

ORDINANCE NO. 2024-02

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FLAGSTAFF, AMENDING THE FLAGSTAFF CITY CODE, TITLE 3 BUSINESS REGULATIONS, CHAPTER 3-10 USER FEES, SECTION 3-10-001-0004 POLICE DEPARTMENT TO REVISE EXISTING FEES AND ADD A NEW FEE FOR BODY CAMERA VIDEO REVIEW AND REDACTION; PROVIDING FOR PENALTIES, REPEAL OF CONFLICTING ORDINANCES, SEVERABILITY, PROVIDING FOR CLERICAL CORRECTIONS, AND ESTABLISHING AN EFFECTIVE DATE

RECITALS:

WHEREAS, the City has authority to establish and operate a Police Department pursuant to A.R.S. § 9-240(B)(12); and

WHEREAS, the State of Arizona A.R.S § 39-129 allows the City to establish a body camera video fee related to public records requests in an amount not to exceed \$46 per video-hour for review and redaction; and

WHEREAS, the City has published and distributed notice of the proposed body camera video rates or fees pursuant to A.R.S. § 9-499.15.

ENACTMENTS:

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF FLAGSTAFF AS FOLLOWS:

SECTION 1. In General.

The Flagstaff City Code, Title 3 Business Regulations, Chapter 3-10 User Fees, Section 3-10-001-0004 Police Department be amended to read as follows (additions shown as capitalized text, deletions in strikeout):

3-10-001-0004 Police Department

The user fees of the Police Department shall be as follows:

Fee Type	Fee per Each
Fingerprinting	\$ 6 EACH
Background checks	\$ 7 EACH
Bicycle license	\$ 2 EACH
Police alarm permits	\$ 10 EACH
Police Reports	\$ 8 EACH
BODY CAMERA VIDEO REVIEW & REDACTION	\$46 PER HOUR
Copies of tapes DIGITAL MEDIA	\$ 30 EACH

The Chief of Police is authorized to waive background check fees, in whole or in part, for those individuals submitting to a background check as a prerequisite for volunteering at a non-profit community, civic, or social organization that supports youth activities in Flagstaff.

SECTION 2. Penalties

Any person found in violation of this ordinance shall be guilty of a civil infraction and shall be fined a sum not to exceed five hundred dollars (\$500.00). Any violation which is continuing in nature shall constitute a separate offense on each successive date the violation continues, unless otherwise provided.

SECTION 3. Repeal of Conflicting Ordinances

All ordinances and parts of ordinances in conflict with the provisions of the code adopted herein are hereby repealed.

SECTION 4. 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 5. Clerical Corrections

The City Clerk is hereby authorized to correct clerical and grammatical errors, if any, related to this ordinance, and to make formatting changes appropriate for purposes of clarity, form, or consistency with the Flagstaff City Code.

SECTION 6. Effective Date

This Ordinance shall be effective February 8, 2024 following adoption by the City Council.

PASSED AND ADOPTED by the City Council of the City of Flagstaff this 6th day of February, 2024.

MAYOR

ATTEST:

CITY CLERK

APPROVED AS TO FORM:

CITY ATTORNEY