



CITY OF SOUTH TUCSON ORDINANCE NO: 09-05

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AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF SOUTH TUCSON, ARIZONA, RELATING TO THE SOUTH TUCSON CITY CODE CHAPTER 20, SOLID WASTE; AMENDING CHAPTER 20, ARTICLE II, SECTION 20-27 THEREOF; VESTING AUTHORITY UPON THE CITY MANAGER; PROVIDING FOR CODE COMPLIANCE AND PENALTIES THEREOF; REPEALING CURRENT SECTION 20-27 AND ALL ORDINANCES IN CONFLICT THEREWITH; AND ESTABLISHING AN EFFECTIVE DATE.

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF SOUTH TUCSON, ARIZONA AS FOLLOWS:

**Section 1:** Designating Document as a Public Record.

That a certain document, three (3) copies of which are on file in the office of the City Clerk of the City of South Tucson, being marked and designated as **Amended Chapter 20 [SOLID WASTE]** governing all business transactions for the purposes of revenue and regulation be and is hereby adopted and designated as a public record; providing regulations for delinquency and penalty regulations thereto; and providing for enforcement regulations as described in Section 2 of this Ordinance.

**State law reference** — Adoption by reference, A.R.S. §§ 9-801 and 9-802

**Section 2:** Revisions, Additions, Changes and/or Renumbering.

**Chapter 20, Section 20-27:**

When any account provided for by the provisions of this article becomes due and unpaid for fifteen (15) days, the tax is delinquent and subject to a penalty. The City Manager is vested with the authority to oversee, administer and implement the provisions of this Chapter. The City Manager shall, on the day the tax becomes delinquent, add thereto a penalty in an amount equal to one and a half (1 ½ %) percent of the total amount of any tax unpaid and delinquent.

The City Manager is vested with the authority and duty to enforce the provisions of this chapter. The City Manager is authorized to negotiate payment plans and to negotiate settlement compromises on all delinquent accounts consistent with general accounting procedures and the South Tucson City Code.

(Code 2006; Ord. No. 06-02, 4-10-06) (Code 2009; Ord. 09-05, §§ 2, 3,  
(November \_\_\_\_\_, 2009)

**Section 3:** Adoption of Amendment Chapter 20, Section 20-27 is enacted for the purpose of revising, updating and amending revenue and regulation provisions in that Chapter.

**Section 4:** The current Chapter 20, Section 20-27 adopted pursuant to Code 2006, Ord. No. 06-02 all other ordinances or parts of ordinances in conflict herewith are hereby repealed.

**Section 5:** That if any section, subsection, sentence, clause or phrase of this ordinance is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance. The City of South Tucson, Arizona hereby declares that it would have passed this ordinance, and each section, subsection, clause or phrase, irrespective of the fact that any sections, subsections, sentences, clauses and phrases be declared unconstitutional.

**Section 6:** That nothing in this Ordinance shall be construed to affect any suit or proceeding impending in any court, or any rights acquired, or liability incurred, or any cause or causes of actions acquired or existing, under any section or ordinance or part of an ordinance hereby repealed as cited in this ordinance; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this ordinance.

**Section 7:** That the various City Officers and Official(s) and/or any other duly appointed deputy are authorized and directed to perform all acts necessary or desirable to give effect and to carry out all the duties authorized under this Ordinance and the City Code.

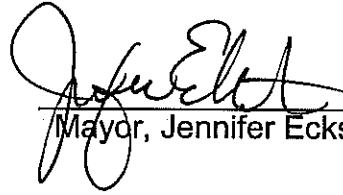
**Section 8:** That where this Ordinance conflicts or overlaps with any other statute, ordinance, code provision or regulation, whichever imposes the more stringent restrictions for the health, safety and welfare of the public shall prevail.

**Section 9:** The City Clerk is ordered and directed to cause this ordinance to be published.

**Section 10:** The City Clerk shall attest to the adoption of this Ordinance and cause same to be maintained as a public record as required by law. This Ordinance shall become effective thirty (30) days after the Mayor and Council perform a reading, conduct a public hearing, publication as required by law, passage and adoption thereof.

**PASSED AND ADOPTED** by the Mayor and Council of the City of South Tucson, Arizona, this \_\_\_\_\_ day of November, 2009.

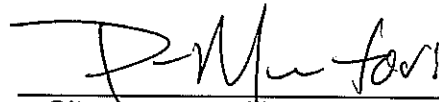
**APPROVED/EXECUTED**

  
\_\_\_\_\_  
Mayor, Jennifer Eckstrom

ATTEST:

APPROVED AS TO FORM:

  
\_\_\_\_\_  
City Clerk, Veronica B. Moreno

  
\_\_\_\_\_  
City Attorney, Hector M. Figueroa

Publish: November \_\_\_\_ and November \_\_\_\_, 2009  
Public Hearing: \_\_\_\_\_, 2009

*Not  
Needed*