

ORDINANCE NO. 2021-1496

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF GOODYEAR, MARICOPA COUNTY, ARIZONA, ENACTING A NEW CHAPTER TO THE CITY OF GOODYEAR CODE OF ORDINANCES TO ESTABLISH CHAPTER 27 TITLED, PARKS AND RECREATION, AND ESTABLISHING ARTICLE 27-1 TREE CARE AND MANAGEMENT; PROVIDING FOR CORRECTIONS; SEVERABILITY; PENALTIES AND AN EFFECTIVE DATE.

WHEREAS, the Mayor and Council of the City of Goodyear, have determined that the public health, safety and welfare of the City of Goodyear and its citizens require certain additions to the City of Goodyear Code of Ordinances; and

WHEREAS, Chapter 27 is being added/enacted to provide the Parks and Recreation Department a chapter in the City's Code of Ordinances for the current addition of its Article 27-1 Tree Care and Management, as well as to accommodate future ordinance and regulation additions generally applicable to the Parks and Recreation Department; and

WHEREAS, this Article 27-1 Tree Care and Management, generally provides guidelines for the care, maintenance, and management of the tree resources in the public rights-of-way, and park and recreation areas within the City; and

WHEREAS, the Mayor and Council of the city of Goodyear, Arizona believe it is in the best interest of the City and its citizens to enact a new Chapter 27 to the City of Goodyear Code of Ordinances titled Parks and Recreation, to establish Article 27-1 Tree Care and Management.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF GOODYEAR, MARICOPA COUNTY, ARIZONA, AS FOLLOWS:

SECTION 1. ENACTING NEW CHAPTER 27 PARKS AND RECREATION AND ARTICLE 27-1 TREE CARE AND MANAGEMENT TO THE CITY OF GOODYEAR CODE OF ORDINANCES.

The City of Goodyear Code of Ordinances is hereby amended to enact a new Chapter 27 titled Parks and Recreation, and establish Article 27-1 Tree Care and Management, as set forth in that certain document titled, "Enacting a New Chapter of the City of Goodyear Code of Ordinances, to Establish Chapter 27 Parks and Recreation, Article 27-1 Tree Care and Management," which is attached as Exhibit A to Resolution No. 2021-2132 and is declared a public record, three copies of which are on file with the City Clerk of the city of Goodyear and which is referred to, adopted, and made part hereof as if fully set forth in the Ordinance.

SECTION 2. CORRECTIONS

The City Clerk, and the codifiers of this Ordinance are authorized to make necessary clerical corrections to this Ordinance, including, but not limited to, the

correction of scrivener's/clerical errors, references, ordinance numbering, section/subsection numbers and any references thereto.

SECTION 3. SEVERABILITY

If any section, subdivision, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining provisions of the ordinance or parts thereof.

SECTION 4. PENALTY

The penalty for violating the requirements of Goodyear City Code Article 27-1 shall be as follows:

SECTION 27-1-12 Violations and Civil Sanctions

Any person violating any provision of this Article 27-1 shall be guilty of a civil infraction, and shall be subject to a civil sanction in accordance with Article 18-1 of Goodyear City Code of Ordinances.

SECTION 4. EFFECTIVE DATE

This ordinance shall become effective as prescribed by law. The provisions of the any ordinance, regulation or requirement of the City of Goodyear being amended by this Ordinance shall remain in full force and effect until the effective date of this Ordinance.

PASSED AND ADOPTED by the Mayor and Council of the city of Goodyear, Maricopa County, Arizona, this _____ day of _____, 20____.

Georgia Lord, Mayor

Date: _____

ATTEST:

APPROVED AS TO FORM:

Darcie McCracken, City Clerk

Roric Massey, City Attorney

STATE OF ARIZONA)
) ss.
County of Maricopa)

I, the undersigned Darcie McCracken, being the duly appointed, qualified City Clerk of the city of Goodyear, Maricopa County, Arizona, certify that the foregoing Ordinance No. 2021-1496 is a true, correct and accurate copy of Ordinance No. 2021-1496, passed and adopted at a regular meeting of the Council of the city of Goodyear, Maricopa County, Arizona, held on the _____ day of _____, 20____, 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 _____, 20____.

seal

City Clerk