

SAHUARITA ORDINANCE NO. 2025-189

AN ORDINANCE OF THE TOWN OF SAHUARITA, ARIZONA, AMENDING TITLE 8 HEALTH AND SANITATION, CHAPTER 8.10 REMOVAL OF LITTER, AMENDING SECTION 8.10.050 PROCEDURE TO COMPEL REMOVAL OF LITTER, PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; AND PROVIDING FOR SEVERABILITY.

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

Section 1. The Town of Sahuarita Municipal Code Title 8 Health and Sanitation, Chapter 8.10 Removal of Litter, amending Section 8.10.050 Procedure to Compel Removal of Litter, to read as follows:

8.10.050 Procedure to compel removal of litter.

~~The town manager shall enforce the provisions of STC 8.10.020 and 8.10.030 by prosecuting violators in the Sahuarita municipal court pursuant to the provisions of this code. If such prosecution fails to secure compliance with the provisions of said sections, or in the event of inability to prosecute violators by reason of failure to secure jurisdiction over their persons, the manager shall compel the removal of litter by the procedure outlined in STC 8.10.060 through 8.10.100.~~

ANY PERSON FOUND GUILTY OF VIOLATING ANY PROVISION OF STC 8.10.020 OR 8.10.030 SHALL BE GUILTY OF A CLASS ONE MISDEMEANOR, AND UPON CONVICTION THEREOF SHALL BE PUNISHED BY A FINE OF NOT TO EXCEED \$2,500.00 OR BY IMPRISONMENT FOR A PERIOD NOT TO EXCEED SIX MONTHS, OR BY BOTH SUCH FINE AND IMPRISONMENT. EACH DAY THAT A VIOLATION CONTINUES SHALL BE A SEPARATE OFFENSE PUNISHABLE AS HEREINABOVE DESCRIBED.

NOTWITHSTANDING ANY CRIMINAL PENALTIES AS PRESCRIBED UNDER ARS TITLE 13 OR STC 1.05.100, A VIOLATION OF ANY PORTION OF THIS TITLE EXCEPT AS OUTLINED BELOW IS A CIVIL OFFENSE PUNISHABLE BY A CIVIL SANCTION OF NOT MORE THAN \$500.00. EACH DAY THE VIOLATION CONTINUES SHALL CONSTITUTE A SEPARATE AND DISTINCT OFFENSE. IF PROSECUTION FAILS TO SECURE COMPLIANCE WITH THE PROVISIONS OF SAID SECTIONS, OR IN THE EVENT OF INABILITY TO PROSECUTE VIOLATORS BY REASON OF FAILURE TO SECURE JURISDICTION OVER THEIR PERSONS, THE

TOWN MANAGER OR DESIGNEE SHALL COMPEL THE REMOVAL OF LITTER BY THE PROCEDURE OUTLINED IN STC 8.10.060 THROUGH 8.10.100.

- Section 2.** The various Town officers and employees are authorized and directed to perform all acts necessary or desirable to give effect to this ordinance and sections of the Town Code.

- Section 3.** All ordinances, resolutions, or motions and parts of ordinances, resolutions or motions of the Town Council in conflict with the provisions of this ordinance are hereby repealed, effective as of the date of this ordinance. All internal reference within the Town Code to any affected provision are hereby updated.

- Section 4.** If any section, subsection, sentence, clause, phrase or portion of this ordinance, or any part of this amendment to the Town Code, 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 Council of the Town of Sahuarita, Arizona, this 13th day of October 2025.

[Signatures on the following page]

Approved:

Tom Murphy

Mayor Tom Murphy

ATTEST:

M. Cole

for Lisa Cole, MMC
Town Clerk

CERTIFICATION OF RECORDING OFFICER

State of Arizona)
County of Pima) ss.

I, the undersigned, Lisa Cole, MMC, being the duly appointed, qualified Town Clerk of the Town of Sahuarita, Pima County, Arizona, certify that the foregoing Ordinance is a true, correct, and accurate copy of Ordinance No. 2025-189, passed and adopted at a Voting Meeting of the Council of the Town of Sahuarita, Pima County, Arizona, held on the 13th day of October 2025, at which a quorum was present and by 7-0 vote, all voted in favor of the said ordinance.

Given under my hand and sealed this 13th day of October 2025.

SEAL:



M. Cole

for Lisa Cole, MMC
Town Clerk

APPROVED AS TO FORM:

Jon M. Paladini

Jon Paladini, Town Attorney