



ORDINANCE NO. 1167

AN ORDINANCE OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF WICKENBURG, ARIZONA, AMENDING THE TOWN OF WICKENBURG CODE, CHAPTER 10 OFFENSES, ARTICLE 10-1 UNLAWFUL ACTS, BY ADOPTING A NEW SECTION 10-1-24 OBSTRUCTING GOVERNMENT OFFICIALS RELATED TO OBSTRUCTION OF GOVERNMENTAL OFFICIALS IN PERFORMING DUTIES, FAILING TO OBEY ORDERS OF A POLICE OFFICER AND MISTREATMENT OF A POLICE DOG; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY AND PENALTIES

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

Section I. In General.

The Code of Wickenburg, Chapter 10 Offenses is hereby amended by adopting a new Section 10-1-24 Obstructing Government Officials to read as follows (deleted text appears in ~~strikeout~~; new text in ALL CAPS):

Section 10-1-24 Obstructing Government Officials

- A. IT IS UNLAWFUL FOR ANY PERSON TO KNOWINGLY OBSTRUCT, DELAY, RESIST OR OPPOSE ANY POLICE OFFICER, ANY MEMBER OF THE FIRE DEPARTMENT, OR ANY OTHER TOWN OFFICIAL IN THE PERFORMANCE OR ATTEMPTED PERFORMANCE OF HIS OR HER DUTIES. IT IS AN AFFIRMATIVE DEFENSE TO ANY CHARGE PURSUANT TO THIS SECTION THAT THE PERSON ONLY UTTERED WORDS ALONE, REGARDLESS OF HOW OFFENSIVE OR OBSCENE THE WORDS MAY BE.
- B. IT IS UNLAWFUL FOR ANY PERSON TO KNOWINGLY FAIL OR REFUSE TO OBEY OR OTHERWISE COMPLY WITH ANY LAWFUL ORDER ISSUED BY A POLICE OFFICER, INCLUDING FLEEING OR REFUSING A REQUEST TO PROVIDE A FULL, TRUE NAME WHEN SUCH OFFICER HAS REASONABLE SUSPICION THAT CRIMINAL ACTIVITY IS OCCURRING, HAS OCCURRED, OR IS ABOUT TO OCCUR.
- C. IT IS UNLAWFUL FOR ANY PERSON TO TORTURE, TORMENT, BEAT, KICK, MUTILATE, INJURE, DISABLE OR KILL ANY ANIMAL USED BY A TOWN OFFICIAL IN

THE PERFORMANCE OF ITS FUNCTIONS AND DUTIES, OR TO INTERFERE OR MEDDLE WITH ANY ANIMAL WHILE BEING USED BY A TOWN OFFICIAL IN THE PERFORMANCE OF ANY OF THE FUNCTIONS OR DUTIES OF THE TOWN. ANYONE WHO VIOLATES THIS SECTION IS GUILTY OF A CLASS 1 MISDEMEANOR.

Section II. Repeal of Conflicting Ordinance.

All ordinances and 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in conflict with the provisions of this ordinance or any part of the code adopted herein by reference are hereby repealed.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 III. Providing for Severability.

If any section, subsection, sentence, clause, phrase or portion of this Ordinance or any part of the 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.

Section IV. Providing for Penalties.

Any person found guilty of violating any provision of this Ordinance shall be guilty of a class 1 misdemeanor and shall be subject to the violation and penalty provisions of Section 1-8 of the Wickenburg Town Code. The court shall also enter an order of abatement against a party found responsible for a violation of this article.

PASSED AND ADOPTED by the Town Council of the Town of Wickenburg, Arizona, this 4th day of October, 2016.

By: John Cook
John Cook, Mayor

ATTEST:

By: Gloria Leija
Gloria Leija,
Town Clerk

APPROVED AS TO FORM:

By: Susan Goodwin
Susan D. Goodwin, Town Attorney
Gust Rosenfeld, PLC

Number of Councilmembers Present: 6

Number of Votes For: 6

Number of Votes Against: 0

Number of Abstentions: 0

CERTIFICATION

I HEREBY CERTIFY that the foregoing Ordinance Number 1168 was duly passed and adopted by the Common Council of the Town of Wickenburg, Arizona, at a regular meeting held on the 4th day of October, 2016, and that a quorum was present at the meeting.

Gloria Leija

Gloria Leija, MMC
Town Clerk