

ORDINANCE NO. 1101

AN ORDINANCE OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF WICKENBURG, STATE OF ARIZONA, BY AMENDING CHAPTER 6 POLICE COURT BY AMENDING SECTION 6-6-2 HOME DETENTION FOR VIOLATION OF A.R.S. §28-1381 OR §28-1382, RELATING TO MINIMUM JAIL HOURS; PROVIDING FOR CHANGES; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES, AND PROVIDING FOR SEVERABILITY

BE IT ORDAINED, by the Mayor and Common Council of the Town of Wickenburg, County of Maricopa, State of Arizona as follows:

SECTION I. IN GENERAL

It is hereby ordained by the Mayor and Common Council of the Town of Wickenburg that the Wickenburg Town Code, Chapter 6 POLICE COURT specifically, Section 6-6-2 HOME DETENTION FOR VIOLATION OF A.R.S. §28-1381 OR §28-1382 is hereby amended as follows:

Section 6-6-2 Home Detention for Violation of A.R.S. §28-1381 or §28-1382

A. In addition to the requirements of Section 6-6-1 2, if an offender is sentenced under A.R.S. §28-1381 or §28-1382, the person may participate in a Home Detention Program only if the person meets the requirements of this Section.

B. The person must first serve a minimum of ~~twenty-four (24) consecutive hours~~ ONE (1) DAY in jail if AS sentenced under A.R.S. §28-1381(I). The person must first serve a minimum of ~~fifteen (15) consecutive days~~ TWENTY PERCENT (20%) OF THE INITIAL TERM OF INCARCERATION in jail if sentenced under A.R.S. §28-1381(K) or §28-1382(D) or § 28-1382(F)-(E).

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SECTION II. PROVIDING FOR CHANGES

The Town Clerk is authorized and directed to make such changes in the Wickenburg Town Code so as to properly reflect the changes herein made by this Ordinance.

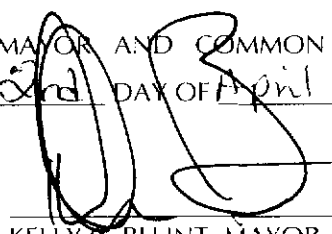
SECTION III. REPEAL OF CONFLICTING ORDINANCES

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in conflict with the provisions of the Ordinance or any part of the Code adopted herein by reference are hereby repealed.

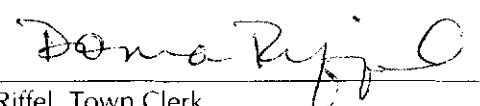
SECTION IV. SEVERANCE CLAUSE

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

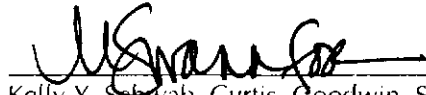
PASSED AND ADOPTED BY THE MAYOR AND COMMON COUNCIL OF THE TOWN OF WICKENBURG, STATE OF ARIZONA, ON THIS 2nd DAY OF April, 2012.


KELLY C. BLUNT, MAYOR

ATTEST:


Donna Riffel, Town Clerk

APPROVED AS TO FORM:

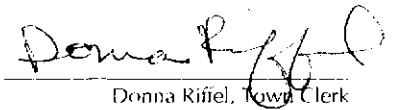


Kelly Y. Schwab, Curtis, Goodwin, Sullivan, Udall & Schwab P.L.C., Town Attorneys.

Number of Councilmembers Present: 7
Number of Votes For: 7
Number of Votes Against: 0
Number of Abstentions: 0

CERTIFICATION

I, Donna Riffel, Town Clerk, HEREBY CERTIFY that the foregoing Ordinance Number 1101 was duly passed and adopted by the Common Council of the Town of Wickenburg, Arizona, at a regular meeting held on the 2nd day of APRIL, 2012, and that a quorum was present at the meeting.


Donna Riffel, Town Clerk