

ORDINANCE 566-15

AN ORDINANCE OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF QUEEN CREEK, ARIZONA, AMENDING THE QUEEN CREEK TOWN CODE, CHAPTER 5 MUNICIPAL COURT, ARTICLE 5-6 CIVIL HEARING OFFICER AUTHORIZING THE HEARING OFFICER TO HEAR VIOLATIONS AND ASSESS PENALTIES FOR VIOLATIONS OF CHAPTER 10, HEALTH AND SANITATION AND VIOLATIONS OF THE ZONING ORDINANCE PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY.

WHEREAS, the Mayor and Common Council of the Town of Queen Creek have determined that in order to most effectively enforce certain provisions of the Town Code and Zoning Ordinance, violations of such provisions should be enforceable by the assessment of a civil penalty by the civil hearing officer established by Chapter 5 of the Town Code.

BE IT ORDAINED by the Mayor and Common Councils of the Town of Queen Creek as follows:

Section 1: In General

That the Queen Creek Town Code of Queen Creek, Arizona, Chapter 5, Municipal Court Article 5 – 6 Civil Hearing Officer is hereby amended as set forth in "Exhibit A" attached hereto and incorporated herein by this reference.

Section 2: Providing for Repeal of Conflicting Ordinances

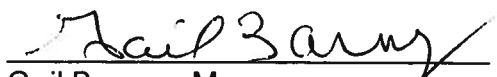
That all ordinances or parts of ordinances in conflict with the provisions of this Ordinance or any part of the Code adopted herein by reference are hereby repealed.

Section 3: Providing for Severability

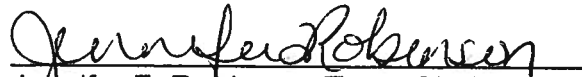
That if any section, subsection, sentence, clause, phrase or portion of this Ordinance or any part of this Code adopted herein by reference, is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions thereof.

PASSED AND ADOPTED BY the Mayor and Common Council of the Town of Queen Creek, Arizona, this 6th day of May 2015.

FOR THE TOWN OF QUEEN CREEK:


Gail Barney, Mayor

ATTESTED TO:

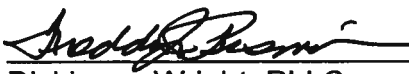

Jennifer F. Robinson, Town Clerk

REVIEWED BY:



John Kross, Town Manager

APPROVED AS TO FORM:



Dickinson Wright, PLLC
Attorneys for the Town

EXHIBIT 'A'
Ordinance 566-15

ARTICLE 5-6 CIVIL HEARING OFFICER²

A Civil Hearing Officer shall be appointed by the Town Manager and may hear all civil code infractions and make such orders as may be proper and necessary to dispose of such cases. Such cases shall be heard without a jury. The Civil Hearing Officer shall adopt such local rules of procedure as may be necessary to implement the hearing of civil code infraction cases. The Civil Hearing Officer shall be the person with authority **TO HEAR COMPLAINTS RELATED TO VIOLATIONS AND** to issue penalties ~~pursuant to Article 107 et seq.~~ **FOR VIOLATIONS** of Chapter 10, HEALTH AND SANITATION and **FOR VIOLATIONS OF THE ZONING ORDINANCE,** and ~~process such violations.~~