**ORDINANCE NO. 2024-05**

**AN ORDINANCE OF THE CITY OF SEDONA, ARIZONA,** **DECLARING THE DOCUMENT TITLED “OCTOBER 2024 AMENDMENTS TO SEDONA CITY CODE SECTIONS 12.05.040 DEFINITIONS AND 12.05.110 MAG Uniform Standard Specifications for Public Works” AS A PUBLIC RECORD, ADOPTING THE SAME BY REFERENCE, AND AMENDING THE SEDONA CITY CODE AS SET FORTH THEREIN; PROVIDING FOR PENALTIES, SEVERABILITY, AND REPEAL OF CONFLICTING ORDINANCES; AND ESTABLISHING AN EFFECTIVE DATE.**

WHEREAS, the City deems it necessary to adopt certain amendments to Sedona City Code Section 12.05.110 MAG uniform standard specifications for public works to protect the health, safety, and welfare of the public.

**BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF SEDONA, ARIZONA, as follows:**

**Section 1.** The recitals above are hereby incorporated as if fully set forth herein.

**Section 2.** That certain document titled the “October 2024 Amendments to Sedona City Code Sections 12.05.040 Definitions and 12.05.110 MAG Uniform Standard Specifications for Public Works” (“MAG Standards Amendment”), of which one paper copy and one electronic copy are maintained, in compliance with A.R.S. § 44-701, on file in the office of the City Clerk as required by A.R.S. § 9-802, and available for public use and inspection during normal business hours, is hereby declared to be a public record and said copies thereof are hereby ordered to remain on file with the City Clerk.

**Section 3.** Sedona City Code Sections 12.05.040 and 12.05.110 are hereby amended as set forth in the MAG Standards Amendment, which is hereby referred to, adopted, and made a part hereof as if fully set forth herein.

**Section 4.** If any section, subsection, sentence, clause, phrase, or portion of this ordinance or any part of the MAG Standards Amendment adopted herein is for any reason held to be invalid or unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions thereof.

**Section 5.** The Mayor, the City Manager, the City Clerk, and the City Attorney are hereby authorized and directed to take all steps necessary to carry out the purpose and intent of this ordinance.

**Section 6.** Penalties: Any violation of or failure or refusal to do or perform any act required by the provisions of this ordinance or of the Sedona City Code as amended herein shall constitute a civil violation subject to a fine of up to $2,500 and be subject to corrective action and the provisions of Sedona City Code Section 1.15.010.

# **Section 7.** Severability. 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.

# **Section 8.** Repeal. All other code provisions, ordinances, or parts of ordinances in conflict with the provisions of this Ordinance are hereby repealed to the extent of such conflict as of the effective date hereof.

# **Section 9.** Effective Date. The effective date of this Ordinance shall be 30 days following adoption by the City Council.

**PASSED AND ADOPTED** by the Mayor and Council of the City of Sedona, Arizona, this 24th day of September, 2024.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Scott M. Jablow, Mayor

ATTEST:

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

JoAnne Cook, CMC, City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Kurt W. Christianson, City Attorney