

## MARANA ORDINANCE NO. 2018.003

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RELATING TO HEALTH AND SANITATION; AMENDING MARANA TOWN CODE TITLE 10 (HEALTH AND SANITATION), CHAPTER 10-2 (MAINTENANCE OF PROPERTY); REVISING SECTION 10-2-1 (DEFINITIONS) TO EXPAND THE DEFINITION OF “REFUSE”; AND DESIGNATING AN EFFECTIVE DATE

WHEREAS A.R.S. § 9-499 authorizes the Town Council of the Town of Marana to compel the owner, lessee, or occupant of property to remove from the property and its contiguous sidewalks, streets and alleys any rubbish, trash, weeds, or other accumulation of filth, debris or dilapidated buildings that constitute a hazard to public health and safety; and

WHEREAS the Town Council adopted Ordinance 2012.07, adding Chapter 10-2 “Maintenance of Property” to the Marana Town Code to provide fair and reasonable regulations regarding removal of rubbish, trash, weeds, filth, debris and dilapidated buildings that constitute a hazard to public health and safety; and

WHEREAS the Town Council finds that revising Chapter 10-2 (Maintenance of Property) of the Marana Town Code as set forth in this ordinance is in the best interests of the Town of Marana and its residents.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE TOWN OF MARANA, as follows:

SECTION 1. Marana Town Code Title 10 (Health and Sanitation) is hereby amended to revise section 10-2-1 (Definitions) as follows (with additions shown with double underlining)

### **10-2-1 Definitions**

The following definitions shall apply throughout this chapter unless the context clearly indicates otherwise.

[Paragraphs A through C remain unchanged]

D. “Refuse” means any rubbish, trash, filth or debris which constitutes a hazard to public health and safety and shall include all putrescible and nonputrescible solid wastes including garbage, trash, ashes, street cleanings, dead animals, discarded or scrapped parts of furniture, inoperable or abandoned equipment or appliances, cabinetry, household fixtures, construction material, mechanical parts, abandoned automobiles, vehicle parts and solid market and industrial waste, any deposit, accumulation, pile or heap of brush, grass, debris, weeds, cans, cloth, paper, wood, metal, discarded or empty containers, rubbish or other unsightly or unsanitary matter of any kind whatsoever.

[Paragraph E remains unchanged]

SECTION 2. The various town officers and employees are authorized and directed to perform all acts necessary or desirable to give effect to this ordinance.

SECTION 3. All ordinances, resolutions, or motions and parts of ordinances, resolutions, or motions of the Council in conflict with the provisions of this ordinance are hereby repealed, effective as of the effective date of this ordinance.

SECTION 4. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, the decision shall not affect the validity of the remaining portions of this ordinance.

SECTION 5. This ordinance shall become effective on the thirty-first day after its adoption.

PASSED AND ADOPTED BY THE MAYOR AND COUNCIL OF THE TOWN OF MARANA, ARIZONA, this 6th day of February, 2018.

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Mayor Ed Honea

ATTEST:

APPROVED AS TO FORM:

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Jocelyn C. Bronson, Town Clerk

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Frank Cassidy, Town Attorney