

ORDINANCE NO. 848-24

AN ORDINANCE OF THE COMMON COUNCIL OF THE TOWN OF QUEEN CREEK, ARIZONA, AMENDING THE QUEEN CREEK TOWN CODE, SECTION 4-2-2, DUTIES OF THE POLICE DEPARTMENT, AND SECTION 9-21-2, CIVIL OFFENSES AND MISDEMEANORS; AND DECLARING AN EMERGENCY

WHEREAS, it is in the best interest of the Town of Queen Creek and its citizens to clarify the application of the Queen Creek Town Code, Section 4-2-2 Duties Of The Police Department, and Section 9-21-2, Offenses and Misdemeanors, to confirm its application to violations of the Town of Queen Creek Zoning Ordinance and other Town codes and regulations ; and

WHEREAS, having the below amendments to the Queen Creek Town Code are necessary for the immediate preservation of the peace, health or safety of the Town and its citizens.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE TOWN OF QUEEN CREEK, ARIZONA, AS FOLLOWS:

Section 1: The Queen Creek Town Code– Section 4-2-2 is amended as follows:

Deletions shown in strikethrough and additions in ALL CAPITALS

4-2-2 ~~Duty~~ Authority Of The Police Department

~~It is the duty of the Police Department,~~ Under the direction of the Chief of Police, the Police Department is hereby authorized to:

- A. Enforce this Code, **THE TOWN ZONING ORDINANCE, THE TOWN BUILDING CODE, THE TOWN FIRE CODE, TOWN RULES AND REGULATIONS**, applicable county codes and regulations, and the statutes of the State of Arizona within jurisdictional limits as conferred by law and to detain, arrest, and charge the violators thereof.

Section 2: The Queen Creek Town Code– Section 9-21-2 is amended as follows:

Deletions shown in strikethrough and additions in ALL CAPITALS

9-21-2 Civil Offenses And Misdemeanors

- A. Except where the context requires a different definition, the terms “Civil Offense”, “Civil Traffic Offense”, “Misdemeanor”, “Class 3 Misdemeanor”, “Class 2 Misdemeanor”, and “Class 1 Misdemeanor” shall have the same meaning, and penalties as set forth in Title 13 and Title 28 of the Arizona Revised Statutes.
- B. Except as otherwise specifically provided in this Chapter, Town Code or in State Statute, any person who fails to comply with requirements of this Chapter, **THE TOWN ZONING ORDINANCE, THE TOWN BUILDING CODE, THE TOWN FIRE CODE**, or the Town Code, or violates any of their provisions,

is guilty of a Civil Offense **SUBJECT TO THE PROVISIONS OF SECTION 9-21-2(C) BELOW.**

C. Except as otherwise specifically provided, Civil Offenses shall be punished by imposition of a civil penalty in the amount of \$250.00 for the first offense; \$500.00 for a second offense in a 12-month period, and \$2,000.00 for a third offense in said 12-month period. A fourth violation after three prior findings of responsibility for a civil offense the violation shall be a Class 3 Misdemeanor. For purposes of calculating the 12-month period, such period shall be calculated by looking backwards from the last offense.

D. Except as otherwise provided, each day that the violation continues shall be a separate violation or offense.

Section 3: All ordinances and part of ordinances are hereby repealed as of the effective date of this Ordinance.

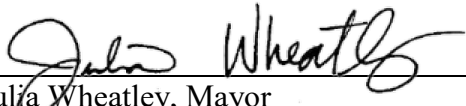
Section 4: If any section, subsection, clause, phrase or portion of this ordinance or any part of these amendments to the Zoning Ordinance are for any reason held invalid or unconstitutional by the decision of any court or competent jurisdiction, such decision shall not affect the validity of the remaining portions thereof.

Section 5: Declaration of Emergency: As it is necessary for the preservation of the peace, health and/or safety of the Town of Queen Creek, an emergency is declared to exist and this Ordinance shall become immediately operative and in force from and after the date of posting hereof.

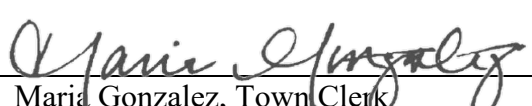
Section 6: At least one paper copy and one electronic copy of this Ordinance are to be filed with and are located the office of the Town Clerk.

PASSED AND ADOPTED by the Common Council of the Town of Queen Creek, Arizona, this 16th day of October, 2024.

FOR THE TOWN OF QUEEN CREEK:


Julia Wheatley, Mayor

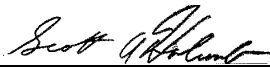
ATTESTED TO:


Maria Gonzalez, Town Clerk

REVIEWED BY:


Bruce R Gardner (Oct 21, 2024 08:43 PDT)
Bruce Gardner, Town Manager

APPROVED AS TO FORM:


Dickinson Wright, PLLC
Town Attorneys

Item 8F Ordinance 848-24

Final Audit Report

2024-10-21

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