

ORDINANCE NO. O23-27

AN ORDINANCE OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, ASSUMING JURISDICTION FROM THE OFFICE OF THE STATE FIRE MARSHAL FOR PRESCRIBING AND ENFORCING FIRE AND LIFE SAFETY CODES AND STANDARDS WITHIN THE CITY OF GLENDALE AT THE MULTI-PURPOSE STADIUM FACILITY AND SURROUNDING PRIVATE PROPERTY AND DECLARING AN EMERGENCY.

WHEREAS, the Tourism and Sports Authority (“AZSTA”) owns and operates a multi-purpose stadium facility near 95th and Maryland Avenues and utilizes surrounding private property for facility operations, and both the stadium and relevant surrounding private property (as defined in this ordinance) are located within the jurisdiction of the City of Glendale; and

WHEREAS, AZSTA has requested that the City of Glendale act as the agency responsible for the enforcement of fire code with respect to the multi-purpose stadium facility and relevant surrounding private property that is utilized by the facility, and the City of Glendale has agreed to such request and wish to modify its city code accordingly; and

WHEREAS, the Office of the State Fire Marshal is willing to cede jurisdiction of the multi-purpose stadium facility and relevant surrounding private property to the City of Glendale pertaining exclusively to fire code enforcement; and

WHEREAS, In conjunction with the City re-assuming jurisdiction over the fire code enforcement of the multi-purpose stadium, the City wishes to terminate the memorandum of understanding related to fire code enforcement with respect to the multi-purpose stadium and relevant surrounding private property that is utilized by the facility.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF GLENDALE as follows:

SECTION 1. That the Glendale City Code Chapter 16 (Fire Prevention and Protection), Article I (In General), Section 16-8 (Assumption of jurisdiction) is amended as follows:

Sec. 16-8. - Assumption of jurisdiction.

- (a) The City of Glendale, pursuant to A.R.S. § ~~41 2163(A)(2)~~ ~~37-1383(A)(5)~~, having in effect a nationally recognized fire code, does hereby assume jurisdiction from the office of the state fire marshal for prescribing and enforcing fire and life safety codes and standards within the City of Glendale, to include all public schools, state and county properties located within the jurisdictional boundaries, ~~with the exception of the multi-use stadium facility and adjacent private property located on Maricopa County Assessor’s Parcel Numbers 102-01-001P, 102-01-257B, 102-01-002Y, 102-01-002T, 102-01-002U, 102-01-001N, 102-01-001Q, 102-01-001M, 102-01-002P, 102-01-002W, 102-01-002S, 102-01-257A, 102-01-002Z, 102-01-257B, 102-01-256 and 102-01-002P,~~

~~all of which are generally located at the intersection of 95th and Maryland avenues and are owned by the tourism and sports authority or utilized by that entity in the operation of the multi-use stadium facility. The office of the state fire marshal retains jurisdiction over Maricopa County Assessor's Parcel Numbers 102-01-001P, 102-01-001M, 102-01-001Q, 102-01-001N, 102-01-002Y, 102-01-002W, 102-01-002S, 102-01-002T, 102-01-002U, 102-01-257A, 102-01-002Z, 102-01-257B, 102-01-256, and 102-01-002P.~~

- ~~(b) Upon written request of the Arizona Sports and Tourism authority for the city to assume jurisdiction for those parcels under the jurisdiction of the state fire marshal during the pendency of a mega event the city manager is authorized to assume jurisdiction over those parcels for the limited duration of the mega event, not to exceed sixty (60) days before the event and seven (7) days after the event.~~

~~(Ord. No. 2774, § 1, 6-28-11; Ord. No. 2886, § 1, 4-8-14; Ord. No. 018-60, § 1, 8-14-18; Ord. No. 022-68, § 1, 10-11-22, Ord. No. _____)~~

SECTION 2. The City of Glendale terminates the Memorandum of Understanding between City of Glendale, Arizona Department of Forestry and Fire Management and the American Tourism and Sports Authority related to fire code enforcement at the multi-purpose stadium facility and surrounding private property.

SECTION 3. That the City Clerk is accordingly instructed and authorized to forward a certified copy of this ordinance for recording to the Maricopa County Recorder's Office.

SECTION 4. That the immediate operation of the provisions of this Ordinance are necessary for the preservation of the public peace, health and safety of the City of Glendale, an emergency is declared to exist, and this Ordinance is in full force and effect from and after its passage, adoption and approval by the Mayor and Council of the City of Glendale, and it is exempt from the referendum provisions of the Constitution and laws of the State of Arizona.

[Signatures on the following page]

PASSED, ADOPTED AND APPROVED by the Mayor and Council of the City of Glendale, Maricopa County, Arizona, this 8th day of August, 2023.

Mayor Jerry P. Weiers

ATTEST:

Julie K. Bower, City Clerk (SEAL)

APPROVED AS TO FORM:

Michael D. Bailey, City Attorney

REVIEWED BY:

Kevin R. Phelps, City Manager