the Town shall, at the expense of the owner, lessee or occupant, remove or cause the removal or abatement, and the actual cost, plus an additional amount of 5% for inspection,

enforcement and other incidental costs in connection therewith, shall become an assessment and lien on the property until paid. Such assessment, from the date of recording in the Office of the Yavapai County Recorder, shall be a lien inferior to the lien for general taxes and all prior recorded mortgages or encumbrances, and the Town shall have the right to bring an action to enforce the lien in Superior Court by judgment of foreclosure and sale of the property.

The recorded assessment shall be prima facie evidence of the truth of all matters recited therein, and of the regularity of all proceedings prior to its recording.

Section 10-2-4 Unlawful Dumping

It is unlawful for any person, firm or corporation to place any rubbish, trash, filth or debris upon any private or public property not owned or under the control of that person, firm or corporation. Violation of this section shall be a class 3 misdemeanor, punishable as provided by law, and in addition to any fine which may be imposed, a person found guilty shall be required to pay for the cost of removal of the rubbish, trash, filth or debris.

CHAPTER 11

OFFENSES

CHAPTER 11 OFFENSES

Article 11-1 OFFENSES

OFFENSES

11-1-1	Dangerous Constructions
11-1-2	Excavations to be Covered
11-1-3	Minors; Curfew
11-1-4	Motor Vehicles on Private Property
11-1-5	Noise
11-1-6	Parks - Alcohol Use
11-1-7	Signs and Banners
11-1-8	Unsafe Buildings or Structures
11-1-9	Weapons
11-1-10	911 Emergency Telephone Number System

Section 11-1-1 Dangerous Constructions

It is unlawful for any person to maintain or allow any signs, billboards, awnings and other similar structures over or near streets, sidewalks, public grounds or places frequented by the public, so situated or constructed as to endanger the public safety.

Section 11-1-2 Excavations to be Covered

- A. It is unlawful for any person to make any excavation or dig any hole, drain or ditch in any highway or thoroughfare in the Town without providing a sufficient light at night and a temporary fence or suitable obstruction around or in front of such excavation at all times.
- B. It is unlawful for any person to maintain a well, cellar, pit or other excavation of more than two feet in depth on any unenclosed lot, without substantial curbing, covering or protection.

Section 11-1-3 Minors; Curfew; Liability of Parent

- A. It shall be unlawful for any juvenile under the age of eighteen (18) years to be, remain, loiter in, about or upon any place in the Town away from the dwelling house or usual place of abode of said juvenile, between the hours of 10:00 o'clock P.M. and 5:00 o'clock A.M. of the following day; provided that the provisions of this section do not apply to said juvenile when:
- (a) accompanied by his or her parent, guardian, or other adult person having the care, custody or control of said juvenile, or
 - (b) the said juvenile is on an emergency errand, or
 - (c) the said juvenile has been specifically directed to the location or is on reasonable, legitimate and specific business or activity directed or permitted by his parent, guardian or other adult person having the care, custody or supervision of said juvenile. This exception requires that the parent, guardian, or adult have advance knowledge of the whereabouts of the juvenile, and have given consent, and does not apply if the parent, guardian, or adult, when told of the location of the juvenile, does not object.

OFFENSES (Cont.)

- B. It is unlawful for the parent or guardian of a person under the age of eighteen years to permit such minor to be away from the minor's dwelling house or usual place of abode in violation of Section A once the parent or guardian has been notified of the violation and permits repeated violations.
- C. Curfew is extended until 12:30 a.m. on Friday and Saturday.

Section 11-1-4 Motor Vehicles on Private Property

- A. It is unlawful for any person to operate or drive any motor vehicle, motorcycle, motor scooter, minibike, trail bike, dune buggy, jeep or other form of transportation propelled by an internal combustion engine, upon private property of another without a written permit issued by the owner of the property or the person entitled to immediate possession thereof, or the authorized agent of either.
- B. The permit shall specify the period for which permission is granted, and shall set forth the name of the grantee, shall be signed by the grantor, shall state grantor's interest in the property and, if the grantor is not the owner thereof, the owner's name.
- C. Any person operating, driving or leaving a vehicle described in this section on private property shall, upon request of any peace officer, display the permit issued under the terms of this article.
- D. It is the intent of this section to prevent the unauthorized use of vacant lots or other privately owned areas by motor vehicles which unauthorized use results in the creation of excessive dust, noise or other annoyances to such an extent as to interfere with the comfortable enjoyment of life or property by the surrounding property owners.

Section 11-1-5 Noise

- A. It is hereby declared to be public nuisance, and it is unlawful for any person, to play or permit to be played any music or musical instruments whether played by individuals, orchestra, radio phonograph, music box or other mechanical device or means, any shop operations or other activity in such a loud or unusual manner as to be offensive to the senses, or so as to disturb the slumber, peace and quiet, or otherwise interfere with the comfortable enjoyment of life or property of any person and is no less a nuisance because the extent of the annoyance inflicted is unequal.

OFFENSES (Cont.)

- B. It is unlawful to play, operate or use any device known as a sound truck, loud speaker or sound amplifier, radio or any instrument of any kind or character which emits loud and raucous noises and is attached to and upon any vehicle unless such person in charge of such vehicle shall have first applied to and received permission from the chief of police to operate any such vehicle so equipped.

Section 11-1-6 Parks - Alcohol Use

It is unlawful for any person to consume, possess, give or sell any alcoholic beverage within the boundaries of any Town park.

Section 11-1-7 Signs and Banners

It is unlawful for any person to place any banner or sign upon any Town property, streetlight pole, traffic signal pole or utility pole within the Town without first obtaining authorization from the Council.

Section 11-1-8 Unsafe Buildings or Structures

It is unlawful for any person to maintain or allow any building or structure so old, dilapidated or out of repair as to be dangerous, unsafe, unsanitary or otherwise unfit for human use.

Section 11-1-9 Discharge of Air or Spring Weapons

It is unlawful for any person to recklessly discharge any spring or air gun within the Town.

Section 11-1-10 911 Emergency Telephone Number System

- A. Definitions. In this section, unless the context otherwise requires:
1. "Emergency" means any situation in which human life or property is in jeopardy and the prompt summoning of aid is essential.
 2. "911" means the Town 911 emergency telephone number system.
- B. Prohibition. It is unlawful for any person to intentionally and willfully dial the 911 emergency telephone number and falsely report a nonexisting emergency or to dial the 911 emergency telephone number with the intention to harass, annoy or otherwise interfere with the intended operation of the 911 emergency telephone number system.

CHAPTER 12

TRAFFIC

CHAPTER 12

TRAFFIC

Article 12-1 ADMINISTRATION

- 12-1-1 Duty of Police Department
- 12-1-2 Records of Traffic Violations
- 12-1-3 Police Department to Investigate Accidents
- 12-1-4 Traffic Accident Studies

Section 12-1-1 Duty of Police Department

- A. It shall be the duty of the police department to provide for the enforcement of the street traffic regulations of the town and all of the state vehicle laws applicable to street traffic in the town, to make arrests for traffic violations, to investigate accidents and to assist in developing ways and means to improve traffic conditions, and to carry out all duties specially imposed upon the police department by this chapter.
- B. Any peace officer or duly authorized agent of the town may stop and detain a person as is reasonably necessary to investigate an actual or suspected violation of this chapter and to serve a copy of the traffic complaint for any alleged civil or criminal violation of this chapter.

Section 12-1-2 Records of Traffic Violations

- A. The police department shall keep a record of all violations of the traffic laws of the town or of the state vehicle laws of which any person has been charged, together with a record of the final disposition of all such alleged offenses. Such record shall accumulate during at least a five-year period and from that time on the record shall be maintained complete for at least the most recent five-year period.
- B. All forms for records of violations and notices shall be serially numbered. For each month and year, a written record shall be maintained complete for at least the most recent five-year period.

Section 12-1-3 Police Department to Investigate Accidents

It shall be the duty of the police department to investigate traffic accidents and to arrest and assist in the prosecution of those persons charged with violations of law causing or contributing to such accidents.

Section 12-1-4 Traffic Accident Studies

Whenever the accidents at any particular location become numerous, the police department shall conduct studies of such accidents and determine remedial measures.

TRAFFIC (Cont.)

Article 12-2 TRAFFIC CONTROL

- 12-2-1 Directing Traffic
- 12-2-2 Obedience to Traffic Regulations
- 12-2-3 Use of Coasters, Roller Skates and Similar Devices Restricted
- 12-2-4 Traffic Control Devices
- 12-2-5 Authority to Designate Crosswalks, Establish Safety Zones and Mark Traffic Lanes
- 12-2-6 Authority to Place and Obedience to Turning Markers
- 12-2-7 Authority to Place and Obedience to Restricted Turn Signs
- 12-2-8 One-Way Streets and Alleys
- 12-2-9 Regulation of Traffic at Intersections
- 12-2-10 Drivers to Obey Signs
- 12-2-11 Processions

Section 12-2-1 Directing Traffic

- A. The police department is hereby authorized to direct all traffic by voice, hand or signal.
- B. Officers of the fire department, when at the scene of a fire, may direct or assist the police department in directing traffic thereat or in the immediate vicinity.

Section 12-2-2 Obedience to Traffic Regulations

It is a civil traffic violation for any person to do any act forbidden or fail to perform any act required by this chapter. It is a Class 2 misdemeanor for any person to willfully fail or refuse to comply with any lawful order or direction of the police department or any of its duly designated, qualified and acting law enforcement agents.

Section 12-2-3 Use of Coasters, Roller Skates and Similar Devices Restricted

It is a civil traffic violation for any person upon roller skates or riding any coaster, toy vehicle or similar device to go upon any roadway except while crossing a street on a crosswalk, and, when crossing, such person shall be granted all of the rights and shall be subject to all of the duties applicable to pedestrians.

Section 12-2-4 Traffic Control Devices

- A. The town shall place and maintain traffic control devices, signs and signals when and as required under the traffic regulations of the town to make effective the provisions of said regulations, and may place and maintain such additional traffic control devices as necessary to regulate traffic under the traffic laws of the town or under state law or to guide or warn traffic.
- B. The driver of any vehicle shall obey the instructions of any official traffic control device applicable thereto placed in accordance with the traffic regulations of the town unless otherwise directed by the town marshal or member of the police department, subject to the exceptions granted in this chapter or by state law.

TRAFFIC (Cont.)

Section 12-2-5 Authority to Designate Crosswalks, Establish Safety Zones and Mark Traffic Lanes

The Town Manager or his designee is hereby authorized:

- A. To designate by appropriate devices, marks or lines upon the surface of the roadway, crosswalks at intersections where, in his opinion, there is particular danger to pedestrians crossing the roadway, and at such other places as he may deem necessary.
- B. To establish safety zones of such kind and character and at such places as he may deem necessary for the protection of pedestrians.
- C. To mark lanes for traffic on street pavement at such places as he may deem advisable, consistent with the traffic laws of the town and the state.
- D. The council may adopt further rules and regulations from time to time as they deem necessary for the safety and efficient use of the town roads by the public.

Section 12-2-6 Authority to Place and Obedience to Turning Markers

- A. The town manager or his designee is authorized to place markers, buttons or signs within or adjacent to intersections indicating the course to be traveled by vehicles turning at such intersections, and such course to be traveled as so indicated may conform to or be other than as prescribed by law.
- B. When authorized markers, buttons or other indications are placed within an intersection indicating the course to be traveled by vehicles turning thereat, no driver of a vehicle shall disobey the directions of such indications.

Section 12-2-7 Authority to Place and Obedience to Restricted Turn Signs

- A. The town manager or his designee is hereby authorized to determine those intersections at which drivers of vehicles shall not make a right, left or U-turn and shall have proper signs placed at such intersections. The making of such turns may be prohibited between certain hours of any day and permitted at other hours, in which event the same shall be plainly indicated on the signs, or such signs may be removed when such turns are permitted.
- B. Whenever authorized signs are erected indicating that no right or left or U-turn is permitted, no driver of a vehicle shall disobey the directions of any such sign.

TRAFFIC (Cont.)

Section 12-2-8 One-Way Streets and Alleys

- A. The council shall by resolution designate any streets or alleys which are to be limited to one-way traffic.
- B. When any resolution of the council designates any one-way street or alley, the town shall place and maintain signs giving notice thereof, and no such regulation shall be effective unless such signs are in place. Signs indicating the direction of lawful traffic movement shall be placed at every intersection where movement of traffic in the opposite direction is prohibited.

Section 12-2-9 Regulation of Traffic at Intersections

- A. The council shall by resolution designate through streets, intersections where stops are required, and intersections where vehicles shall yield the right of way.
- B. When any resolution of the council shall designate any through street or intersection where vehicles are to stop or yield the right of way, the town manager or his designee shall erect and maintain the appropriate signs at every location where a vehicle must stop or yield the right of way.
- C. Whenever any laws of the town designate and describe a through street, it shall be the duty of the town to place and maintain a stop sign on each and every street intersecting such through street or intersecting that portion thereof described and designated as such by the laws of the town.

Section 12-2-10 Drivers to Obey Signs

Whenever traffic signs are erected as provided in this chapter, every driver of a vehicle shall obey such signs unless directed to proceed by the town marshal, a member of the police department or a traffic control signal. No driver shall drive upon or through any private property such as an oil station, vacant lot or similar property to avoid obedience to any regulation included in this chapter.

Section 12-2-11 Processions

- A. No procession or parade, except funeral processions, shall be held without first securing a permit from the town marshal, and all such requests for permits shall state the time, place of formation, proposed line of march, destination and such other regulations as the town marshal may set forth therein.
- B. A funeral procession composed of a procession of vehicles shall be identified by such methods as may be determined and designated by the town marshal.

TRAFFIC (Cont.)

- C. No driver of a vehicle shall drive between the vehicles comprising a funeral or other authorized procession while they are in motion and when such vehicles are conspicuously a part of the procession.
- D. Each driver in a funeral or other procession shall drive as near to the right hand edge of the roadway as practical and shall follow the vehicle ahead as close as is practical and safe.

Article 12-3 PARKING

- 12-3-1 Method of Parking
- 12-3-2 Blocking Traffic
- 12-3-3 Parking Adjacent to Schools
- 12-3-4 Authority to Erect Signs Restricting Parking
- 12-3-5 Parking Vehicles on Sidewalks
- 12-3-6 Handicapped Parking

Section 12-3-1 Method of Parking

- A. Except as otherwise provided by resolution of the council, every vehicle stopped or parked upon a roadway where there are adjacent curbs shall be so stopped or parked with the right hand wheels of such vehicle parallel to and within eighteen inches of the right hand curb.
- B. Except as otherwise provided, where there is no adjacent curb, vehicles should be parked off main traveled portion of roadway facing in direction of travel.
- C. It is a civil traffic violation for anyone to leave any type of vehicle unattended without first having secured such vehicle to prevent it from rolling or moving, so as to constitute a hazard.

Section 12-3-2 Blocking Traffic

- A. It is a civil traffic violation for any person to stop, stand or park any vehicle upon a street in the town in such a manner or under such conditions as to leave available less than twenty feet of the width of the roadway for the free movement of vehicular traffic, except that a person may stop temporarily, in the actual loading or unloading of passengers, or when necessary, in the observance of traffic signs or signals of a police officer.
- B. It is a civil traffic violation for any person to park a vehicle within an alley or entrance to a private driveway except for the loading or unloading of materials, and such loading or unloading of materials can only be done when it can be accomplished without blocking the alley to the free movement of vehicular traffic.

Section 12-3-3 Parking Adjacent to Schools

When signs are erected indicating no parking on that side of the street adjacent to any school property, no person shall park a vehicle in any such designated place for one hour before school opens until one hour after school closes on any school day.

TRAFFIC (Cont.)

Section 12-3-4 Authority to Erect Signs Restricting Parking

The town manager, upon approval by the council, may cause to be placed signs requiring parking at an angle to the curb, notifying drivers that parking is prohibited or restricting parking in any way that may be necessary. No parking restrictions shall become effective until such restricted parking area is specifically designated by resolution of the council, and signs have been erected as authorized by this section. It is a civil traffic violation for any person to stop or stand a vehicle in disobedience to such parking restrictions.

Section 12-3-5 Parking Vehicles on Sidewalks

It is a civil traffic violation for any person to park any vehicle, whether in usable condition or not, or for an owner to permit his vehicle to be parked upon any sidewalk in the town.

Section 12-3-6 Handicapped Parking

No person may stop, stand or park a motor vehicle within any parking space marked and designated for handicapped parking pursuant to ARS 28-883.C (as amended) unless the motor vehicle is transporting a person who has been issued a valid placard or international symbol of access special plates, and either the motor vehicle displays a valid removable windshield placard, or special plates which are currently registered to the vehicle, as provided by law.

- A. If a law enforcement officer finds a motor vehicle in violation of this ordinance, the officer may issue a complaint to the operator, person in charge of the motor vehicle, or, if neither is present, to the registered owner of the vehicle, for a civil traffic violation. The minimum civil sanction, if the court finds the party responsible, shall be fifty dollars (\$50.00), plus the penalty assessments prescribed by statute.
- B. The posting of the handicapped parking designations by owners or persons having control of a parking lot or parking area for business customers shall authorize law enforcement officers to enforce the provisions of this ordinance and related state statutes in that parking lot or area, and a waiver of any prior consent for access to the property.
- C. Any person who is chauffeuring a physically disabled person, as defined in ARS 28-378.J.3 (as amended), shall be allowed, without a placard or special access plates, to park momentarily in a handicapped designated space for the purpose of loading or unloading such disabled person.

**PARKS and RECREATION
LIBRARY**

CHAPTER 13
PARKS AND RECREATION; LIBRARY

Article 13-1 PARKS AND RECREATION CODE

13-1-1	General Provisions
13-1-2	Fees
13-1-3	Rules and Regulations
13-1-4	Interpretation of Rules
13-1-5	Penalty

Section 13-1-1 General Provisions

- A. Exclusions. The developing trails system for the town is excluded from this article.
- B. Hours of operation.
1. All municipal parks, playgrounds, recreational areas or facilities shall be open for the use of the general public during the hours posted.
 2. Use or occupancy of any public park outside of its posted hours of operation may be considered criminal trespass.
- C. Authority to Close Parks, Playgrounds.
1. The town manager or designated representative(s) are hereby authorized to close any municipal park, playground, recreational area or facility to all persons not properly authorized to be there, when an emergency exists that demands such closure for the protection of the public peace, health, safety, welfare, morals or at the direction of the council.
 2. In the event the town manager or designated representative(s) directs the closure of any municipal park, playground, recreational area or facility, the date and time of such emergency closure shall be posted upon the property affected.
 3. It is unlawful for any person, not properly authorized, to enter or fail to vacate any park, playground, recreational area or facility when notice of emergency closure has been given.

Section 13-1-2 Fees

The Council may, from time to time, establish and set, by resolution, the amount of charges for all activities sponsored by the parks and recreation department or for use of park property or facilities of the Town.

PARKS and RECREATION; LIBRARY (Cont.)

Section 13-1-3 Rules and Regulations

The Council may adopt rules, regulations, and fee schedules for use of Town parks, recreation areas and facilities by resolution.

Section 13-1-4 Interpretation of Rules

- A. The Town Council shall interpret these rules and regulations and may act in any case not specifically covered herein.
- B. Any request not contemplated by the provisions of this article or any refusal of a permit request may be appealed to the town manager, who may at his discretion decide such appeal or refer it to the council.

Section 13-1-5 Penalty

Violations of this article shall be a class 3 misdemeanor.

Article 13-2 LIBRARY POLICIES AND PROCEDURES

The Council may adopt rules, regulations, and fee schedules for use of Town library by resolution.

- A. That certain document known as Camp Verde Public Library Policies and Procedures, three copies of which are on file in the office of the town clerk, which document was made a public record by Resolution 93-223, is hereby referred to, adopted and made a part hereof as if fully set out in this article.
- B. Violation of subsection A of this section including any regulations adopted by reference shall be a petty offense upon a first offense and upon a subsequent offense a class 3 misdemeanor. Repeat offenders may also be denied any library privileges.

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Virginia Jones

From: "Debbie Barber" <dbarber@cvaz.org>
To: "Virginia Jones" <vjones@cvaz.org>
Sent: Monday, May 11, 2009 4:01 PM
Subject: Fw: Camp Verde Business License Code

Virginia, please get this info for Jeff!

Thanks!
db

— Original Message —

From: Jeff Murray
To: Debbie Barber
Cc: Bill Sims
Sent: Friday, May 08, 2009 3:51 PM
Subject: Camp Verde Business License Code

Hi Debbie. How are things? I need some help. (what else is new?) I'm working on this Zellner matter. As you know, an argument can be made that this whole thing started as a business license application that went astray during the zoning review process. Anyway, I noticed that Article 9-2 of the Town Code was amended in March 2009. Since this case started well before 3/09, I was hoping I could get a copy of Article 9-2 of the Code that was in effect at the time all this started...somewhere around July 1, 2007.

Thanks – hope all is well.

Sincerely,

Jeff Murray
Moyes Sellers & Sims
1850 N. Central Avenue, Suite 1100
Phoenix AZ 85004
Ph: 602-604-2169
Fax: 602-274-9135
jtmurray@lawms.com

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5/12/2009