

ORDINANCE NO. 19-04

AN ORDINANCE OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF YOUNGTOWN, ARIZONA, AMENDING THE CODE OF YOUNGTOWN, ARIZONA, TITLE 2 ADMINISTRATION AND PERSONNEL, BY AMENDING CHAPTER 2.12 TOWN OFFICERS GENERALLY, SECTION 2.12.120 AUTHORITY OF THE BUILDING CODE INSPECTOR/CODE COMPLIANCE OFFICER; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; AND PROVIDING FOR SEVERABILITY.

WHEREAS, the Common Council of the Town of Youngtown desires to amend the Youngtown Town Code, Title 2 Administration and Personnel; Chapter 2.12 Town Officers Generally, Section 2.12.120 Authority of the Building Code Inspector/Code Compliance Officer to update the Town Code to reflect current organizational structures.

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

Section I. In General.

The Code of Youngtown, Arizona, Title 2 Administration and Personnel, Chapter 2.12 Town Officers Generally, Section 2.12.120 Authority of the Building Code Inspector/Code Compliance Officer, is hereby amended to read as follows (additions in ALL CAPS; deletions in ~~strikeout~~):

2.12.120 - Authority of the building code inspector/code compliance officer.

- A. In addition to any duties prescribed by state law, town ordinance or the town manager, the building code inspector/code compliance officer, ~~and town marshal~~ shall have the authority to issue complaints and serve process for violations of the town code and/or town ordinances AS AUTHORIZED BY LAW. Such authority is not exclusive but instead concurrent with the authority of the TOWN'S DESIGNATED LAW ENFORCEMENT PROVIDER ~~police chief and the police department~~.
- B. The building code inspector/code compliance officer shall be under the direct supervision of the ~~public works~~ COMMUNITY DEVELOPMENT manager.

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in conflict with the provisions of this Ordinance or any part of the Code adopted herein by reference, are hereby repealed.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.

PASSED AND ADOPTED by the Common Council of the Town of Youngtown, Arizona, this 2 day of MAY, 2019, by the following vote:

AYES: 6

NAYES: 0 ABSENT: 1

EXCUSED: 0 ABSTAINED: 0

APPROVED this ____ day of _____, 2019.




Michael LeVault, Mayor

ATTEST:



Nicole Smart, Deputy Town Clerk

APPROVED AS TO FORM:



Trish Stuhan, Gust Rosenfeld, PLC
Town Attorney

I, NICOLE SMART, DEPUTY TOWN CLERK, DO HEREBY CERTIFY THAT A TRUE AND CORRECT COPY OF THE ORDINANCE NO. 19-04 ADOPTED BY THE COMMON COUNCIL OF THE TOWN OF YOUNGTOWN ON THE 2nd DAY OF MAY, 2019, WAS POSTED IN THREE PLACES ON THE 6th DAY OF MAY, 2019.



Nicole Smart, Deputy Town Clerk