

ORDINANCE NO. 2020-01

AN ORDINANCE OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF YOUNGTOWN, ARIZONA, AMENDING THE CODE OF YOUNGTOWN, ARIZONA, TITLE 8 HEALTH AND SAFETY, CHAPTER 8.32 NUISANCES; SECTION 8.32.040 PUBLIC NUISANCES DEFINED BY ADDING A PUBLIC NUISANCE DEFINITION - FEEDING OF PIGEONS; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR PENALTIES.

WHEREAS, the Town Council of the Town of Youngtown previously adopted Chapter Title 8 Health and Safety, Chapter 8.32 Nuisances; Section 8.32.040 Public Nuisances Defined of the Town Code; and

WHEREAS, the Common Council has determined that it is in the best interest of the Town and of the health, safety and welfare of its citizens to prohibit the feeding of pigeons in a public park, open space, right-of-way, alley way or other public place.

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

Section I. In General.

The Code of Youngtown, Arizona, Chapter Title 8 Health and Safety, Chapter 8.32 Nuisances; is hereby amended to add to Section 8.32.040 Public Nuisances Defined a new subparagraph P and renumbering the remaining subparagraph accordingly, as follows (additions in ALL CAPS; deletions in ~~strikeout~~):

Section 8.32.040 Public Nuisances Defined

* * *

P. THE FEEDING OF PIGEONS IN A PUBLIC PARK, OPEN SPACE, RIGHT-OF-WAY, ALLEY WAY OR ANY OTHER PUBLIC PLACE.

* * *

Section II. Providing for Repeal of Conflicting Ordinances.

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in conflict with the provisions of this Ordinance or any part of the Code adopted herein by reference, are hereby repealed.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 responsible for a civil infraction, punishable by a fine not less than fifty dollars (\$50.00) nor more than five hundred dollars (\$500.00) for each violation. Each day that a violation continues shall be a separate offense punishable as hereinabove described.

PASSED AND ADOPTED by the Common Council of the Town of Youngtown, Arizona, this 20th day of February, 2020, by the following vote:

AYES: 7

NAYES: 0 ABSENT: 0

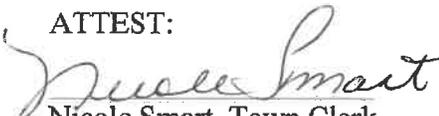
EXCUSED: 0 ABSTAINED: 0

APPROVED this 20th day of February, 2020.



Michael E. LeVault, Mayor

ATTEST:



Nicole Smart, Town Clerk

APPROVED AS TO FORM:



Frish Stuhan, Town Attorney

I, NICOLE SMART, TOWN CLERK, DO HEREBY CERTIFY THAT A TRUE AND CORRECT COPY OF THE ORDINANCE NO. 2020-01 ADOPTED BY THE COMMON COUNCIL OF THE TOWN OF YOUNGTOWN ON THE 20th DAY OF February, 2020, WAS POSTED IN THREE PLACES ON THE 27th DAY OF February, 2020.


NICOLE SMART, Town Clerk