

ORDINANCE O23-04-03

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF EL MIRAGE, ARIZONA, AMENDING THE CITY OF EL MIRAGE CODE, CHAPTER 93: ABANDONED PROPERTY, SECTION § 93.01 DEFINITIONS, AND SECTION § 93.02(D)(1) DISPOSAL OF PROPERTY, TO ALIGN THE EL MIRAGE CITY CODE WITH CURRENT ARIZONA REVISED STATUTES.

WHEREAS, City Council wishes to update the City Code from time to time to more accurately reflect current laws of the State of Arizona; and

WHEREAS, City Council desires to amend Section § 93.01 DEFINITIONS of the City Code, by removing “*FIREARM*” from this section; and

WHEREAS, City Council desires to amend Section § 93.02(D)(1) of the City Code to align with A.R.S. 12-945 by removing “pursuant to court order” from the sentence;

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the City of El Mirage, Arizona that the El Mirage City Code be amended as follows:

- Section 1. § 93.01 DEFINITIONS. ~~*FIREARM. Any loaded or unloaded handgun, pistol, revolver, rifle, shotgun, or other weapon that will, or is designed to, or may readily be converted to expel a projectile by the Action of expanding gases, except that it does not include a firearm in permanently inoperable condition.*~~
- Section 2. § 93.02 (D)(1) Sold, ~~*pursuant to court order,*~~ to any business that is authorized to receive and dispose of the firearm under federal and state law, unless the firearm is otherwise prohibited from being sold under federal or state law; or
- Section 3. If any section, subsection, sentence, clause, phrase, or portion of this Ordinance in any part of this addition adopted here is for any reason held 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 4. The City Clerk is hereby directed to publish this adopting ordinance in full and will become effective at the time and manner prescribed by law.

PASSED AND ADOPTED by the Mayor and Council of the City of El Mirage this 4th day of March 2023.

Alexis A. Hermosillo, Mayor

ATTEST:

APPROVED AS TO FORM:

Sharon Antes, City Clerk

Justin Pierce, City Attorney

CERTIFICATION OF RECORDING OFFICER

STATE OF ARIZONA)
County of Maricopa) ss.

I, the undersigned Sharon Antes, being the duly appointed, qualified City Clerk of the City of El Mirage, Maricopa County, Arizona, certify that the foregoing Ordinance No. _____ is a true, correct and accurate copy of Ordinance No. _____, passed and adopted at a Voting Meeting of the Council of the City of El Mirage, Maricopa County, Arizona, held on the ____ day of _____ 2023, at which a quorum was present and, by a _____ vote, _____ voted in favor of said ordinance.

Given under my hand and sealed this ____ day of _____, 2023.

Sharon Antes, City Clerk