



**RESOLUTION 2008-752**

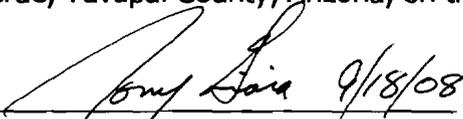
**A RESOLUTION OF THE MAYOR AND COMMON COUNCIL  
OF THE TOWN OF CAMP VERDE, YAVAPAI COUNTY, ARIZONA,  
DECLARING THE TOWN OF CAMP VERDE TOWN CODE,  
DATED SEPTEMBER 17, 2008 TO BE A PUBLIC RECORD**

Whereas, A.R.S. Section 9-802 permits the enactment and publication by reference of a code or public record, including a statute, rule or regulation of the municipality, in the interest of economy, and

Whereas, the document entitled **The Town of Camp Verde Town Code**, dated September 17, 2008 is a lengthy re-codification of prior ordinances and resolutions enacted by the Town, together with additions and amendments, to be adopted by Ordinance 2008-A355, and which would qualify for enactment by reference by law.

**NOW THEREFORE THE MAYOR AND THE COMMON COUNCIL OF THE TOWN OF CAMP VERDE HEREBY DECLARE THE TOWN OF CAMP VERDE TOWN CODE, ATTACHED HERETO AND INCORPORATED HEREIN, TO BE A PUBLIC RECORD PURSUANT TO A.R.S. SECTION 9-802, TO BE ENACTED BY ORDINANCE 2008-A355, AND ORDER THAT THREE (3) COPIES OF THE TOWN CODE, TOGETHER WITH ANY FUTURE AMENDMENTS OR ADDITIONS WHICH ARE ADOPTED, BE PERMANENTLY FILED IN THE OFFICE OF THE TOWN CLERK AND AVAILABLE FOR PUBLIC INSPECTION.**

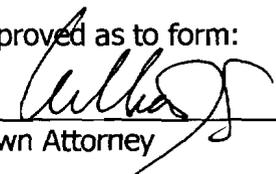
PASSED, APPROVED AND ADOPTED by the Mayor and Common Council of the Town of Camp Verde, Yavapai County, Arizona, on the 17<sup>th</sup> day of September 2008.

  
\_\_\_\_\_  
Tony Gioia, Mayor

Attest:

  
\_\_\_\_\_  
Deborah Barber, Town Clerk

Approved as to form:

  
\_\_\_\_\_  
Town Attorney

**EXHIBIT A**

**TOWN OF CAMP VERDE TOWN CODE PENALTY CLAUSES**

**Section 6-1-8 Penalty**

Any person who violates or fails to comply with any provision of this article shall be guilty of a Class 2 misdemeanor, with punishment as provided by law, unless otherwise specified within a particular section of the Code.

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**1. Section 3-2** - concerning the appointment of an Acting Town Manager in the Town Manager's absence.

**"OFFICERS**

Pursuant to ARS §9-237, as may be amended,....Clerk. Other officers include the Town Manager, Finance Director, Community Development Director, Library Director, Magistrate, Parks and Recreation Director, Housing Department Administrator and Street Superintendent. In the temporary absence of the Town Manager (vacation or sick leave) the Town Manager shall appoint an Acting Town Manager. In the temporary absence of an officer other than the Town Manager, or the officer shall appoint a temporary replacement in consultation with the Town Manager.

**Section 3-2-5 Director of Community Development**

A. Office Established. The Office of Director of Community Development is hereby established. The Director of Community Development shall be appointed by the Town Manager on the basis of ability, and shall hold office pursuant to Section 3-1-3.A of this code.

B. Powers and Duties

**CHAPTER 2  
MAYOR AND COUNCIL  
Article 2-1  
COUNCIL**

**Section 2-1-1 Elected Officers**

A. The elected officers of the Town shall be a Mayor and six Council members. The Mayor and Council members shall constitute the Council and shall continue in office until assumption of duties of office by their duly elected successors.

B. The term of office of the Mayor shall be two years.

C. Council members shall serve four-year staggered terms as provided by ARS § 9-232.02, as may be amended, with three (3) members in each class.

**Section 2-1-2 Corporate Powers**

The corporate powers of the Town shall be vested in the Council and shall be exercised only as directed or authorized by law. All powers of the Council shall be exercised by ordinance, resolution, order or motion.

**Section 2-1-3 Assumption of Office**

Members of the Council shall assume the duties of office at the first meeting in June following the date of the general election at which the Council members were elected, or at any special meeting called to conduct business after the general election by the former Council. If a Council candidate, including Mayor, receives a majority of all votes cast at a primary election, then pursuant to ARS § 9-821.01, as may be amended, such candidate shall be declared elected to the office, but effective as of the date of the general election, to be seated as set forth herein.

**Section 2-1-4 Vacancies in Council**

The Council shall fill by appointment for the unexpired term any vacancy on the Council, including Mayor that may occur for any reason, within 60 days of the vacancy, unless a primary or general election for Council is set within 120 days. The vacancy shall not reduce any Council quorum requirements.

**Section 2-1-5 Oath of Office** Immediately before assumption of the duties of office, the Mayor and each Council member shall, in public, take and subscribe to the oath of office.

**Article 2-2**

**MAYOR**

**Section 2-2-1 Direct Election of Mayor**

A. The Mayor shall be directly elected by the people pursuant to ARS § 9-821.01. If a candidate receives a majority of all votes cast at a primary election, he or she shall be declared Mayor effective as of the date of the general election, and no general election shall be held for that position.

B. The term of the Mayor shall be for two years. In every election one of the declared vacancies on the Council shall be reserved for the election of the Mayor.

C. A candidate may not run for both Mayor and Council member at the same election, a seated Council member whose term is not expiring may not run for the office of Mayor. A Mayor whose term is expiring is permitted to run for the office of Mayor or Council member.

**Section 2-2-2 Vice Mayor**

The Council shall select in June, a Vice Mayor who shall serve for a one-year term at the pleasure of the Council. The Vice Mayor shall assume the duties of the Mayor in the absence, disqualification, or resignation of the Mayor.

**Section 2-2-3 Acting Mayor**

In the absence or disability of both the Mayor and Vice Mayor, the mayor will designate one of the current Council members to serve as acting Mayor who shall have all the powers, duties, and responsibilities of the Mayor during such absence or disability. In the event, the Town Council objects to any such designation, the Council may vote in a public meeting called pursuant to the provisions of this code, to override the mayor's designation and select an alternative person to serve as Acting Mayor.

**Section 2-2-4 Powers and Duties of the Mayor**

The Mayor shall be the Chief Elected Official who is the Chief Executive Officer of the Town; except as to the administrative duties delegated by Section 3-2-1 to the Manager, or other department heads, and in accordance with the procedures set forth in the code and applicable portions of any personnel manual adopted by the Town.

A. The Mayor shall be the chairperson of the Council and preside over its meetings and its agenda. The Mayor may make and second motions and shall have a voice and vote in all its proceedings.

B. The Mayor shall execute and authenticate by his signature such instruments as the Council or any statutes, ordinances, or this code shall require.

C. The Mayor and members of the Council may make such recommendations and suggestions to the Council, as they may consider proper.

D. The Mayor may, by proclamation, declare a local emergency to exist due to fire, conflagration, flood, earthquake, explosion, war, bombing or any other natural or man-made calamity or disaster or in the event of the threat or occurrence of riot, rout or affray or other acts of civil disobedience which endanger life or property within the Town. After declaration of such emergency, the Mayor shall govern by proclamation and impose all necessary regulations to preserve the peace and order of the Town, including but not limited to:

1. Imposition of a curfew in all or any portion of the Town.
2. Ordering the closing of any business.
3. Closing to public access any public building, street, or other public place.
4. Calling upon regular or auxiliary law enforcement agencies and organizations within or without the political subdivision for assistance.

E. The Mayor shall perform such other duties required by state statute and this code as well as those duties required as the Elected Official who is chief executive officer of the Town.

F. At the first meeting in January of each year, Council shall adopt a Policy Statement that authorizes the Mayor to support or oppose bills introduced during Legislative Sessions when they adversely affect the Town's interests and require an immediate response.

#### **Section 2-2-5 Absence of Mayor**

The Mayor shall not absent himself from the Town for a greater period than fifteen consecutive days without the consent of the Council.

#### **Section 2-2-6 Failure to Sign Documents**

If the Mayor refuses or fails to sign any ordinance, resolution, contract, warrant, demand or other document or instrument requiring his signature for five days consecutively, then a majority of the members of the Council may, at any regular or special meeting, authorize the Vice Mayor or, in his absence, an acting Mayor to sign such ordinance, resolution, contract, warrant, demand or other document or instrument which when so signed shall have the same force and effect as if signed by the Mayor.

### **Article 2-3 COUNCIL PROCEDURES**

#### **Section 2-3-1 Regular Meetings**

**Regular Council Meetings.** The Town Council will hold regular meetings at 6:30 p.m. on the first and third Wednesday of the month at the Town Hall complex on Main Street for general business and public hearings as may be required by law, with the fourth Wednesday set aside for Planning & Zoning matters, and the second Wednesday set aside for work sessions as needed. A work session, in lieu of or in conjunction with a regular meeting, may be called. If a regular meeting or work session is cancelled, such as near a holiday, notice of the cancellation shall be posted.

**Section 2-3-1.1 Times and Places of Special Meetings**

A. The Mayor, after public vote of the Council to schedule a special session within the jurisdiction of the Town, shall direct staff to schedule a special session of the Council, or the Mayor and Manager may jointly schedule a special session to be held in appropriate facilities within Town limits, to begin at a time and place designated in the motion.

B. Notices and agendas will be posted for the special sessions as required by law, and additionally posted at the alternate site.

C. Special sessions herein will not be scheduled away from Town Hall if the agenda involves public hearings on **controversial topics** likely to interest citizens of the Town in general rather than a particular neighborhood.

**Section 2-3-2 Special Meetings**

Special and emergency meetings, as permitted by law, shall be called and posted in the same manner as regular meetings by the Mayor or the Town clerk, after confirmation of the availability of a quorum.

**Section 2-3-3 Posting of Notices**

A. Notice of Council meetings and agendas shall be posted at Town Hall, the United States Post Office, Bashas' store at Outpost Mall, and on the Town's website. Other public notices, such as public meetings of Commissions, committees, or boards, bidding, holidays, auctions, and zoning matters, will be posted at Town Hall only, but shall may also be posted on the Town's website. Locations for posting may be changed by Council resolution.

B. All notices shall contain a statement of posting signed by the Town clerk or a designated representative showing the date and time of posting.

C. **Posting of Alternate Meeting Locations.** In addition to the locations and content specified by 2-3-3 (Posting of Legal Notices), the Town Manager or Mayor may request that a meeting with an agenda item or public hearing which may attract a large audience, or need special presentation facilities, be scheduled for the gymnasium, school auditorium, or alternate site suitable for public participation. If the Council votes to change the location for that meeting, notice of the location change shall be posted in the normal locations, plus at the site, and the meeting may be called to order at the site without first being called to order at the Town Hall Council Chamber. This does not preclude the Council from relocating a meeting that is in progress to accommodate a crowd that exceeds maximum occupancy limits as established for Council Chambers.

**Section 2-3-4 Meetings to Be Public**

All proceedings of the Council shall be open to the public, except that upon approval by a majority vote of the Council, the Council may meet in a closed executive session pursuant to the provisions of state law.

**Section 2-3-5 Quorum**

No action shall be taken unless a quorum is present. Four or more Council members (the Mayor counting as a member) shall constitute a quorum for transacting business, but a lesser number may adjourn from time to time to compel the attendance of absent members. In any meeting where a quorum is present, it shall take a majority vote of the entire Council, or a minimum of four (4) votes, to enact any measure, resolution, ordinance, or other business on the agenda.

**Section 2-3-6 Preparation of Agenda**

A. Prior to each Council meeting, or on or before a time fixed by the Council for preparation and distribution of an agenda, whichever is earlier, the manager shall collect all written reports, communications, ordinances, resolutions, contracts and other documents to be submitted to the Council, prepare an agenda in consultation with the Mayor and members of the Council according to the order of business and furnish each Council member, the Mayor and the attorney with a copy of the agenda and other necessary reports and materials together with a copy of the minutes of the last preceding Council meeting.

From time to time, addenda and late additions to the agenda are required and may be authorized by the Manager and Mayor due to extenuating circumstances beyond the control of the person requesting the addendum or late addition.

All Council members are authorized to place item(s) on the agenda. Agenda item requests are to be submitted in written form to the Clerk. If the number of previously scheduled agenda items prevents the scheduling of a requested agenda item, the Mayor (with the consent of the requesting Council member) may schedule the requested item to be heard at the next meeting of the Council.

B. The Town may use a consent agenda to dispose of routine matters coming before the Council.

**Section 2-3-7 Order of Business**

The business of the Council shall be the following items, not necessarily in that order:

A. Call to Order: The Mayor shall take the chair precisely at the hour appointed for the meeting and shall immediately call the Council to order. In the absence of the Mayor, the Vice Mayor shall call the Council to order. In the absence of both the Mayor and Vice Mayor, the clerk shall call the Council to order and an acting Mayor shall be selected to chair the meeting. Upon the arrival of the Mayor or the Vice Mayor, the Vice Mayor or the acting Mayor shall immediately relinquish the chair upon the conclusion of the business immediately before the Council. The Mayor shall preserve order and decorum and decide all questions of order and conduct. Questions from the staff or public are addressed to the chair.

B. Pledge of Allegiance.

C. Roll Call. Before proceeding with the business of the Council, the clerk or the clerk's designee shall record the roll of the members and the names of those present shall be entered in the minutes. If a quorum is not present, the members present may adjourn pursuant to Section 2-3-5 of this code.

D. Consent Agenda: (Routine business, meeting dates, disbursements, and resolutions). Unless a member of the Council requests a reading of the minutes of the Council meeting,

the minutes of the preceding meeting shall be considered approved if correct, and errors rectified if any exist.

E. Call to the Public. The Council on items designated for public input may hear petitions, remonstrances, communications, comments or suggestions from citizens present. All such remarks shall be addressed to the Council as a whole, and not to any member thereof, or the staff. Such remarks shall be limited to three (3) minutes. No person other than the individual speaking shall enter into the discussion without the permission of the presiding officer. There will also be a Call to the Public for items NOT on the agenda. Council may direct staff to follow up on the item with a report or placement on an upcoming agenda.

F. Ordinances/Resolutions/Other Actions Requiring Council Approval. The Council shall consider any ordinances or resolutions or other actions requiring Council approval as may be listed on the agenda.

G. Reports by Officers. Town officials and committees shall present any reports required by the Council.

H. Information and Updates.

I. Adjournment. The Council may, by a majority vote of those present, adjourn from time to time to a specific date and hour. A motion to adjourn shall always be in order and decided without debate.

#### Section 2-3-7.1 Management of Meetings

- A. Where practicable, executive sessions will be held prior to the regular business meetings, as opposed to during or following a meeting.
- B. Meetings should conclude at 10:00 p.m. with planned recesses during the meetings.
- C. Council member discussion is limited to three (3) minutes per member. If an item is opened for public input, the public may address the item ONE time. Public input is limited to three (3) minutes.
- D. All routine, administrative-type items such as contract awards and approvals, proclamations, etc. shall be placed on the Consent Agenda.
- E. Previously approved items, such as budgeted items do not require further Council action and will not be placed on an agenda.
- F. All presentations are limited to ten (10) minutes for the presentation and discussion period.

#### Section 2-3-8 Voting

A. The Mayor shall vote as a member of the Council.

B. If requested by a Council member, the minutes shall show the ayes and nays of any question to be taken. Council members wishing to abstain for a conflict of interest shall state such on the record prior to any discussion or vote on the item and shall file a written declaration with the Clerk as soon as possible following the meeting. Any other abstention must be declared at the time of the calling for a vote, or a silence will be recorded as an affirmative vote. The Mayor or chairman of the meeting will announce on the record whether the motion passed or failed.

#### Section 2-3-9 Declaration of Vacancy

The office of any Council member is deemed vacant pursuant to ARS § 38-291, as may be amended, if such member fails to discharge the duties of his or her office for three (3) consecutive months, including failure to attend Council meetings unless otherwise authorized by the Council.

## Article 3-2

### OFFICERS

#### Section 3-2-1 Town Manager

A. Office Established. The office of Town Manager is hereby established.

B. Appointment of Town Manager. The Town Manager shall be appointed by majority vote of the Council on the basis of executive and administrative ability and shall hold office at the pleasure of the Council.

C. Eligibility. No member of the Council, their spouse or relatives to the first degree shall be eligible for appointment as Town Manager until one year has elapsed after such Council member shall have ceased to be a member of the Council. The Town Manager shall be a resident of the Town, unless such requirement is waived by the Council.

D. Powers and Duties of Town Manager. The Town Manager is the ~~Chief Executive Officer~~ and administrative head of the government of the Town under the direction and control of the Council, except as otherwise provided in this article. He shall be responsible for the efficient administration of all the affairs of the Town that are under his control. In addition to his general powers as administrative head and not as a limitation thereon, it shall be his duty and he shall have the following powers:

1. Law Enforcement. To see that all laws and ordinances of the Town and all franchises, contracts, permits, and privileges granted by the Council are faithfully observed and to report any failure in that regard to the Council. The Council shall then give such instruction and direction as it may desire for remedial, corrective or terminating action by the Manager.
2. Authority Over Employees. To control, order and give direction to all heads of departments (other than Council-appointed officers) and to subordinate officers and employees of the Town under his jurisdiction through their department heads.
3. Power of Appointment and Removal. To appoint, remove, promote, and demote any and all officers and employees of the Town, ~~except the Finance Director~~, the Town Attorney, and the Town Magistrate, all of whom shall be appointed by the Council. As to these officers, he shall recommend appointment and removal to the Council. All such actions of the Manager shall be subject to all applicable personnel ordinances, rules and regulations and state statutes.
4. Administrative Reorganization of Offices. To conduct studies and effect such administrative reorganization of offices, positions, or units under his direction as may be indicated in the interest of efficient, effective, and economical conduct of the town's business.
5. Ordinances. To recommend to the Council for adoption such measures and ordinances as he deems necessary.
6. Attendance at Council Meetings. To attend all meetings of the Council unless the Mayor excuses him individually or unless the Council excuses him, except when his removal is under consideration, in which case the Town Manager's attendance at a meeting shall be governed by the Arizona Open Meeting Act (A.R.S. § 38-431 *et seq.*, as may be amended). He may present recommendations relative to each item on the agenda for approval, rejection, or modification by the Council, and prepare the agenda as provided in Section 2-3-6.A.
7. Financial Reports. To keep the Council at all times fully advised as to the financial condition and needs of the Town.

8. Budget. To prepare and submit a proposed annual budget and a proposed annual salary plan to the Council.
9. Investigations and Complaints. To make investigations into the affairs of the Town and performance of any obligations of the Town and to report all findings to the Council. Further, it shall be the duty of the manager to investigate all complaints in relation to matters concerning the administration of the Town government. If the investigation involves the conduct of a person reporting directly to the Council (the Town Manager or Town Attorney) the Mayor and Vice-Mayor shall designate a person to conduct the investigation. If the Mayor and Vice Mayor cannot agree on such designation, the matter shall be referred to the Council.
10. Public Buildings. To exercise general supervision over all public buildings, parks, and other public property under the control and jurisdiction of the Council.
11. Additional Duties. To perform such other duties as may be required by the Council, not inconsistent with federal law, state law, or Town ordinances.
12. Salary Schedule. To recommend to the governing body a standard schedule of pay for each appointive office and position in Town service, including minimum, intermediate and maximum rates. To authorize the payment of overtime pay for such employees as may work in excess of a normal work period. Such rates of pay and periods of work shall be in conformity with rates and salaries enacted by the Council.

E. Internal Relations.

1. Council-Manager Relations. The Council and its members shall deal with the administrative services of the Town only through the Town Manager, except for the purpose of inquiry, and neither the Council, nor any member thereof shall give orders or instructions to any subordinates of the Town Manager. The Town Manager shall take his orders and instructions from the Council only when sitting in a duly convened meeting of the Council, and no individual Council member shall give orders or instructions to the Town Manager.

F. Attendance at Commission Meetings. The Town Manager may attend any and all meetings of the planning and zoning commission and all other commissions, boards or committees created by the Council. He shall cooperate to the fullest extent possible with the members of all commissions, boards, or committees appointed by the Council.

G. Other Departments. The Town Manager may, with the concurrence of the Council, establish other departments (in addition to the departments set forth in this Code) to conduct the business and affairs of the Town.

H. Before appointing a person to fill the positions of Town Clerk, Town Marshal, Director of Public Works/Town Engineer or any other department head position, the Town Manager shall solicit input from no more than three persons serving on the Council.

## CHAPTER 4

### BOARDS, COMMISSIONS AND COMMITTEES

#### 4-2 Organization

B. Duties of Officers/Members. The duties and powers of the various officers and members of the boards and commissions are as follows:

1. Chairperson. The chairperson shall preside at all meetings and hearings of the board or commission, decide all points of order or procedure, and perform any duties required

by law, ordinance or the requirements established in this chapter. The term of the chairperson shall be one year, unless reelected to succeeding terms by a majority vote of the membership. The chairperson shall be responsible for becoming familiar with and adhering to the provisions of the open meeting law. The chairperson shall also become familiar with the provisions of Roberts Rules of Order, and, although general informality in such rules of order may prevail, shall adhere to such rules in the conduct of meetings where emotional content of the subject matter or the conflict of personalities may otherwise interfere with the orderly conduct of business. The chairperson may, to the extent necessary, work with the department head assigned to the board or commission to assist with special needs, requirements for assistance from the staff, reviewing monthly budget reports and preparation of agendas. The chairperson will determine whether he/she, staff liaison, or designee, will provide a written report to the Mayor and Council summarizing the board or commission activities during the prior quarter, identifying upcoming activities and reviewing any problems, concerns or proposals. Such reports are to be submitted to the Town Clerk for distribution to the Council. Meetings may be scheduled with Council as needed and/or on a regular quarterly basis. In addition, the chairperson shall sign all minutes and resolutions of the board or commission.

### **Article 4-3 MEETINGS**

5. Abstentions/Conflict of Interest. If a member of a board or commission determines that they have a conflict of interest, they shall remove themselves from the meeting room and not take part in either the discussion or the vote. Such conflict should be stated prior to the item being introduced or just after introduction but prior to discussion. A *Conflict of Interest Disclosure Memorandum* form must be completed, signed, and submitted to the Clerk's Office for each conflict that is declared. A member may abstain from voting on an item even if a conflict of interest is not present; however, this is not a preferred action.

#### **Section 5-2-2 Powers and Duties of Town Magistrate**

The powers and duties of the Magistrate shall include:

- A. The powers and duties set forth and conferred upon him under the provisions of the state constitution and statutes, this code, and the ordinances and resolutions of the Town.
- B. The keeping of a docket in which shall be entered each action and the proceedings of the court therein.
- C. The responsibility for fixing and receiving all bonds and bails and for fixing and receiving all fines, penalties, fees and other monies as provided by law.
- D. Payment of all fees, fines, penalties, and other monies collected by the court at least once each month to the treasurer or other officer as designated by the Council.
- E. Submitting a monthly report to the Council summarizing court activities for that month.
- F. Preparation of a schedule of traffic violations not involving the death of a person, listing specific bail for each violation.
- G. Designation of a deputy other than a law enforcement officer and a specific location, at which the deputy shall, during hours when court is not open, set the amount of bail in accordance with the foregoing schedule and collect such bail, or accept proper bail bonds in lieu thereof, for and on behalf of the court.

H. Preparation of a schedule of civil traffic violations listing a specific deposit for each violation. The Magistrate shall designate a person, a specific location and the hours during which such person will be at the location to accept proper deposits for civil traffic violations for and on behalf of the court.

I. Prepare an annual departmental budget as required by the Town manager.

J. Supervise and administer, including hiring, promotion and termination of court employees consistent with the requirements of the Town Code, Personnel Rules and adopted budget.

K. Purchase, acquire, or retain goods and services consistent with the requirements of the Town Code and adopted budget.

L. Provide coordination, input, and advice on court administrative matters to the Town Council and staff.

### **Section 5-2-4 Assistant Magistrate**

The Town Magistrate may recommend to the Council the names of individuals qualified to serve as assistant magistrate, subject to the assignment and direction of the Town Magistrate, once appointed. All assistant magistrates shall serve for a specified term, subject to removal by the Council. All duly appointed assistant magistrate shall be compensated per a fee established by the Council, and subject to the reimbursement of those travel expenses and other out-of-pocket allowances permitted for Town employees.. All assistant magistrates are deemed to be part-time Town employees subject to contributing to the Arizona State Retirement under certain conditions and paying payroll taxes, but are not eligible for benefits such as health insurance and paid time off.

## **CHAPTER 9 BUSINESS REGULATIONS Article 9-1 CASUAL BUSINESS LICENSE**

- 9-1-1 Definitions
- 9-1-2 License Required
- 9-1-3 Applications
- 9-1-4 Fees
- 9-1-5 Fees for Charitable, Religious or Civic Organizations
- 9-1-6 License to be posted
- 9-1-7 Location Restrictions
- 9-1-8 Undue Noise Prohibited
- 9-1-9 Enforcement by Police Officers
- 9-1-10 Revocation
- 9-1-11 Signs to be Observed

### **Section 9-1-1 Definitions**

In this article unless the context otherwise requires:

A. "Canvasser or solicitor" means any person, whether a resident of the Town or not, traveling either by foot, wagon, automobile, motor truck, or any other type of conveyance from place to place, from house to house or from street to street taking or attempting to take orders for sale of goods, wares and merchandise, personal property of any nature whatsoever for future delivery or for services to be furnished or performed in the future, whether such person is

collecting advance payments on such sales or not, provided that such definition shall include any person who, for himself or for another person, hires, leases, uses or occupies any building, structure, tent, railroad car, boat, hotel room, lodging house, apartment, shop, or any other place within the Town for the sole purpose of exhibiting samples and taking orders for future delivery.

B. "Peddler" means any person, whether a resident of the Town or not, traveling by foot, wagon, automobile, or any other type of conveyance from place to place, from house to house or from street to street carrying, conveying or transporting goods, wares, merchandise, meats, fish, vegetables, fruits, garden truck farm products or provisions, offering and exposing the same for sale or making sales and delivering articles to purchasers, or a person who, without traveling from place to place, shall sell or offer the same for sale from a wagon, automotive vehicle, railroad car or other vehicle or conveyance. It is further provided that a person who solicits orders and, as a separate transaction, makes delivery to purchasers as a part of the scheme or design to evade the provisions of this chapter shall be deemed a peddler subject to the provisions herein contained. The word "peddler" shall include the words "hawker" and "huckster".

C. "Transient merchant," "itinerant merchant," or "itinerant vendor" means any person, whether owner or otherwise, whether a resident of the Town or not, who engages in a temporary business of selling and delivering goods, wares and merchandise within the Town, and who, in furtherance of such purpose, hires, leases, uses or occupies any building, structure, motor vehicle, tent, railroad car, boat, hotel room, lodging house, apartment, shop, or any street, alley or other place within the Town for the exhibition and sale of such goods, wares and merchandise, either privately or at public auction, provided that such definition shall not be construed to include any person, firm or corporation who, while occupying such temporary location, does not sell from stock but exhibits samples only for the purpose of securing orders for future delivery. The person so engaged shall not be relieved from complying with the provisions of this chapter merely by reason of associating temporarily with any local dealer, trader, merchant, or auctioneer or by conducting such transient business in connection with, as a part of or in the name of any such local dealer, trader, merchant, or auctioneer.

D. "Special Event" includes the temporary sales and displays by street vendors, craft shows, fair booths, and similar operations usually associated with a special event or holiday.

### **Section 9-1-2 License Required**

It is unlawful for any peddler, solicitor, canvasser, transient merchant, itinerant merchant, or itinerant vendor to engage in such business within the corporate limits of the Town without first obtaining a Casual Business license in compliance with the provisions of this chapter. This article shall also govern all special event sales and operations within the Town limits. This article does not apply to participants of Town Events who have paid booth fees, garage sales, auctions, sidewalk sales, student fund raising sales, and bake sales that occur less than three (3) times per year; events occurring more than three (3) times per year must obtain a Casual Business License. This article also does not apply to licensed retail businesses that conduct occasional off-site sales events, such as car and recreational vehicle shows and home shows. However, off-site sales may require zoning clearance.

### **Section 9-1-3 Applications**

A. Applicants for a Casual Business License under this chapter must file with the clerk a sworn application in writing, on a form to be furnished by the Clerk, which shall give the following information:

1. Name and description of the applicant.
2. Address, legal and local.
3. A brief description of the nature of the business and the goods to be sold and, in the case of products of farm or orchard, whether produced or grown by the applicant.
4. Verification of a Transaction Privilege Tax License.
5. If employed, the name and address of the employer, together with credentials establishing the exact relationship.
6. The length of time for which the right to do business is desired. No Casual Business License shall be issued for a period longer than three (3) consecutive days.

7. If a vehicle is to be used, a description of the same, together with license number of any vehicles to be used in or near the display area or other area of business, and other means of identification.
8. A statement as to whether or not the applicant has ever been convicted of any crime, misdemeanor, or violation of any municipal laws and the nature of the offense and the punishment or penalty assessed therefore.
9. Obtain the written permission of the property owner and tenant, if any, for the operation.
10. Obtain any necessary health or other regulatory permits required by law.

B. No license issued hereunder shall be transferable.

#### **Section 9-1-4 Fees**

A. The license fees for peddlers, solicitors, canvassers, and transient merchants and the application fee provided in Section 9-1-3 shall be determined by resolution of the Council.

B. No fee shall be required of any resident of the Town of Camp Verde selling products of the farm or orchard actually produced by the resident.

#### **Section 9-1-5 Fees for Charitable, Religious or Civic Organizations**

There shall be no fees for charitable, religious, or civic organizations. It shall be the duty of the Clerk to determine if the organization making the application is a charitable, religious, or civic organization and that the individual making the application is a member of the organization. The determination by the Clerk may be appealed to the Town Manager, which may at his discretion decide such appeal or refer it to the Council.

#### **Section 9-1-6 License to be Posted**

The license issued by the Clerk shall be posted in a conspicuous place if the licensee is using a vehicle or a building in his business and otherwise must be kept by the person and exhibited at any time upon request.

#### **Section 9-1-7 Location Restrictions**

No peddler, canvasser, or transient merchant shall locate on the public street or property, and must have written permission of a property owner for private property. It is unlawful for any peddler, canvasser, or transient merchant to operate in any stationary location, to operate within three hundred feet of a public school ground, or to operate in any congested area where such operation might impede or inconvenience the public or cause traffic or parking hazards. The judgment of a law enforcement officer exercised in good faith shall be deemed conclusive as to whether the area is congested or the public impeded or inconvenienced.

#### **Section 9-1-8 Undue Noise Prohibited**

No licensee, nor any person on the licensee's behalf, shall shout, make any outcry, blow a horn, ring a bell or use any sound device, including any loud speaking radio or sound amplifying system, for the purpose of attracting attention to any goods, wares, or merchandise which such licensee proposes to sell upon any of the streets, alleys, parks or other public places of the Town or upon any private premises in the Town where sound of sufficient volume is emitted or produced that is capable of being plainly heard upon the public thoroughfares.

#### **Section 9-1-9 Law Enforcement**

It shall be the duty of any law enforcement officer of the Town to enforce the provisions of this article.

#### **Section 9-1-10 Revocation**

The Clerk after notice for any of the following causes may revoke permits and licenses issued under the provisions of this chapter:

- A. Fraud, misrepresentation, or false statement contained in the application for license;
- B. Fraud, misrepresentation, or false statement made in the course of carrying on business;
- C. Any violation of this article;

D. Conducting business in an unlawful manner or in such a manner as to constitute a breach of the peace or to constitute a menace to the health, safety or general welfare of the public.

**Section 9-1-11 Signs to be Observed**

It is unlawful for any peddler, solicitor, canvasser or transient merchant, in the course of his business to ring the doorbell or knock at any building whereon a sign bearing the words "No Peddlers," "No Solicitors," "No Canvassers," "No Transient Merchants," or a similar message is exposed to public view.

**Article 9-3  
BUSINESS LICENSES**

9-3 Definitions

9-3-1 Purpose

9-3-2 Registration and License

9-3-3 Issuance of Business License

9-3-4 Payment

9-3-5 Posting of Business License

9-3-6 License not Transferable

9-3-7 Fees

9-3-8 Penalty

**Section 9-3 Definitions**

- A. "Business" means occupation, work, or trade in which a person is engaged; commercial, industrial, or professional dealings; the buying and selling of commodities; and any commercial store or factory. For the purposes of this article, "Business" also includes those property owners that offer for lease three (3) or more residential units and/or one (1) or more commercial unit(s) that are located within the incorporated limits of the Town of Camp Verde.
- B. "Business Location" means the physical location (address) of the business location. If business location includes more than one parcel, all parcel numbers must be listed on the Application for Business License and receive a Zoning Clearance approval before a Business License will be issued.
- C. "Home Occupation" means an occupation, profession, activity or use located in a residential district, and which uses is merely incidental to the residential use and does not change the character of the neighborhood by externally detectable lighting, noise, odor, or appearance associated with the activity, and is created and operated as a sole proprietorship with no more than one non-residential employee. No storage or use of toxic materials and/or chemicals that are utilized in connection with a Home Occupation are permitted in a residential district.
- D. "Property Owner" means the legal owner of the land/parcel on which the business is conducted.
- E. "Occupier of Land" means a Business Owner that does not own the land/parcel on which the business is conducted.
- F. "Telecommuting" means working from home as an employee or employer by way of electronic transmission devices. Telecommuting does not require a Business License.
- G. "Toxic Materials/Chemicals" mean liquid, aerosol, or solid substances that are harmful, destructive, deadly, or poisonous to human, animal, or fowl.

**Section 9-3-1 Purpose**

The Council has determined that it is in the best interest of the public to maintain a list of business activities within the Town to provide contacts for emergency services, directories, compliance with zoning codes, building and fire codes, tax, and/or other ordinances and statutes.

**Section 9-3-2 Registration and License Required**

It is unlawful for any person, firm, organization, corporation or other entity to engage in business within the corporate limits of the Town without first obtaining a Business License in compliance with the provisions of this chapter.

**Section 9-3-3 Issuance of Business License**

It is the duty of the Town Clerk to prepare and issue a Business License under this article for every person, firm, company, or corporation liable therefore; the period of time covered; the name of the person, firm or corporation for whom issued; the type of business; the location or place of business and verification of privilege tax license.

**Section 9-3-3.1 Certificate of Compliance**

No operation of any new business, excluding Home Occupation businesses, will be allowed or Business License issued within the limits of the Town without the issuance of a Certificate of Compliance from the Building Department. The Certificate of Compliance requires a physical inspection of the building to verify that the proposed business activity and building are in compliance with all zoning, building, and fire codes.

Issuance of the Business License does not imply that the Town in any way regulates or warrants the manner in which the operator does business.

**Section 9-3-4 Payment**

A. All Business License fees shall be paid at the office of the Town Clerk in such manner as may be specified by the Clerk.

B. Business Licenses are issued for a 12-month period. Annual renewal payments are due on the first day of the month in which the license was first issued. For example, renewal fees for License #000 issued on January 30, 2008 become due on January 1, 2009.

C. The Business License and registration for all businesses which do not pay the required fees within thirty days of their due date will be cancelled. A new application and associated fees will be required to reinstate the Business License.

D. A full fee shall be paid for each fee period or portion of a fee period in which a business is carried on.

E. A separate Business License must be obtained for each branch established or separate place of business in which any business is carried on. If a business location includes more than one parcel, all parcel numbers must be listed on the Application for Business License. All parcels must receive Zoning Clearance approval before a Business License will be issued.

**Section 9-3-5 Posting of Business License**

Every person, firm, company, or corporation, having a Business License under the provisions of this article, shall keep such Business License posted and exhibited, while in force, in some conspicuous part of the place of business. Every person having such Business License and not having a fixed place of business shall carry such Business License with him at all times while carrying on that business for which the same was granted. Every person, firm, company, or corporation having a Business License under the provisions of this article shall produce and exhibit the same whenever requested to do so by any officer authorized to issue, inspect, or collect by the Town.

**Section 9-3-6 License not Transferable**

No Business License issued under the provisions of this article shall in any manner be assignable or transferable to any other person, firm, company, or corporation.

**Section 9-3-7 Fees**

All businesses liable shall pay a set fee as set forth by the Council by resolution. Fees are non-refundable and are not set on a pro rata basis.

**Section 9-3-8 Penalty**

It is unlawful for any person to commence, transact, or carry on any business within the Town without first having obtained a license from the Town or to comply with all provisions of this Chapter. Violations shall be punishable under Chapter 1, Article 1-8 with each day that such business is practiced, transacted or carried on constituting a separate offense. It shall be the duty of any authorized personnel or officer of the Town to enforce the provisions of this chapter.