

ORDINANCE NO. 2016-04

AN ORDINANCE OF THE CITY OF SEDONA, ARIZONA, AMENDING THE SEDONA CITY CODE ,CHAPTER 12.30 (PARKS AND RECREATION FACILITIES), MODIFYING THE RESTRICTIONS ON COMMERCIAL ACTIVITIES; 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OR PARTS OF ORDINANCES OR ANY PART OF THE SEDONA CITY CODE IN CONFLICT WITH THE PROVISIONS OF THIS ORDINANCE SHALL BE REPEALED UPON THE EFFECTIVE DATE OF THIS ORDINANCE.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 Code

Section 12.30.160 (Distribution or Sale of Food, Beverages, or Other Items) of Chapter 12.30 (Parks and Recreation Facilities) is amended to read as follows:

12.30.160 Commercial Activities No person may use a City park or recreation facility, including but not limited to, tennis courts, bike skills park, fields, or swimming pool, for the purpose of giving a lesson or hosting a program for compensation or fees of any sort, except when lessons or programs are offered as part of a recreation program sponsored by the City, or when offered by a concessionaire who has been permitted by the City Manager or his/her designee. It shall be unlawful for any person to engage in a commercial sales activity in a public park without first obtaining approval by the City. "Commercial sales activity" means the displaying for sale, selling, vending, peddling, or transfer of possession or ownership of an item or food sales for a price or for a stated minimum donation.

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parts of ordinances or any part of the Sedona City Code in conflict with the provisions of this Ordinance are hereby repealed to the extent of such conflict as of the effective date hereof.

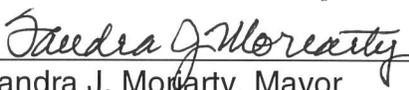
Section 3. Savings Clause

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 14th day of June, 2016.



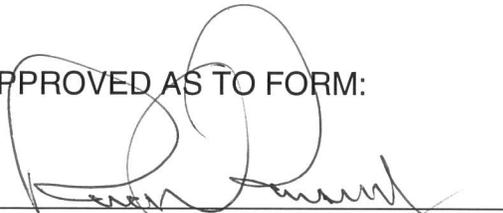
Sandra J. Moriarty, Mayor

ATTEST:



Susan L. Irvine, CMC, City Clerk

APPROVED AS TO FORM:



Ron Ramsey, Assistant City Attorney