

ORDINANCE 781-22

AN ORDINANCE OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF QUEEN CREEK, ARIZONA, AMENDING THE QUEEN CREEK TOWN CODE CHAPTER 2 MAYOR AND COUNCIL, ARTICLE 2-6 ORDINANCES, RESOLUTIONS AND CONTRACTS, SECTION 2-6-8 POSTING REQUIRED, TO ESTABLISH ONE PHYSICAL POSTING LOCATION FOR PUBLIC NOTICE OF ORDINANCES IMPOSING A PENALTY, FINE, FORFEITURE, OR OTHER PUNISHMENT.

WHEREAS, A.R.S. § 431.02 requires the Town of Queen Creek (the “Town”) to post all public notices on the Town website, and to give “additional public notice as is reasonable and practicable;” and

WHEREAS, the Town has determined that the posting of public notices of ordinances imposing a penalty, fine, forfeiture, or other punishment in one physical location in addition to the Town website is “reasonable and practicable;” and

WHEREAS, the Arizona Legislature amended Arizona Revised Statutes (“A.R.S.”) § 9-813 to reduced the requirements for posting of public notices of ordinances imposing a penalty, fine, forfeiture, or other punishment in one physical location in addition to the Town website;

WHEREAS, the Town passed Resolution No. 1441-22 on February 2, 2022, amending the Town Council Policies and Procedures Handbook to set the Town policy of one physical posting location for all Town public notices;

WHEREAS, the Town wishes to amend the Town Code to be consistent with the Town Council Policies and Procedures Handbook and A.R.S. § 9-813.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Common Council of the Town of Queen Creek, Arizona, as follows:

Section 1: Chapter 2 Mayor and Council, Article 2-6 Ordinances, Resolutions and Contracts, Section 2-6-8 Posting Required, of the Town Code is hereby amended to read as follows (additions shown in ALL CAPS; deletion shown by ~~striketrough~~):

~~Every ordinance~~ ORDINANCES imposing any penalty, fine, forfeiture or other punishment shall, after passage, be posted by the clerk AT TOWN HALL, AND ON THE TOWN’S WEBSITE ~~in three or more public places within the town and an affidavit of the person who posted the ordinance shall be filed in the office of the clerk as proof of posting.~~

Section 2: If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions thereof.

PASSED AND ADOPTED by the Mayor and Common Council of the Town of Queen Creek, Arizona, this 16th day of February, 2022.

FOR THE TOWN OF QUEEN CREEK:

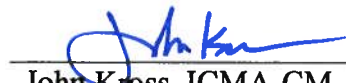
ATTESTED TO:


Gail Barney, Mayor


Maria Gonzalez, Town Clerk

REVIEWED BY:

APPROVED AS TO FORM:


John Kross, ICMA-CM
Town Manager


Dickinson Wright, PLLC
Attorneys for the Town