

## ORDINANCE NUMBER 15-006

AN ORDINANCE OF THE MAYOR AND CITY COUNCIL OF THE CITY OF SAFFORD, GRAHAM COUNTY, ARIZONA AMENDING TITLE 9, PUBLIC PEACE, MORALS AND WELFARE, ADDING CHAPTER 9.14 - PROVIDING A LOCATION FOR AN UNLAWFUL MINOR PARTY/GATHERING, AKA THE SOCIAL HOST ORDINANCE TO THE MUNICIPAL CODE OF THE CITY OF SAFFORD.

NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF SAFFORD as follows:

Title 9 of the Municipal Code of the City of Safford, is amended by adding Chapter 9.14 to read: Chapter 9.14 - Providing a Location for an Unlawful Minor Party/Gathering Prohibited

### **9-14.010 Definitions**

For the purpose of this article, the following terms shall have the meanings respectively ascribed to the herein unless the context requires otherwise:

1. *Juvenile* means a minor under the age of eighteen (18) years.
2. *Minor* means any person under the age of twenty-one (21) years.
3. *Owner* means a person, persons or legal entity listed as the current titleholder of real property, as recorded in the official records of the Graham County Recorder's Office.
4. *Absentee Owner* means an owner that does not reside at the property.
5. *Responsible person* means an owner, tenant, renter, lessor, lessee or other person residing in or having charge, possession or control of the premises, or a person who sponsored, allowed or authorized the party/gathering and who knew or should have known that an Unlawful Minor Party/Gathering was occurring on the premises. If such person is a juvenile, the term "responsible person" includes, in addition to the juvenile, the juvenile's parents, legal guardian(s), or other person exercising care, custody or supervision of the juvenile.
6. *Spirituos liquor* shall have the same meaning as defined in A.R.S. 4-101(31).
7. *Minor Party/Gathering* means a party or gathering of two or more people where spirituous liquor is served to, in the possession of, or, consumed by any minor.

### **9-14.020 Providing a Location for a Minor Party/Gathering**

It is unlawful for the responsible person to provide a location for, or to permit, authorize, sponsor or allow, a Minor Party/Gathering on private property under the responsible person's ownership, possession or control.

### **9-14.030 Penalties**

Providing a location for Minor Party/Gathering is a civil infraction. A person found responsible

of violation of this section is subject to a civil penalty as follows:

1. For a first violation, the court may impose a civil penalty of not more than \$250. The court may allow the person to complete a substance abuse education program as determined by the court in lieu of the penalty. An absentee owner will receive a notice of violation for the first offense and will not be subject to a civil penalty. Thereafter, in addition to other responsible parties, an absentee owner will be treated as an occupant of the premises for subsequent offenses.
2. For a second violation within a period of eighteen months, the court may impose a civil penalty of not more than \$1000.
3. For the third or subsequent violation within a period of eighteen months, the court may impose a civil penalty of not more than \$1500 for each violation.
4. In applying the eighteen-month provision of section 9-14.2 and 9-14.3 the dates of commission of the offense shall be the determining factor.

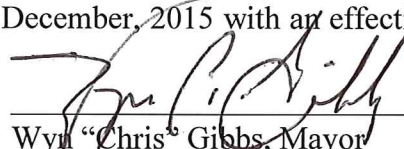
**9-14.040 Collection of civil penalties**

Civil penalties may be collected in any manner provided by law.

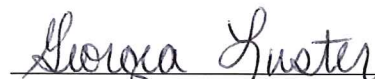
**9.14.050 Hearings**

The Safford Municipal Court shall have jurisdiction to hear and dispose of violations of this section. Hearings shall be conducted pursuant to the Arizona Rules of Procedure in Civil Traffic Violation Cases except where otherwise inconsistent with or inapplicable to such hearings.


**PASSED, APPROVED AND ADOPTED** by the Mayor and City Council of the City of Safford, Graham County, Arizona this 14th day of December, 2015 with an effective date of the 14<sup>th</sup> day of January, 2016.

  
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Wyn "Chris" Gibbs, Mayor  
City of Safford

ATTEST:

  
\_\_\_\_\_  
Georgia Luster, MMC  
City Clerk

APPROVED AS TO FORM:

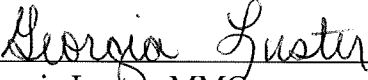
  
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William J. Sims  
City Attorney

Ordinance Number 15-006  
Adopted: December 14, 2015  
Effective: January 14, 2016  
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State of Arizona        )  
                                  ) ss  
County of Graham     )

CERTIFICATION

I HEREBY CERTIFY, that the foregoing Ordinance Number 15-006 was duly passed and adopted by the Mayor and City Council of the City of Safford, Graham County, Arizona, at a regular council meeting held December 14, 2015, with an effective date of 14<sup>th</sup> day of January, 2016. A quorum of the Council was present at the meeting.

  
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Georgia Luster, MMØ  
City Clerk

December 14, 2015  
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Date: