

ORDINANCE NO. 2015-08

AN ORDINANCE OF THE FLAGSTAFF CITY COUNCIL AMENDING TITLE VI, *POLICE REGULATIONS*, OF THE FLAGSTAFF CITY CODE BY AMENDING SECTION 6-08-001-0005, LARGE PARTIES, GATHERINGS OR EVENTS, THEREOF; PROVIDING FOR SEVERABILITY AND AUTHORITY FOR CLERICAL CORRECTIONS, AND ESTABLISHING AN EFFECTIVE DATE

ENACTMENTS:

NOW, THEREFORE, BE IT ORDAINED BY THE FLAGSTAFF CITY COUNCIL AS FOLLOWS:

SECTION 1: The Flagstaff City Code, Title VI, POLICE REGULATIONS, Section 6-08-001-0005, *Large Parties, Gatherings or Events*, is hereby amended as set forth below (deletions shown as stricken, and additions shown as capitalized text):

6-08-001-0005 ~~LARGE~~ NUISANCE PARTIES, GATHERINGS OR EVENTS:

A. FINDINGS

The City Council of Flagstaff finds and determines that unruly parties, gatherings or events held on private property may constitute a NUISANCE WHICH IS A threat to the peace, health, safety and welfare of the general public. Police officers have been required to make repeated calls RESPONSES to unruly parties, gatherings or events TO ABATE THE NUISANCE AND in order to disperse uncooperative or unruly participants and to restore the public peace and welfare. Such repeat calls deplete the manpower and resources of the police department and can leave other areas of the City with compromised levels of police protection so as to create a significant threat to the safety of both citizens and police officers alike.

B. PURPOSE

The purpose of this section is to DETER CRIMINAL BEHAVIOR ASSOCIATED WITH AND ~~allow the City to obtain reimbursement for expenses related to responses to unruly~~ NUISANCE parties, gatherings or events which have been determined to be a threat to the peace, health, safety or welfare of the general public.

C. DEFINITIONS. FOR THE PURPOSES OF THIS SECTION, THE FOLLOWING DEFINITIONS APPLY, UNLESS THE CONTEXT IN WHICH THEY ARE USED CLEARLY REQUIRES OTHERWISE:

1. "OWNER" MEANS THE OWNER OF ANY PROPERTY, AS WELL AS ANY AGENT OF AN OWNER WHO ACTS ON BEHALF OF THE OWNER TO CONTROL OR OTHERWISE REGULATE THE OCCUPANCY OR USE OF THE PROPERTY.
2. "PREMISES" MEANS THE PROPERTY THAT IS THE SITE OF A NUISANCE PARTY. FOR RESIDENTIAL PROPERTIES, PREMISES MEANS THE DWELLING UNIT OR UNITS WHERE THE NUISANCE PARTY OCCURS.

3. "NUISANCE PARTY" MEANS A GATHERING OF FIVE (5) OR MORE PERSONS ON ANY PRIVATE PROPERTY, INCLUDING PROPERTY USED TO CONDUCT BUSINESS, IN A MANNER WHICH CAUSES A DISTURBANCE OF THE QUIET ENJOYMENT OF PRIVATE OR PUBLIC PROPERTY BY ANY PERSON OR PERSONS. SUCH DISTURBANCES MAY INCLUDE, BUT ARE NOT LIMITED TO, EXCESSIVE NOISE OR TRAFFIC, OBSTRUCTION OF PUBLIC STREETS BY CROWDS OR VEHICLES, DRINKING IN PUBLIC, THE SERVICE OF ALCOHOL TO MINORS OR CONSUMPTION OF ALCOHOL BY MINORS, FIGHTING, DISTURBING THE PEACE, AND LITTERING.
4. "RESPONSIBLE PERSON" MEANS ANY PERSON IN ATTENDANCE WHO ENGAGED IN ANY CONDUCT CAUSING THE GATHERING TO BE A NUISANCE PARTY, INCLUDING ANY OWNER WHO IS IN ATTENDANCE, OCCUPANT, TENANT, GUEST OR ANY SPONSOR, HOST OR ORGANIZER OF THE EVENT CONSTITUTING THE NUISANCE PARTY. RESPONSIBLE PERSON DOES NOT INCLUDE OWNERS OR PERSONS IN CHARGE OF PREMISES WHERE A NUISANCE PARTY TAKES PLACE IF THE PERSONS IN ATTENDANCE OBTAINED USE OF THE PREMISES THROUGH ILLEGAL ENTRY OR TRESPASSING.
5. "MINOR" MEANS ANY PERSON UNDER THE AGE OF TWENTY-ONE (21) YEARS.
6. "OFFICER AND/OR POLICE OFFICER" MEANS A DULY SWORN PEACE OFFICER IN THE STATE OF ARIZONA.

~~"Unruly party, gathering or event" means a gathering or assembly of persons on private premises within City limits that is a threat to the public peace, health, safety or general welfare from illegal activities, unruly behavior, unreasonably loud or raucous noise, or activities which unreasonably disturb, injure, or endanger the comfort, repose, health, peace, or safety of reasonable persons of ordinary sensitivity.~~

~~Special security assignment" means the police services provided during a second or subsequent call during a (90) ninety day period to the location of an unruly party, gathering or event after a written notice has been given that a police service fee may be imposed for costs incurred by the City for any return or subsequent police response.~~

~~Increased response" means the response of more than two uniformed officers to the scene of an unruly party, gathering or event in which 15 (fifteen) or more persons are present, where necessary to restore the public peace, health, safety and/or general welfare.~~

~~Police service fee" is that fee which shall be imposed for a special security assignment or increased response.~~

~~Responsible person" means any person in actual or lawful control of the premises, or who organized the unruly party, gathering or event. A person need not be present at the time of the party, gathering or event to be deemed responsible.~~

- D. ~~WRITTEN NOTICE NUISANCE PARTY. A NUISANCE PARTY IS UNLAWFUL AND CONSTITUTES A CIVIL INFRACTION.~~

1. When a police officer responds to ~~an unruly party, gathering or event~~ THE FIRST NUISANCE PARTY and while at the scene determines that there is a threat to the public peace, health, safety or general welfare, the officer shall issue a written notice OF VIOLATION to any responsible person(S). ~~that a second or subsequent response to that same location or address within ninety (90) days of the first response shall be deemed a special security assignment and that any responsible person may be liable for a police service fee for such special security assignment.~~ THE RESPONSIBLE PERSON(S) WILL BE ASSESSED A CIVIL FEE AS SET FORTH IN SUBSECTION E.
 - (A) ON A FIRST RESPONSE TO A NUISANCE PARTY, THE RESPONSIBLE PERSONS(S) SHALL BE ASSESSED A FEE COMMENSURATE WITH A SECOND NUISANCE PARTY, AS SET FORTH IN SUBSECTION E, FOR A FIRST NUISANCE PARTY IF ANY OF THE FOLLOWING CRIMES ARE BEING COMMITTED AT THE FIRST NUISANCE PARTY:
 - (1) MINOR IN POSSESSION OF ALCOHOL;
 - (2) MINOR IN CONSUMPTION OF ALCOHOL;
 - (3) POSSESSION OR USE OF ILLEGAL DRUGS;
 - (4) WEAPONS MISCONDUCT; OR
 - (5) ANY FELONY OFFENSE.
2. IF, AFTER A WRITTEN NOTICE OF A VIOLATION IS ISSUED POLICE RESPOND FOR A SECOND TIME TO THE SAME PREMISES FOR A NUISANCE PARTY WITHIN (90, 120, 180) DAYS OF THE FIRST RESPONSE, SUCH RESPONSE SHALL BE DEEMED A SECOND NUISANCE PARTY AND ANY RESPONSIBLE PERSON(S) AS WELL AS THE OWNER OF THE PREMISES WILL BE ISSUED A WRITTEN NOTICE OF A SECOND VIOLATION AND ASSESSED A CIVIL FEE AS SET FORTH IN SUBSECTION E. NOTICE TO ANY RESPONSIBLE PERSON(S) AND THE OWNER SHALL BE PROVIDED IN THE SAME MANNER AS SET FORTH IN (D)(4). ~~Written notice shall not be required, and a police service fee may be imposed upon a first response requiring an increased police response, if a responding officer reasonably determines that fifteen (15) or more individuals are in attendance and that the unruly party, event, or gathering is so large, unruly, or noisy, or is such an imminent threat to public health and safety that the responding police officer reasonably determines that more than two police officers are necessary to respond to and disperse the unruly party, gathering, or event.~~
 - (A) ON ANY RESPONSE TO A SECOND NUISANCE PARTY, THE RESPONSIBLE PERSONS(S) SHALL BE ASSESSED A FEE COMMENSURATE WITH THIRD RESPONSE FEE, AS SET FORTH IN SUBSECTION E, FOR A SECOND NUISANCE PARTY IF ANY OF THE FOLLOWING CRIMES ARE BEING COMMITTED AT THE NUISANCE PARTY:
 - (1) MINOR IN POSSESSION OF ALCOHOL;
 - (2) MINOR IN CONSUMPTION OF ALCOHOL;
 - (3) POSSESSION OR USE OF ILLEGAL DRUGS;

- (4) WEAPONS MISCONDUCT; OR
 - (5) ANY FELONY OFFENSE.
- 3. IF, AFTER A WRITTEN NOTICE OF A SECOND VIOLATION IS ISSUED POLICE RESPOND TO THE SAME PREMISES FOR A THIRD OR SUBSEQUENT NUISANCE PARTY WITHIN (90, 120, 180) DAYS OF THE SECOND NUISANCE PARTY RESPONSE, SUCH RESPONSE SHALL BE DEEMED A THIRD OR SUBSEQUENT NUISANCE PARTY AND ANY RESPONSIBLE PERSON(S) AS WELL AS THE OWNER OF THE PREMISES WILL BE ISSUED A WRITTEN NOTICE OF A THIRD OR SUBSEQUENT VIOLATION AND ASSESSED A CIVIL FEE AS SET FORTH IN SUBSECTION E. NOTICE TO ANY RESPONSIBLE PERSON(S) AND THE OWNER SHALL BE PROVIDED IN THE SAME MANNER AS SET FORTH IN SECTION (D)(4).
 - (A) ON ANY RESPONSE TO A THIRD OR SUBSEQUENT NUISANCE PARTY, THE RESPONSIBLE PERSONS(S) SHALL BE ASSESSED A FEE COMMENSURATE WITH TWO (2) TIMES THE FEE FOR A THIRD OR SUBSEQUENT NUISANCE PARTY, AS SET FORTH IN SUBSECTION E, IF ANY OF THE FOLLOWING CRIMES ARE BEING COMMITTED AT THE PARTY:
 - (1) MINOR IN POSSESSION OF ALCOHOL;
 - (2) MINOR IN CONSUMPTION OF ALCOHOL;
 - (3) POSSESSION OR USE OF ILLEGAL DRUGS;
 - (4) WEAPONS MISCONDUCT; OR
 - (5) ANY FELONY OFFENSE.
- 4. THE POLICE OFFICER OR OTHER POLICE EMPLOYEE SHALL PROVIDE NOTICE OF THE VIOLATION TO THE RESPONSIBLE PERSON(S) AND THE LANDLORD OR OWNER IN ANY OF THE FOLLOWING MANNERS:
 - (A) PERSONAL SERVICE TO ANY RESPONSIBLE PERSON(S) AT THE NUISANCE PARTY.
 - (B) AS TO THE RESIDENT(S) OF THE PREMISE, POSTING OF THE NOTICE ON THE DOOR OF THE PREMISES OF THE NUISANCE PARTY.
 - (C) MAILING A COPY OF THE NOTICE OF THE NUISANCE PARTY OR NOTICE OF VIOLATION VIA CERTIFIED MAIL TO THE PROPERTY OWNER AT THE ADDRESS SHOWN ON THE COCONINO COUNTY PROPERTY TAX ASSESSMENT RECORDS. THE RETURN RECEIPT WILL SERVE AS EVIDENCE OF SERVICE. A CURTESY COPY OF THE NOTICE SHALL BE SENT TO ANY PROPERTY MANAGER IF KNOWN TO THE FLAGSTAFF POLICE DEPARTMENT.
 - (D) UPON REQUEST BY LAW ENFORCEMENT THE OWNER MUST PROVIDE THE NAMES OF ANY AND ALL OCCUPANTS LISTED ON THE LEASING DOCUMENTS OF THE PREMISES OF A NUISANCE PARTY.

E. ~~RECOVERY OF COSTS FOR POLICE SERVICES-CIVIL PENALTIES~~

1. ~~If, after written notice is given pursuant to Subsection D above, a second or subsequent police response is necessary to the same location or address within ninety (90) days of the first response, such response shall be deemed a special security assignment and any responsible person(s) shall be subject to the police service fee as provided in this Section.~~ THE CIVIL FEES FOR A RESPONSIBLE PERSON(S) ARE AS FOLLOWS:
 - (A) FOR A FIRST NUISANCE PARTY VIOLATION THE FEE IS TWO HUNDRED AND FIFTY DOLLARS (\$250.00), PLUS ANY STATE OR CITY ASSESSED FEES OR SUCHARGES.
 - (B) FOR A SECOND NUISANCE PARTY VIOLATION WITHIN [90, 120, 180] DAYS OF THE FIRST NUISANCE PARTY THE FEE IS FIVE HUNDRED DOLLARS (\$500.00), PLUS ANY STATE OR CITY ASSESSED FEES OR SUCHARGES.
 - (C) FOR A THIRD OR SUBSEQUENT NUISANCE PARTY WITHIN [90, 120, 180] DAYS OF THE SECOND NUISANCE PARTY THE FEE IS ONE THOUSAND DOLLARS (\$1000.00), PLUS ANY STATE ASSESSED FEES OR SUCHARGES.
2. ~~In the event an increased response to the scene of a unruly party, gathering or event in which 15 (fifteen) or more persons are present it is necessary to restore the public peace, health, safety and/or general welfare, any responsible person(s) shall be subject to the police service fee as provided in this Section.~~ THE CIVIL FEES FOR THE OWNER OF A PROPERTY ARE AS FOLLOWS:
 - (A) IF THE OWNER WAS AT THE PREMISES WHEN THE NUISANCE PARTY, OCCURRED AND FAILED TO TAKE REASONABLE ACTION TO PREVENT THE NUISANCE PARTY THE CIVIL FEES ARE AS FOLLOWS:
 - (1) TWO HUNDRED AND FIFTY DOLLARS (\$250.00) FOR THE FIRST NUISANCE PARTY, PLUS ANY STATE ASSESSED FEES OR SUCHARGES.
 - (2) FIVE HUNDRED DOLLARS (\$500.00) FOR THE SECOND NUISANCE PARTY WITHIN [90, 120, 180] DAYS OF THE FIRST NUISANCE PARTY, PLUS ANY STATE ASSESSED FEES OR SUCHARGES.
 - (3) ONE THOUSAND DOLLARS (\$100.00) FOR THE THIRD OR SUBSEQUENT NUISANCE PARTY WITHIN [90, 120, 180] DAYS OF A SECOND NUISANCE PARTY, PLUS ANY STATE ASSESSED FEES OR SUCHARGES.
 - (B) IF NOTICE OF THE FIRST NUISANCE PARTY WAS PROVIDED TO THE OWNER VIA CERTIFIED MAIL AS PROVIDED IN SUBSECTION (D)(4)(C), A CIVIL FEE CAN BE IMPOSED ON THE OWNER IF A

SUBSEQUENT NUISANCE PARTY OCCURS ON THE PREMISES [TWO (2) WEEKS, TWENTY (20) DAYS, THIRTY (30) DAYS] AFTER THE RECEIPT OF THE NOTICE OF THE FIRST NUISANCE PARTY. THE FEES ARE AS FOLLOWS:

- (1) TWO HUNDRED AND FIFTY DOLLARS (\$250.00) FOR THE NEXT NUISANCE PARTY THAT OCCURS ON THE PREMISES [TWO (2) WEEKS, TWENTY (20) DAYS, THIRTY (30) DAYS] AFTER NOTIFICATION IS RECEIVED BY THE OWNER, PLUS ANY STATE OR CITY ASSESSED FEES OR SUCHARGES.
 - (2) FIVE HUNDRED DOLLARS (\$500.00) FOR A SECOND NUISANCE PARTY THAT OCCURS ON THE PREMISES [TWO (2) WEEKS, TWENTY (20) DAYS, THIRTY (30) DAYS] AFTER NOTIFICATION IS RECEIVED BY THE OWNER, PLUS ANY STATE OR CITY ASSESSED FEES OR SUCHARGES.
 - (3) ONE THOUSAND DOLLARS (\$1000.00) FOR A THIRD OR SUBSEQUENT NUISANCE PARTY THAT OCCURS ON THE PREMISES [TWO (2) WEEKS, TWENTY (20) DAYS, THIRTY (30) DAYS] AFTER NOTIFICATION IS RECEIVED BY THE OWNER, PLUS ANY STATE OR CITY ASSESSED FEES OR SUCHARGES.
- (C) WITHIN TEN (10) BUSINESS DAYS OF RECEIPT OF NOTIFICATION OF VIOLATION, THE OWNER MAY PETITION THE CHIEF OF POLICE, OR THE CHIEF'S DESIGNEE, FOR A WAIVER OF THE CIVIL FEE FOR THE FIRST NUISANCE PARTY THAT OCCURS [TWO (2) WEEKS, TWENTY (20) DAYS, THIRTY (30) DAYS] AFTER NOTIFICATION OF THE NUISANCE PARTY WAS RECEIVED, UNDER THE FOLLOWING CIRCUMSTANCES:
- (1) THE OWNER HAS TAKEN STEPS REASONABLY NECESSARY TO PREVENT A SUBSEQUENT NUISANCE PARTY OR TO EXCLUDE THE UNINVITED PERSONS FROM THE PREMISES, OR THE OWNER IS ACTIVELY ATTEMPTING TO EVICT THE RESPONSIBLE PERSONS FROM THE PREMISES.
 - (2) THE OWNER AGREES TO ACTIVELY PARTICIPATE IN THE FLAGSTAFF POLICE DEPARTMENT'S CRIME FREE MULTI-HOUSING PROGRAM BY PARTICIPATING IN THE TRAINING PROVIDED BY THE FLAGSTAFF POLICE DEPARTMENT, REQUIRING TENANTS TO SIGN A CRIME FREE LEASE ADDENDUM, AND BY RECEIVING REPORTS REGARDING CRIMINAL ACTIVITY ON THE PREMISES AND TAKING ACTION BASED UPON THOSE REPORTS.
 - (3) THE OWNER OF A PROPERTY WITH OVER 100 INDIVIDUALLY RENTED UNITS OBTAINS AND MAINTAINS PRIVATE SECURITY SERVICES FOR THE ENTIRE PROPERTY.

- (D) IF AN OWNER EVICTS TENANTS FROM A PREMISES WHERE A NUISANCE PARTY OCCURRED AND NEW TENANTS AT THE SAME PREMISES ARE GIVEN NOTICE OF A NUISANCE PARTY VIOLATION THE OWNER MUST BE RENOTIFIED PURSUANT TO SUBSECTION (D)(1)(A)(3).
3. NOTHING IN THIS SECTION SHALL BE CONSTRUED TO IMPOSE LIABILITY ON THE OWNER, OCCUPANT, OR TENANT OF THE PREMISES OR SPONSER OF THE EVENT CONSTITUTING THE NUISANCE PARTY FOR THE CONDUCT OF PERSONS WHO ARE IN ATTENDANCE WITHOUT THE EXPRESS OR IMPLIED CONSENT OF THE OWNER OCCUPANT, TENANT, OR SPONSER, AS LONG AS THE OWNER, OCCUPANT, TENANT, OR SPONSER HAS TAKEN STEPS TO PREVENT A SUBSEQUENT NUISANCE PARTY OR TO EXCLUDE THE UNINVITED PERSONS FROM THE PREMISES. WHERE AN INVITED PERSON ENGAGES IN UNLAWFUL CONDUCT WHICH THE OWNER, OCCUPANT, TENANT OR SPONSOR COULD NOT REASONABLY FORESEE AND COULD NOT REASONABLY CONTROL WITHOUT THE INTERVENTION OF THE POLICE THE UNLAWFUL CONDUCT OF THE PERSON SHALL NOT BE ATTRIBUTABLE TO THE OWNER, OCCUPANT, TENANT OR SPONSOR FOR THE PURPOSE OF DETERMINING LIABILITY UNDER THIS SECTION.

F. ~~POLICE SERVICE FEE OTHER REMEDIES~~

NOTHING IN THIS ORDINANCE SHALL BE CONSTRUED AS AFFECTING THE ABILITY OF THE STATE TO INITIATE OR CONTINUE CONCURRENT OR SUBSEQUENT CRIMINAL PROSECUTION OF ANY RESPONSIBLE PERSONS OR WONER FOR ANY VIOLATIONS OF THE PROVISIONS OF THE CITY CODE OR SATE LAW ARISING OUT OF THE CIRCUMSTANCES NECESSITATING THE APPLICATION OF THIS ORDINANCE.

- ~~1. The police service fee shall be according to a schedule adopted by the Police Chief which is based on the number of officers and units per hour. Said schedule may also include appropriate overhead, the cost of any medical treatment to injured officers, and any other loss or damage incurred by the Police Department in the course of a special security assignment or increased response. The fee may also include the cost or loss incurred by any other law enforcement agency or City department responding at the request of the Flagstaff Police Department.~~
- ~~2. The police service fee for a special security assignment or increased response shall not exceed one thousand dollars (\$1,000.00) for a single incident.~~
- ~~3. The City does not waive its right to seek reimbursement for costs exceeding one thousand dollars (\$1,000.00) through other legal remedies or procedures.~~
- ~~4. The costs of a police service fee shall be charged against any person who is responsible for the unruly party, gathering or event under this section. If two or more persons are responsible for the unruly party, gathering or event such persons shall be jointly and severally liable for the costs of a police service fee. If the person responsible for the unruly party, gathering or event is a minor, the~~

~~parents or guardian having custody or control of the minor shall be jointly and severally liable with such minor for the costs of a police service fee. The charge constitutes a debt of that person and is collectible in the same manner as in the case of an obligation under contract. Costs imposed under this section are due and payable upon the expiration of the period to request a hearing under Subsection H or upon notice of the hearing officer's decision if a hearing is requested. The liability imposed by this section is in addition to any liability imposed by the law.~~

~~G.~~ BILLING

~~The Chief of Police or any person designated by the Chief of Police shall cause appropriate billings for the police service fee to be made to the responsible person(s). Billings shall include the name and address of the responsible person, the date, time and location of the incident for which a police service fee is imposed, and shall identify the services provided, any loss or damage and such other information as may be relevant.~~

H.G. HEARING PROCEDURES

1. A person liable for the ~~costs of a police service~~ CIVIL fee under this section may, within ten days of receipt of notice of the VIOLATION ~~costs imposed~~, request a hearing with a Hearing Officer designated by the Presiding Magistrate of the Flagstaff Municipal Court.
2. The Hearing Officer shall set a time and place for the hearing as soon as practicable.
3. The hearing shall be conducted in an informal process to determine whether there is a sufficient factual and legal basis to impose the CIVIL ~~costs of the police service fee and the reasonableness of the amount~~. The rules of evidence shall not apply, provided that the decision of the Hearing Officer shall in all cases be based upon substantial and reliable evidence. All parties to the hearing shall have the right to present evidence. The Police Department shall have the burden of establishing by a preponderance of the evidence that A VIOLATION HAS OCCURRED. ~~the costs of the police service fee should be imposed and that the amount is reasonable under the circumstances.~~
4. The decision of the Hearing Officer is final. A failure of the person NOTIFIED OF THE VIOLATION AS SET FORTH IN SECTION (D)(1)(A) ~~charged with the costs of the police service fee~~ to timely request a hearing or the failure to appear at a scheduled hearing shall constitute a waiver of the right to a hearing or to challenge the validity OF THE NOTICE OR VIOLATION. ~~or amount of the costs imposed.~~

SECTION 2. Repeal of Conflicting Ordinances.

All ordinances and parts of ordinances in conflict with the provisions of this ordinance or any part of the code adopted herein by reference are hereby repealed.

SECTION 3. Severability.

If any section, subsection, sentence, clause, phrase or portion of this ordinance or any part of the code adopted herein by reference 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 remaining portions thereof.

SECTION 4. Clerical Corrections.

The City Clerk is hereby authorized to correct typographical and grammatical errors, as well as errors of wording and punctuation, as necessary related to this ordinance as amended herein, and to make formatting changes needed for purposes of clarity and form, or consistency, within thirty (30) days following adoption by the City Council.

SECTION 5. Effective Date.

This ordinance shall become effective 30 days after its adoption.

PASSED AND ADOPTED by the Flagstaff City Council this ____ day of _____, 2015.

MAYOR

ATTEST:

CITY CLERK

APPROVED AS TO FORM

CITY ATTORNEY