PURSUANT TO A.R.S. SECTION §38-431.01, THE GILA COUNTY BOARD OF SUPERVISORS WILL HOLD AN OPEN MEETING IN THE SUPERVISORS' AUDITORIUM, 1400 EAST ASH STREET, GLOBE, ARIZONA. ONE OR MORE BOARD MEMBERS MAY PARTICIPATE IN THE MEETING BY TELEPHONE CONFERENCE CALL OR BY INTERACTIVE TELEVISION VIDEO (ITV). ANY MEMBER OF THE PUBLIC IS WELCOME TO ATTEND THE MEETING VIA ITV WHICH IS HELD AT 610 E. HIGHWAY 260, BOARD OF SUPERVISORS' CONFERENCE ROOM, PAYSON, ARIZONA. THE AGENDA IS AS FOLLOWS:

#### WORK SESSION - TUESDAY, JANUARY 27, 2015 - 10:00 A.M.

#### 1. CALL TO ORDER - PLEDGE OF ALLEGIANCE

#### 2. **REGULAR AGENDA ITEMS:**

- A. Information/Discussion/Action to adopt Resolution 15-01-01 that will approve and authorize County staff to issue the financing package along with any other necessary agreements, instruments and documents; and approve the sale, execution and delivery of up to \$2,000,000 in pledged revenue obligations. (Jeff Hessenius)
- B. Information/Discussion on a revised draft Curfew Ordinance for future Board of Supervisors' approval. (**Mike Pastor**)
- 3. **CALL TO THE PUBLIC:** Call to the Public is held for public benefit to allow individuals to address the Board of Supervisors on any issue within the jurisdiction of the Board of Supervisors. Board members may not discuss items that are not specifically identified on the agenda. Therefore, pursuant to Arizona Revised Statute §38-431.01(H), at the conclusion of an open call to the public, individual members of the Board of Supervisors may respond to criticism made by those who have addressed the Board, may ask staff to review a matter or may ask that a matter be put on a future agenda for further discussion and decision at a future date.
- 4. At any time during this meeting pursuant to A.R.S. §38-431.02(K), members of the Board of Supervisors and the County Manager may present a brief summary of current events. No action may be taken on issues presented.

IF SPECIAL ACCOMMODATIONS ARE NEEDED, PLEASE CONTACT THE RECEPTIONIST AT (928) 425-3231 AS EARLY AS POSSIBLE TO ARRANGE THE ACCOMMODATIONS. FOR TTY, PLEASE DIAL 7-1-1 TO REACH THE ARIZONA RELAY SERVICE AND ASK THE OPERATOR TO CONNECT YOU TO (928) 425-3231.

THE BOARD MAY VOTE TO HOLD AN EXECUTIVE SESSION FOR THE PURPOSE OF OBTAINING LEGAL ADVICE FROM THE BOARD'S ATTORNEY ON ANY MATTER LISTED ON THE AGENDA PURSUANT TO A.R.S. SECTION §38-431.03(A)((3).

THE ORDER OR DELETION OF ANY ITEM ON THIS AGENDA IS SUBJECT TO MODIFICATION AT THE MEETING.

ARF-2972 2. A.

### **Work Session**

Meeting Date: 01/27/2015

Submitted For: Jeffrey Hessenius, Finance Director

Submitted By: Jeffrey Hessenius, Finance Director, Finance Division

Department: Finance Division

<u>Fiscal Year:</u> 2015 <u>Budgeted?:</u> No Contract Dates 2015 - 2029 Grant?: No

Begin & End:

Matching No Fund?: New

Requirement?:

## **Information**

# Request/Subject

Resolution No. 15-01-01 - Approval of Compliance Documents Related to the Financing of the Copper Administration Building Project

## **Background Information**

As the County moves forward with the financing package for the Copper Administration Building project, a Board resolution is needed to approve the form, authorize and deliver a Purchase Agreement; Trust Agreement; a Placement Agent Agreement and any other necessary agreements, instruments and documents; approve the sale and execution and delivery of up to \$2,000,000 in pledged revenue obligations.

# Evaluation

Evaluation of purchasing and payment options for the Copper Administration Building project have been researched, analyzed and presented to the Board of Supervisors. It was determined the fiscally prudent approach to finance the project was in the best interest of the County and its taxpayers.

# Conclusion

Therefore, the adoption of Resolution 15-01-01, to secure private placement financing is determined to be the best course of action.

# Recommendation

Staff recommends the adoption of Resolution 15-01-01, approving the form and authorizing the execution and delivery of the financing package any other necessary agreements, instruments and documents; approve the sale and execution and delivery of up to \$2,000,000 in pledged revenue obligations.

# Suggested Motion

Information/Discussion/Action to adopt Resolution 15-01-01 that will approve and authorize County staff to issue the financing package along with any other necessary agreements, instruments and documents; and approve the sale, execution and delivery of up to \$2,000,000 in pledged revenue obligations. (Jeff Hessenius)

### Attachments

Resolution No. 15-01-01
Placement Agent Agreement
Purchase Agreement
Trust Agreement

Policies and Procedures for Tax-Advantaged Bonds



#### **RESOLUTION NO. 15-01-01**

RESOLUTION OF THE BOARD OF SUPERVISORS OF GILA COUNTY, ARIZONA, STATING ITS INTENTION TO INCUR A LONG TERM OBLIGATION; APPROVING THE FORM AND AUTHORIZING THE EXECUTION AND DELIVERY OF A PURCHASE AGREEMENT (2015), A TRUST AGREEMENT, A PLACEMENT AGENT AGREEMENT AND **NECESSARY** AGREEMENTS, **INSTRUMENTS** DOCUMENTS; APPROVING THE SALE AND EXECUTION AND DELIVERY OF A NOT TO EXCEED \$2,000,000 AGGREGATE PRINCIPAL AMOUNT PLEDGED REVENUE OBLIGATION, SERIES 2015, EVIDENCING ALL OF THE INTERESTS OF THE OWNER **PURCHASE** THEREOF IN THE **AGREEMENT**; DELEGATING AUTHORITY TO THE COUNTY MANAGER, ASSISTANT COUNTY MANAGER OR FINANCE DIRECTOR OF THE COUNTY DETERMINE CERTAIN MATTERS AND TERMS WITH RESPECT TO THE FOREGOING: ADOPTING POST-ISSUANCE TAX COMPLIANCE PROCEDURES IN CONNECTION WITH ISSUANCE OF OBLIGATIONS OF THE COUNTY; AUTHORIZING THE TAKING OF ALL OTHER ACTIONS **NECESSARY** TO THE CONSUMMATION TRANSACTIONS CONTEMPLATED BY THIS RESOLUTION AND **DECLARING AN EMERGENCY** 

WHEREAS, the Board of Supervisors (the "Board") of Gila County, Arizona (the "County"), has determined to finance the costs of the Copper Administration Building (Modular Office Building-Used) (the "Project"), by entering into a long-term obligation that is not secured by the full faith and credit of the County in the form of a Purchase Agreement (2015), to be dated as of the first day of the month of the dated date of the hereinafter described Obligation (the "Purchase Agreement"), with a bank authorized to exercise trust powers in the State of Arizona (the "State"), appointed as provided hereby, as trustee (the "Trustee"), in its separate capacity as "Seller"; and

**WHEREAS**, because the County has a current population of less than five hundred thousand (500,000) persons, prior to incurring such long-term obligation, the Board must hold a hearing as required by A.R.S. § 11-391; and

**WHEREAS**, a hearing on the Purchase Agreement was held at 10:00 a.m., Mountain Standard Time, on January 6, 2015, at the chambers of the Board located at 1400 East Ash Street, Globe, Arizona 85501, after notice thereof pursuant to applicable law; and

**WHEREAS**, pursuant to A.R.S. § 11-391, at least fifteen days after such hearing, the Board must hold the public meeting at which this Resolution was considered to adopt findings and, following the public comments received at and after such hearing, by roll call vote, adopt and enter this Resolution to incur the Purchase Agreement to finance the costs of the Project, stating the public need for the Project, the estimated cost and the amount of the Purchase Agreement; and

WHEREAS, in connection with the Purchase Agreement, the Board hereby deems it necessary and desirable to provide for the sale and execution and delivery of a pledged revenue obligation (the "Obligation"), evidencing all of the interests of the owner of the Obligation in payments to be made by the County to the Trustee pursuant to the Trust Agreement (2015), to be dated as of the first day of the month of the dated date of the Obligation established as provided herein (the "Trust Agreement"), between the Trustee and the County, such payments to be made pursuant to the Purchase Agreement; and

WHEREAS, the Obligation will be secured by amounts received under the Purchase Agreement pursuant to which the County will pledge (i) revenues from all unrestricted transaction privilege (sales) taxes that the County now or hereafter levies, except for any taxes hereafter levied for an inconsistent purpose (the "County-Imposed Excise Taxes Revenues") and (ii) revenues from excise taxes and transaction privilege (sales) taxes imposed and collected by the State, or any agency thereof, and returned, allocated or apportioned to the County, except the County's share of any such taxes which by State law, rule or regulation must be expended for other purposes (together with the County-Imposed Excise Taxes, the "Excise Taxes Revenues"); and

**WHEREAS**, Stifel, Nicolaus & Company, Incorporated (the "Placement Agent") will submit a proposal to place the Obligation pursuant to a Placement Agent Agreement, to be dated the date of placement of the Obligation (the "Placement Contract"), by and between the County and the Placement Agent; and

WHEREAS, pursuant to the Internal Revenue Code of 1986, as amended (the "Code"), and the regulations promulgated thereunder (the "Regulations"), issuers of obligations, the interest on which is intended to be excludable from the gross income of the owners thereof for federal income tax purposes ("Tax-Exempt Obligations"), are required to establish policies and procedures to ensure compliance with the applicable provisions of the Code and the Regulations; and

**WHEREAS**, it is determined that procedures should be adopted in order to ensure that Tax-Exempt Obligations issued by the County comply with the provisions of the Code and the Regulations (the "Procedures"); and

**WHEREAS**, there have been presented to the Board at the meeting at which this Resolution is being adopted (1) the proposed form of the Purchase Agreement; (2) the proposed form of the

Trust Agreement; (3) the proposed form of the Placement Contract and (4) the proposed form of the Procedures; and

**WHEREAS**, financing the costs of the Project pursuant to the Purchase Agreement is in furtherance of the purposes of the County and in the public interest;

# NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF GILA COUNTY, ARIZONA, THAT:

- Section 1.
- (a) It is intended that the County incur the Purchase Agreement to finance the Project. The public need for the Project is to provide the services supplied in the facilities financed with the proceeds of the sale of the Obligation on the most economic financial terms available. The Purchase Agreement is estimated to be in the principal amount of not to exceed \$2,000,000 and, with total estimated interest of \$545,000, to have a total financing cost of \$2,545,000.
- The County Manager, Assistant County Manager or Finance Director of the County are each hereby authorized to determine on behalf of the County the series name and designation of the Obligation; the date the Obligation is to be sold and the identity of the purchaser thereof; the total aggregate principal amount of the Obligation which is to be executed and delivered but not to exceed in total the aggregate principal amount of \$2,000,000; whether the Obligation can be designated for purposes of Section 13(b) of the Purchase Agreement; the date the Obligation is to be dated; the dates on which interest on the Obligation is to be payable and the interest rates per annum the Obligation is to bear; the date the Obligation is to mature but not later than eleven (11) years from the date of the execution and delivery of the Obligation and the provisions for redemption thereof in advance of such date and the terms upon which the Obligation is to be sold (including determinations of price, original issue discount and premium and placement agent compensation); provided, however, that the foregoing determinations shall not result in the yield on the Obligation, as calculated in accordance with Section 148 of the Internal Revenue Code of 1986, as amended, exceeding four percent (4.0%).
- (c) The form and other terms of the Obligation, including the provisions for the signatures, authentication, payment, registration, transfer, exchange, redemption and number shall be as set forth in the Trust Agreement and are hereby approved.
- <u>Section 2</u>. The Obligation is to be sold pursuant to the Placement Contract and the terms to be determined as provided hereinabove.

<u>Section 3</u>. The form, terms and provisions of the Purchase Agreement, the Trust Agreement and the Placement Contract, in substantially the forms of such documents (including the Obligation and other exhibits thereto) presented at the meeting of the Board at which this Resolution is being adopted are hereby approved, with such final provisions, insertions, deletions and changes as determined as provided hereinabove and shall be approved by the Chairman of the Board.

The execution of each such document is conclusive evidence of such approval, and the Chairman of the Board or the Clerk, where applicable, are hereby authorized and directed, for and on behalf of the County, to execute and deliver and attest or approve the Purchase Agreement, the Trust Agreement and the Placement Contract and to take all action to carry out and comply with the terms of such documents.

<u>Section 4</u>. The Trustee (including in its capacity as Seller) is hereby requested to take any and all action necessary in connection with the execution and delivery of the Purchase Agreement, the Trust Agreement and the sale and execution and delivery of the Obligation and is further authorized and directed to enter into such agreements as may be reasonable for the administration of the trusts so held by it.

<u>Section 5</u>. The covenants and agreements contained the Purchase Agreement as to the pledge of and the lien on the Excise Taxes Revenues and the restriction on the issuance of further parity obligations secured by the Excise Taxes Revenues are hereby approved and confirmed.

<u>Section 6</u>. The Procedures are hereby adopted to establish policies and procedures in connection with Tax-Exempt Obligations issued by the County to ensure all applicable post-issuance requirements of the Code and the Regulations needed to preserve the status of such Tax-Exempt Obligations are met. The right to use discretion as necessary and appropriate to make exceptions or request additional provisions with respect to the Procedures as may be determined is hereby reserved. The right to change the Procedures from time to time, without notice, is also reserved.

<u>Section 7</u>. The County Manager, the Assistant County Manager, the Finance Director and the other officers of the County, on behalf of the County, are each hereby authorized and directed, without further order of the Board, to do all such acts and things and to execute and deliver all such certificates, proceedings, agreements and other documents as may be necessary or convenient to be executed and delivered on behalf of the County, to evidence compliance with, or further the purposes of, all the terms and conditions, and the consummation of the transactions contemplated by, and as may be necessary to carry out the terms and intent of, this Resolution.

<u>Section 8</u>. All actions of the officers and agents of the County which conform to the purposes and intent of this Resolution and which further the sale and execution and delivery of the Obligation as contemplated by this Resolution whether heretofore or hereafter taken are hereby ratified, confirmed and approved.

<u>Section 9</u>. If any section, paragraph, clause or phrase of this Resolution shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause or phrase shall not affect any of the remaining provisions of this Resolution. All orders, resolutions and ordinances or parts thereof inconsistent herewith are hereby waived to the extent only of such inconsistency. This waiver shall not be construed as reviving any order, resolution or ordinance or any part thereof.

<u>Section 10</u>. The immediate operation of the provisions of this Resolution is necessary for the preservation of the public peace, health and safety, particularly to finance the Projects on the most attractive terms available to the County, and an emergency is hereby declared to exist, and this Resolution will be in full force and effect from and after its passage by the Board of

Supervisors of the County and it is hereby excepted from the referendum provisions of the Constitution and laws of the State of Arizona. After the Obligation is delivered by the Trustee and upon receipt of payment therefor, this Resolution shall be and remain irrepealable until the Obligation and the interest and premium, if any, thereon shall have been fully paid, cancelled and discharged.

PASSED AND ADOPTED this 27<sup>th</sup> day of January 2015, at Globe, Gila County, Arizona

| Attest:  | GILA COUNTY BOARD OF SUPERVISORS |
|--|----------------------------------|
| Marian Sheppard, Clerk                         | Michael A. Pastor, Chairman      |
| Approved as to form:                           |                                  |
| Bryan Chambers Deputy County Attorney/Civil Bu |                                  |

# **CERTIFICATION**

| I hereby certify that the foregoing Resolution No. 15-01-01 was duly passed and              |  |  |  |
|--|--|--|--|
| dopted by the Board of Supervisors of Gila County, Arizona, at a regular meeting held on the |  |  |  |
| 27th day of January 2015, and the vote was ayes and nays.                                    |  |  |  |
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|  |  |  |  |
| Clerk, Board of Supervisors, Gila County, Arizona  |  |  |  |

ARF-2956 2. B.

### Work Session

Meeting Date: 01/27/2015

Submitted For: Mike Pastor, Member, Board of Supervisors

Submitted By: Marian Sheppard, Clerk of the Board, Clerk of the Board

of Supervisors

<u>Department:</u> Board of Supervisors-District 2

### Information

## Request/Subject

Ordinance establishing curfew for minors

## **Background Information**

In May of 2012, Ms. Sherry Rice requested County staff to develop a curfew ordinance to help control underage drinking in areas of the unincorporated county.

The Board of Supervisors in their Work Session on January 29, 2013, considered the staff's draft of a Curfew Ordinance. The Ordinance established a curfew of 10:00 pm to 6:00 am seven (7) days a week for residents under the age of 18. The draft Ordinance also establishes the circumstances which would constitute exceptions to the curfew, the forms of enforcement, and the penalties for violation of the Ordinance.

The Work Session concluded with the Board instructing staff to circulate the proposed ordinance to the elected officials and the public and then present those comments/suggestions to the Board at a future meeting.

# **Evaluation**

The original draft Curfew Ordinance was created by compiling sections of ordinances currently in effect in other jurisdictions in Arizona. The revised draft includes changes based upon comments received at and after the Work Session.

While most cities and towns already have curfew ordinances that are enforceable within their corporate limits, Gila County does not have a curfew which applies to the unincorporated areas. Some have observed that when the ordinances are enforced within a city or town, the violators simply move to the unincorporated areas to continue their activities after hours.

The Ordinance is drafted to apply only to unincorporated areas of Gila County and specifically excludes incorporated cities and towns as well as sovereign Indian nations and reservations that are located within the County. As such, primary enforcement of the curfew will be carried out by the Gila County Sheriff.

### Conclusion

Staff believes the revised draft Curfew Ordinance for the unincorporated areas of the County is consistent with the ordinances that currently exist in the incorporated communities. We believe the attached Curfew Ordinance responds to the inequity that exists between the incorporated and the unincorporated areas of Gila County.

### Recommendation

Staff recommends that the Board of Supervisors consider and discuss this revised draft Curfew Ordinance and allow a final draft to be placed on a Regular Meeting agenda with a recommendation to advertise and hold a public hearing at a future date.

# Suggested Motion

Information/Discussion on a revised draft Curfew Ordinance for future Board of Supervisors' approval. (Mike Pastor)

# **Attachments**

Curfew Ordinance Revised 2015

# GILA COUNTY CURFEW ORDINANCE NO. 15-XX

(Revised January 2015)

AN ORDINANCE OF THE GILA COUNTY BOARD OF SUPERVISORS RELATING TO CURFEW HOURS FOR MINORS IN ORDER TO REDUCE JUVENILE CRIME, PROTECT THE CITIZENS OF GILA COUNTY, AND REINFORCE PARENTAL SUPERVISION.

PURSUANT TO A.R.S. §11-251 AND §11-251.05; BE IT ORDAINED BY THE GILA COUNTY BOARD OF SUPERVISORS AS FOLLOWS:

#### **SECTION I – DEFINITIONS:**

- 1. "Adult" means a person 18 years of age or older.
- "County" means the County of Gila, Arizona, and includes all unincorporated areas of the County of Gila under the jurisdiction of the County of Gila including United States Forest Service land, United States Bureau of Land Management land, and Arizona State Land, but excludes all incorporated cities, towns and sovereign Indian nations and reservations located within the County.
- 3. "Emergency" means an unforeseen combination of circumstances or the resulting state that calls for immediate action. The term includes, but is not limited to, a fire, a national disaster, an automobile accident or any situation requiring immediate action to prevent serious bodily injury or loss of life or property.
- 4. "GCO 15-" means Gila County Ordinance No. 15- and its subsections.
- 5. "Guardian" means a person who, under court order, has the legal authority and duty to care for another person because of infancy (having not attained the age of 18 years), incapacity or disability. A guardian may be a public or private agency with whom a minor has been placed by a court.
- 6. "Insufficient Supervision" means failure of a parent, guardian, or adult with supervisorial custody to exercise reasonable care and diligence in parenting/rearing a minor.
- 7. "Minor means any person less than eighteen (18) years of age.
- 8. "Parent" means a person who is a natural, adoptive, or foster mother or father; or a step-mother or step-father of at least eighteen (18) years of age who is properly authorized to have the care and custody of a minor.
- 9. "Remain" means to linger or stay or fail to leave premises when requested to do so by a law enforcement officer or by the owner, operator or authorized person in control of the premises.

- 10. "Separate Offense" means an offense arising out of the same event as another offense but containing some differences in elements of proof. A person may be tried, convicted and sentenced for each separate offense.
- 11. "Supervisorial Custody" means being held or kept under the supervision of an adult who is charged or directed by proper authority with holding or keeping a minor under supervision.

#### **SECTION II – OFFENSES:**

- 1. It is unlawful for any minor under the age of eighteen (18) years to be or remain in, about, or upon any place in the County away from the dwelling house or usual abode of said minor between the hours of 10:00 p.m. and 6:00 a.m. Sunday through Thursday and between the hours of 12:00 am to 5:00 am Friday and Saturday.
- 2. It is unlawful for a parent, guardian or an adult having supervisorial custody of a minor to knowingly permit, or by insufficient supervision, allow a minor to violate Gila County Ordinance No. 15- Section II Offenses, Paragraph 1.

#### **SECTION III – DEFENSES:**

It is a defense to prosecution under GCO 15- , Section II, Paragraph 1 or 2 that the minor was:

- 1. Accompanied by the minor's parent, guardian or an adult having supervisorial custody.
- 2. With prior written permission of the parent or guardian, or an adult having supervisorial custody, in a motor vehicle involved in interstate travel.
- 3. With prior written permission of the parent or guardian, or an adult having supervisorial custody, in an employment activity or going to or returning home from an employment activity without any detour or stop.
- 4. Involved in an emergency.
- 5. With prior written permission of the parent or guardian, or an adult having supervisorial custody, attending an official school, religious or other recreational activity supervised by adults and sponsored by any school district, governmental entity, a civic organization or other similar entity that takes responsibility for the minor, or going to or returning from without any detour or stop, an official school, religious or other recreational activity supervised by adults and sponsored by any school district, governmental entity, a civic organization or other similar entity that takes responsibility for the minor.
- 6. With prior written permission of the parent or guardian, or an adult having supervisorial custody, exercising the First Amendment right of free exercise of religion or freedom of speech protected by the United States Constitution.
- 7. With prior written permission of the parent or guardian, or an adult having supervisorial custody, was engaged in reasonable, legitimate and specific business and/or activity.
- 8. Married or had been married, or had disabilities of a minor removed, or emancipation ordered by a court of competent jurisdiction

#### **SECTION IV – IGNORANCE NOT A DEFENSE:**

It shall not constitute a defense that the parent, guardian or an adult having supervisorial custody, did not have actual knowledge of the presence of the minor away from the dwelling house or usual abode of said minor as set forth in GCO 15- Section II.

#### SECTION V - PARENT OR GUARDIAN DUTIES UPON DEMAND FOR CUSTODY:

In addition to any other authority he/she may have, any law enforcement officer who arrests a minor for violation of any provision of this Ordinance is also authorized and may demand that the parent, guardian or adult having supervisorial custody of a minor, take the minor into his/her custody. It shall be unlawful for any parent, guardian or adult having supervisorial custody of the minor to willfully fail or refuse to take the minor into custody after such demand is made upon him/her.

#### **SECTION VI – ENFORCEMENT:**

Before taking any enforcement action under this Ordinance, a law enforcement officer shall ask the apparent offender for proof of his/her age and the reason for being away from the apparent offender's dwelling house or usual abode. The officer shall not issue a citation or make an arrest under this Ordinance unless the officer reasonably believes that an offense has occurred and that, based upon the circumstances, the minor's responses and conduct do not qualify as a defense as provided in GCO 15- Section III, Paragraphs 1 through 8.

#### **SECTION VII – SEPARATE OFFENSE:**

Each violation of GCO 15- Section II, Paragraphs 1 and 2 shall constitute a separate offense.

#### **SECTION VIII – PENALTIES:**

- 1. First Offense: Any minor found in violation of this Ordinance for the first time shall be required to perform not more than 10 hours of community service. Community service may be substituted on an hour for hour basis for attendance at an officially recognized teen outreach program, counseling program or course on substance abuse. The minor must show written proof of his/her attendance and completion of the program or course to the Gila County Sheriff's Office.
- 2. Second Offense: Any minor found in violation of this Ordinance for a second time shall be required to perform not more than 10 hours of community service and pay a fine not to exceed one hundred (\$100.00) dollars. The fine may be waived if the minor shows written proof of attendance and completion of an officially recognized teen outreach program, counseling program or course on substance abuse to the Gila County Sheriff's Office.
- 3. Third Offense: Any minor found in violation of this Ordinance for a third or subsequent time shall be required to perform not more than 10 hours of community service and pay a fine not to exceed more than five hundred (\$500.00) dollars.
- 4. An adult found in violation of this Ordinance shall be guilty of a petty offense punishable by a fine of not more than three hundred (\$300.00) dollars.

#### **SECTION IX – SEVERABILITY:**

Bryan Chambers,

Deputy County Attorney/Civil Bureau Chief

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 remaining portions thereof.

### **SECTION X – PRESERVATION OF PEACE, HEALTH AND SAFETY:**

| Whereas, it is necessary for the preservation of the residents of Gila County, Arizona, this Ordinance sh (30) days from the date of adoption by the Gila Cou | nall become effective from and after thirty |
|---|---|
| PASSED AND ADOPTED by the Gila County Board o   | f Supervisors thisday of, 2015              |
|   | GILA COUNTY BOARD OF SUPERVISORS:           |
|   | By:<br>Michael A. Pastor, Chairman          |
| APPROVED AS TO FORM:  | ATTEST:                                     |

Marian Sheppard, Clerk of the Board