

**ORDINANCE NO. 2016-26**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FLAGSTAFF, AMENDING THE FLAGSTAFF CITY CODE, TITLE 7, HEALTH AND SANITATION, CHAPTER 7-04, MUNICIPAL SOLID WASTE COLLECTION SERVICE, BY ADOPTING BY REFERENCE THAT CERTAIN DOCUMENT ENTITLED “2016 AMENDMENTS TO CITY CODE TITLE 7, HEALTH AND SANITATION, CHAPTER 7-04, MUNICIPAL SOLID WASTE COLLECTION SERVICE.”; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES, AUTHORITY FOR CLERICAL CORRECTIONS, SEVERABILITY, AND ESTABLISHING AN EFFECTIVE DATE**

**RECITALS:**

WHEREAS, the City Council has determined that amendments to the Flagstaff City Code, Title 7, Health and Sanitation, Chapter 7-04, Municipal Solid Waste Collection Service, are necessary in order to ensure, among other things, that the Flagstaff City Code is consistent with state law governing the collection of solid waste; and

WHEREAS, the City Council has, by resolution, previously declared the “*2016 Amendments to City Code Title 7, Health and Sanitation, Chapter 7-04, Municipal Solid Waste Collection Service*” (referred to hereinafter as the “Proposed Amendments”) to be a public record; and

WHEREAS, the City Council wishes to amend Chapter 7-04 of the Flagstaff City Code by adopting the Proposed Amendments.

**ENACTMENTS:**

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

SECTION 1. In General.

That the Proposed Amendments contained in the document entitled “*2016 Amendments to City Code Title 7, Health and Sanitation, Chapter 7-04, Municipal Solid Waste Collection Service*,” three copies of which are on file in the office of the City Clerk of the City of Flagstaff, Arizona and previously declared by Resolution No. 2016-19 to be a public record, are hereby adopted and made a part hereof as if fully set out in this ordinance and are declared to be inserted into Chapter 7-04 of the Flagstaff City Code to replace and supersede the existing relevant provisions of Chapter 7-04.

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in conflict with the provisions of this ordinance or any part of the code adopted herein by reference are hereby repealed.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. 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 4. Severability.

That, if any section, subsection, sentence, clause, phrase or portion of this ordinance or any of the amendments adopted in this ordinance is for any reason held to be invalid, unconstitutional, or unenforceable by a decision of any court of competent jurisdiction, such decision shall not affect any of the remaining portions thereof.

SECTION 5. Effective Date.

This ordinance shall be effective (30) thirty days after adoption.

PASSED AND ADOPTED by the City Council of the City of Flagstaff this 31<sup>st</sup> day of May, 2016.

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MAYOR

ATTEST:

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CITY CLERK

APPROVED AS TO FORM:

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CITY ATTORNEY