**ORDINANCE NO. 2015-03**

**AN ORDINANCE OF THE CITY OF SEDONA, ARIZONA, AMENDING THE SEDONA CITY CODE, TITLE 12 (STREETS, SIDEWALKS, AND PUBLIC PLACES), CHAPTER 12.3 (PARKS AND RECREATION FACILITIES), BY AMENDING SECTION 12.30.150 (PROHIBITED SUBSTANCES) TO ALLOW LIMITED USE OF ALCOHOL ON CITY PROPERTY; PROVIDING THAT ALL ORDINANCES OR PARTS OF ORDINANCES OR ANY PART OF THE SEDONA CITY CODE IN CONFLICT WITH THE PROVISIONS OF THIS ORDINANCE SHALL BE REPEALED UPON THE EFFECTIVE DATE OF THIS ORDINANCE.**

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF SEDONA, ARIZONA, AS FOLLOWS:

Section 1. Amendment of Sedona City Code

Section 12.30.150 (Prohibited Substances) of Chapter 12.3 (Parks and Recreation Facilities), of Title 12 (Streets, Sidewalks, and Public Places), is amended as follows:

"§ 12.30.150 Prohibited substances.
Except as provided in the "Parks & Recreation Alcohol on City Property Permission Policy", no person shall consume, possess, or distribute an open container of alcoholic beverages at parks and recreation facilities. No person shall consume, distribute, or possess any substance in violation of A.R.S. Title 13, Chapter 34, Drug Offenses, at parks and recreation facilities."

Section 2. Repeal

All ordinances or parts of ordinances or any part of the Sedona City Code in conflict with the provisions of this Ordinance are hereby repealed to the extent of such conflict as of the effective date hereof.

Section 3. Savings Clause

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, such decision shall not affect the validity of the remainder of this Ordinance. The City Council declares that it would have adopted this Ordinance and each section, subsection, sentence, clause, phrase, or portion thereof, despite the fact that any one or more sections, subsections, sentences, clauses, phrases, or portions thereof would be declared invalid or unconstitutional.

Section 4. Penalty

Except as otherwise provided, any person found guilty of violating any provision of the Code of the City of Sedona, Arizona, and any amendment thereto, or any order or regulation made therein, including the failure to perform any act or duty so required, shall be guilty of a Class 1 misdemeanor, and, upon conviction, shall be punished by a fine not to exceed two thousand five hundred dollars ($2,500.00), or by imprisonment for a period not to exceed six

(6) months, or by both fine and imprisonment. Each day that any violation continues shall be a separate offense punishable as above described or by civil sanction.

PASSED AND ADOPTED by the Mayor and City Council of the City of Sedona, Arizona, this 24th day of February, 2015.

Sandra J. Moriarty, Mayor

ATTEST:

Susan L. Irvine, CMC, City Clerk

APPROVED AS TO FORM:

Mike Goimarac, City Attorney