

ORDINANCE NO 11-85

AN ORDINANCE OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF DEWEY-HUMBOLDT, COUNTY OF YAVAPAI, ARIZONA, AMENDING TOWN CODE § 34.11; PROVIDING THAT THIS ORDINANCE SHALL BE EFFECTIVE AFTER ITS PASSAGE AND APPROVAL ACCORDING TO LAW; AND PROVIDING FOR REPEAL OF ANY ORDINANCE OR PART OF ORDINANCES OR CODE PROVISIONS IN CONFLICT THEREWITH.

Whereas, the Town has established a Magistrate's Court as authorized by A.R.S. § 22-402;

Whereas, the Town established and assessed fees for Magistrate's Court programs and services as authorized by A.R.S. § 22-404(E) by adopting Ordinance No. 10-67, which created Town Code § 34.11;

Whereas, the Town has determined that automatically adjusting those fees is not suitable; and

Now, Therefore, be it ordained by the Mayor and Common Council of the Town of Dewey-Humboldt, Arizona as follows:

1. Dewey-Humboldt Town Code § 34.11. Town Code § 34.11 is hereby amended and replaced as follows to read as follows (deleted text appears in ~~strikeout~~; new text in ALL CAPS)::

**§ 34.11. Magistrate's Court Fee and Surcharge Schedule.**

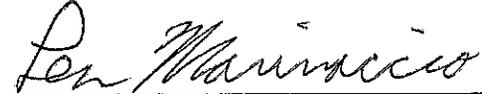
~~2. Automatic Adjustment. The fees contained in this Ordinance will be automatically adjusted on an annual basis using the Engineering News Record Twenty City Construction Cost Index or equivalent nationally recognized index unless otherwise directed by the Town Council. The adjustment will be made at the end of each fiscal year, and will be based on the percentage change in the index over the preceding 12-month period. A current list of all adjusted fees will be on file with the Town Clerk. THE AMOUNT OF ADMINISTRATIVE OR MAGISTRATE FEES MAY BE REVISED FROM TIME TO TIME AS RECOMMENDED BY THE COURT OR INITIATED BY THE COUNCIL.~~

~~3.2. Effective Date.~~ That this Ordinance shall be effective as of June 16, 2011.

4.3. Savings Clause. If any section, subsection, sentence, clause, phrase, or portion of this Ordinance as amended 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.

5.4. Repeal. All other code provisions, ordinances, or parts of ordinances in conflict with the provisions of this Ordinance are hereby repealed as of the effective date hereof.

**PASSED AND ADOPTED** by the Mayor and Common Council of the Town of Dewey-Humboldt, Arizona, this 17<sup>th</sup> day of May, 2011.



Len Marinaccio, Mayor

ATTEST:

  
Judy Morgan, Town Clerk

APPROVED AS TO FORM:

  
Susan Goodwin, Town Attorney

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