

ORDINANCE NUMBER 13-006

AN ORDINANCE OF THE MAYOR AND CITY COUNCIL OF THE CITY OF SAFFORD, GRAHAM COUNTY, ARIZONA, AMENDING TITLE 13, PUBLIC SERVICES, CHAPTER 13.20, MUNICIPAL WATER SYSTEM, ADDING SECTION 13.20.070 WATER CONSERVATION POLICY OF THE CITY OF SAFFORD MUNICIPAL CODE AS A PUBLIC RECORD BY REFERENCE, ADOPTING REGULATIONS AND RESTRICTIONS ON THE DELIVERY AND CONSUMPTION OF WATER USE, AND DECLARING AN EMERGENCY.

WHEREAS, the City of Safford is experiencing periods of drought and has determined it appropriate and prudent to enhance demand stresses on its water system through conservation measures and prohibitions against unnecessary or unwise water usage during periods of reduced water recharge during times of drought and shortfall in natural precipitation; and,

WHEREAS, it is the intention of the City of Safford to amend Title 13, Public Services, Chapter 13.20 Municipal Water System, by adding Section 13.20.070, a Water Conservation Policy to identify water supply needs, explains water management practices that will protect water supplies during short and long term emergency situations specific to the City's water supply and treatment system, and recommend water management and conservation practices to extend current water supplies; and,

WHEREAS, it is in the interests of the general welfare of the citizens of the City of Safford to maintain water levels sufficient to provide reasonable amounts of water to its citizens and to maintain water levels sufficient to assist in the fighting of fires year-round, but especially so during summer drought periods; and,

WHEREAS, the City of Safford wishes to promote business retention, sound economic growth, and equitable and responsible residential housing strategies during times of reduced water recharge; and

WHEREAS, the City of Safford has found that the adoption of Ordinance Number 13-006 is necessary and appropriate to protect the health, safety, and welfare of the citizens of the City of Safford as a lawful exercise of police power vested in the City by the State of Arizona; and,

WHEREAS, the Mayor and City Council have heretofore adopted Resolution Number 13-017 amending Chapter 13.20 of the City of Safford Municipal Code by adding Section 13.20.070, Water Conservation Policy, relating to water conservation; and,

WHEREAS, it is the desire of the Mayor and City Council to adopt said Section 13.20.070 of the *City of Safford Municipal Code* as contained in Resolution Number 13-017 by reference pursuant to Arizona Revised Statutes §9-802; and,

NOW THEREFORE, THE MAYOR AND CITY COUNCIL OF THE CITY OF SAFFORD, GRAHAM COUNTY, ARIZONA DO HEREBY ORDAIN AS FOLLOWS:

- Section 1. That Resolution Number 13-017 of the City of Safford and each and all of the provisions therein, including Section 13.20.070 of Chapter 13.20 of the *City of Safford Municipal Code*, is hereby declared to be a public record, and all the provisions therein are hereby adopted by this reference as though all the provisions therein were set forth in full in this Ordinance Number 13-006.
- Section 2. That at least three copies of Resolution Number 13-017 and of this Ordinance Number 13-006 shall be filed in the Office of the City Clerk of the City of Safford and the same shall be kept available for public use and inspection.
- Section 3. Section 13.20.070 of Chapter 13.20 of the *City of Safford Municipal Code* contains penalties.
- Section 4. If any section, subsection, sentence, clause, phrase or portion of this Ordinance Number 13-006 is for any reason held to be invalid or unconstitutional by the decision of any court or competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The Mayor and City Council of the City of Safford declares that it would have adopted this Ordinance and each section, subsection, sentence, clause, phrase or portion thereof despite the fact that any one or more sections, subsection, sentence, clause, phrase or portions would be declared invalid or unconstitutional.

WHEREAS, it is necessary for the preservation of the peace, health and safety of the City of Safford, Graham County, Arizona an emergency is declared to exist, and this Ordinance shall become immediately operative and in force from and after the date of posting hereof.

PASSED, APPROVED AND ADOPTED BY THE MAYOR AND CITY COUNCIL of the City of Safford, Graham County, Arizona this 10th day of June, 2013.

Wyn "Chris" Gibbs, Mayor
City of Safford

ATTEST:

APPROVED AS TO FORM:

Georgia Luster, MMC
City Clerk

William J. Sims
Interim City Attorney

CERTIFICATION

STATE OF ARIZONA)
) ss
County of Graham)

I HEREBY CERTIFY, that the foregoing Ordinance Number 13-006 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 June 10, 2013. A quorum of the Council was present at the meeting.

Georgia Luster, MMC
City Clerk

Date: