

ORDINANCE NO. 2024-25

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FLAGSTAFF, AMENDING THE FLAGSTAFF CITY CODE, TITLE 6, POLICE REGULATIONS, CHAPTER 6-08, NOISE CONTROL, BY ADOPTING BY REFERENCE THAT CERTAIN DOCUMENT ENTITLED “NOISE CONTROL AMENDMENTS”; PROVIDING FOR PENALTIES, REPEAL OF CONFLICTING ORDINANCES, SEVERABILITY, AND ESTABLISHING AN EFFECTIVE DATE

RECITALS:

WHEREAS, members of the community have expressed their concerns to the Mayor and the Flagstaff City Council regarding Nuisance Noise from businesses; and

WHEREAS, Article XIII, Section 8 of the Flagstaff City Charter gives the City Council the plenary power to enact and make all proper and necessary ordinances to carry out and give effect to the implied and express powers granted in the Charter and thereby protect and safeguard the rights, interests, safety, morality, health and welfare of the City and its inhabitants; and

WHEREAS, Article VII, Section 5 of the Flagstaff City Charter requires the Council to act by ordinance when it imposes or provides for imposing fines or other penalties; and

WHEREAS, the City Council finds that enacting amendments to the Noise Control Ordinance protects that rights, interests, safety and welfare of the inhabitants of the City.

ENACTMENTS:

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

SECTION 1. That certain document known as “*Noise Control Amendments*”, one(1) paper copy and (1) electronic copy are on file in the office of the City Clerk of the City of Flagstaff, Arizona, which document is declared a public record by Resolution No. 2024-42 of the City of Flagstaff, Arizona, is hereby referred to, adopted and made a part hereof as if fully set out in this ordinance.

SECTION 2. Repeal of Conflicting Ordinances

All ordinances and parts of ordinances in conflict with the provisions of the code adopted herein are hereby repealed.

SECTION 3. 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 4. 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 5. Effective Date

This Ordinance shall be effective thirty (30) days following adoption by the City Council.

PASSED AND ADOPTED by the City Council of the City of Flagstaff this 5th day of November, 2024.

MAYOR

ATTEST:

CITY CLERK

APPROVED AS TO FORM:

CITY ATTORNEY