

ORDINANCE NO. 020-83

AN ORDINANCE OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, AMENDING THE PENALTY IN GLENDALE CITY CODE CHAPTER 26 (OFFENSES- MISCELLANEOUS), ARTICLE III (OFFENSES AGAINST PUBLIC SAFETY AND ORDER), DIVISION 5 (FIREWORKS) SEC 26-70.5 (POSTINGS OF SIGNS BY PERSONS ENGAGED IN THE SELLING OF PERMISSIBLE CONSUMER FIREWORKS; CIVIL PENALTY), SEC. 26-70.7 (PENALTIES) AND CHAPTER 25 (NUISANCES) SEC. 25-65 (EXEMPTIONS FROM NOISE LEVEL REGULATIONS); AND DECLARING AN EMERGENCY.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF GLENDALE as follows:

SECTION 1. That Glendale City Code, Chapter 25 (Nuisances) Article I (In General) Sec. 25-65 - Exemptions from noise level regulations, is amended by adding the following to read as follows:

Sec. 25-65. Exemptions from noise level regulations.

(13). Noises from permissible fireworks and their use as defined in Sec. 26-70.3 except between the hours of 12:30 am and 7:00 am.

SECTION 2. That Glendale City Code, Chapter 26 (Offenses—Miscellaneous), Article III (Offenses Against Public Safety and Order) Division 5 (Fireworks) Sec. 26-70.5(a) - Postings of signs by persons in the selling of permissible consumer fireworks; civil penalty, is amended by adding the following to read as follows:

Sec. 26-70.5 Postings of signs by persons engaged in the selling of permissible consumer fireworks; civil penalty.

Sec. 26-70.5(a).

(3). Violations of the Glendale City Code regulating fireworks may result in a mandatory fine of \$1,500 for a first offense and \$2,000 for any subsequent offense.

(4). Signs shall be posted in English and Spanish.

SECTION 3. That Glendale City Code, Chapter 26 (Offenses—Miscellaneous), Article III (Offenses Against Public Safety and Order) Division 5 (Fireworks) Sec. 26-70.7. Penalties. is amended to read as follows:

DIVISION 5. FIREWORKS

Sec. 26-70.7. Penalties.

~~The penalty for violating any prohibition or requirement imposed by this division is a class one misdemeanor with a minimum fine of \$275.00 unless another penalty is specifically provided for.~~ The penalty for violating any prohibition or requirement imposed by this division is a class one misdemeanor with a set fine of fifteen hundred dollars (\$1,500) for a first offense and a two thousand-dollar (\$2,000) fine for any subsequent offenses in the same twelve-month period.

SECTION 4. That the immediate operation of the provisions of this Ordinance is necessary for the preservation of the public peace, health and safety of the City of Glendale, an emergency is declared to exist, and this Ordinance is in full force and effect from and after its passage, adoption, and approval by the Mayor and Council of the City of Glendale, and it is exempt from the referendum provisions of the Constitution and laws of the State of Arizona.

PASSED, ADOPTED AND APPROVED by the Mayor and Council of the City of Glendale, Maricopa County, Arizona, this 8th day of December, 2020.

Mayor Jerry P. Weiers

ATTEST:

Julie K. Bower, City Clerk (SEAL)

APPROVED AS TO FORM:

Michael D. Bailey, City Attorney

REVIEWED BY:

Kevin R. Phelps, City Manager