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AGENDA

REGULAR SESSION

MAYOR AND COUNCIL

COUNCIL CHAMBERS · 473 S. Main Street, Room #106

WEDNESDAY, MARCH 2, 2011

at 6:30 P.M.

1. **Call to Order**
2. **Roll Call**
3. **Pledge of Allegiance**
4. **Consent Agenda** – All those items listed below may be enacted upon by one motion and approved as consent agenda items. Any item may be removed from the Consent Agenda and considered as a separate item if a member of Council requests.
 - a) **Approval of the Minutes:**
 - 1) Regular Session – February 16, 2011
 - b) **Set Next Meeting, Date and Time:**
 - 1) March 9, 2011 at 6:00 p.m. – Work Session
 - 2) March 16, 2011 at 6:30 p.m. – Regular Session
 - 3) March 23, 2011 at 6:30 p.m. – Council Hears Planning & Zoning Matters
 - c) **Possible approval of the proposed Budget Calendar for FY 2011/12** Staff Resource: Russ Martin
 - d) **Possible approval of Resolution 2011-837, a Resolution of the Mayor and Common Council of the Town of Camp Verde, Yavapai County, Arizona ("Town"), amending Resolution 2010-806, and amending an Intergovernmental Agreement ("IGA") between the Town of Camp Verde and the State Parks Board ("Board"), allowing for an extension of the expiration date from March 29, 2011 to June 30, 2011 and authorizing the expenditure of budgeted funds in the amount of \$26,250 to continue support of the operations at Fort Verde Historic Park ("Park").** Staff Resource: Russ Martin
5. **Special Announcements & Presentations** - There are no special announcements or presentations.
6. **Council Informational Reports.** These reports are relative to the committee meetings that Council members attend. The Committees are Camp Verde Schools Education Foundation; Chamber of Commerce, Intergovernmental Association, NACOG Regional Council, Verde Valley Transportation Planning Organization, Yavapai County Water Advisory Committee, and shopping locally. In addition, individual members may provide brief summaries of current events. The Council will have no discussion or take action on any of these items, except that they may request that the item be placed on a future agenda.
7. **Call to the Public for items not on the agenda.**
8. **Public Hearing, discussion, consideration, and possible approval of Liquor License Application for The Valley View Restaurant and Copper Room Lounge located at 102 W. Arnold Street in Camp Verde, owner John Perhne.** Staff Resource: Deborah Barber
9. **Call to the Public for Items not on the Agenda.**
10. **Advanced Approvals of Town Expenditures.** There are no advanced approvals.
11. **Manager/Staff Report** Individual members of the Staff may provide brief summaries of current events and activities. These summaries are strictly for informing the Council and public of such events and activities. The Council will have no discussion, consideration, or take action on any such item, except that an individual Council member may request that the item be placed on a future agenda.
12. **Recess to a Work Session to discuss and possibly provide direction to staff relative to proposed changes to the Town Code.**
13. **Adjournment**

Posted by: *D. Jones* Date/Time: *2-24-11* *9:45 a.m*
 Note: Pursuant to A.R.S. §38-431.03.A.2 and A.3, the Council may vote to go into Executive Session for purposes of consultation for legal advice with the Town Attorney on any matter listed on the Agenda, or discussion of records exempt by law from public inspection associated with an agenda item.

The Town of Camp Verde Council Chambers is accessible to the handicapped. Those with special accessibility or accommodation needs, such as large typeface print, may request these at the Office of the Town Clerk.

4.a.1
DRAFT MINUTES
REGULAR SESSION
MAYOR AND COUNCIL
COUNCIL CHAMBERS
WEDNESDAY, FEBRUARY 16, 2011
6:30 P.M.

Minutes are a summary of the actions taken. They are not verbatim.
Public input is placed after Council motions to facilitate future research.
Public input, where appropriate, is heard prior to the motion

1. **Call to Order**

The meeting was called to order at 6:30 p.m.

2. **Roll Call**

Mayor Burnside, Vice Mayor Kovacovich, Councilors Whatley, Garrison, Baker, Roulette and German were present.

Also Present: Town Manager Russ Martin, Acting Community Development Director Mike Jenkins, Code Enforcement Official Robert Foreman, Asst. Planner Jenna Owens, Administrative Assistant Carol Brown, Town Clerk Debbie Barber, and Recording Secretary Margaret Harper.

3. **Pledge of Allegiance**

The Pledge was led by Whatley.

4. **Consent Agenda** – All those items listed below may be enacted upon by one motion and approved as consent agenda items. Any item may be removed from the Consent Agenda and considered as a separate item if a member of Council requests.

a) **Approval of the Minutes:**

- 1) Regular Session – February 2, 2011
- 2) Council Hears P&Z Matters – January 26, 2011

b) **Set Next Meeting, Date and Time:**

- 1) February 23, 2011 at 6:30 p.m. – Council Hears Planning & Zoning Matters - **CANCELLED**
- 2) February 25, 2011 at 7:00 a.m. – Work Session
- 3) March 2, 2011 at 6:30 p.m. – Regular Session
- 4) March 16, 2011 at 6:30 p.m. – Regular Session/Special Council Hears Planning & Zoning Matters
- 5) March 23, 2011 at 6:30 p.m. – Council Hears Planning & Zoning Matters
- 6) March 30, 2011 at 6:30 p.m. – Work Session

On a motion by Kovacovich, seconded by Garrison, the Consent Agenda was unanimously approved as presented, with the change in meeting dates as discussed.

After a brief discussion, there was unanimous agreement to cancel the February 25, 2011 Work Session scheduled for 7:00 a.m., and instead set the Work Session for February 23, 2011, at 6:00 p.m.

5. **Special Announcements & Presentations**

Welcome to the new businesses:

- Lansink Family Properties, 301 S. Woods Street, Camp Verde
- Kings Authentic Gifts & Souvenirs, 1550 W. Highway 260, Camp Verde
- Alarm Electronics, Prescott, Az
- Baier's Carpet & Upholstery Cleaning, Camp Verde
- Valley View Restaurant, 102 W. Arnold, Camp Verde
- Jerry Rosenberg, 866 N. Garner Lane, Camp Verde
- Doc's Small Engine Repair/Welding, 227 S. Woods, Camp Verde
- Highlands Floor Covering, Flagstaff, AZ
- Tyler Technologies, Inc., Sugarland, TX

Mayor Burnside, expressing his pleasure at being able to make the announcement, read into the record the list of new businesses.

6. **Council Informational Reports.**

German reported that she had attended the soft opening of the new restaurant, and volunteered at the Pecan & Wine Festival

last weekend, which seemed to be aw very successful event.

Roulette said he also enjoyed himself at the Pecan & Wine Festival; it was well done.

Baker reported on attending the Pecan & Wine Festival; comments from the public indicated it was a great show this year; she also volunteered at the Fort, and public comments there indicate they were quite impressed; Baker reminded them to spread the word to friends and family.

Kovacovich thanked the maintenance staff for the new flagpole in front of Town Hall; other members joined in the thanks.

Whatley shared her experience in unsuccessfully trying to go to the new Valley View Restaurant; the parking lot was filled to capacity. Whatley also volunteered at the Pecan & Wine Festival two days, but spent one day just attending what she described as a great and very successful event.

Garrison shared her exceptionally busy week, including information on the three-year branding project accomplished by the Navajo and Apache Counties, called the Real AZ Corridor, with the website www.realazcorridor.com. Garrison attended the Yavapai County Supervisors Redistricting in Cottonwood; there will be a meeting in Cottonwood on March 1, 2011 at 4:00 p.m.; it is important for everyone to get involved and complete the survey form; all comments will be submitted to Washington with the application for redistricting. Garrison commented on the 2011 Tourist Roundup scheduled for /April 6, from 10:00 to 5:00 p.m. in Williams, Arizona; there will be no charge this year. She praised the job done by all participants on the new flagpole, and the dedication ceremony. She also enjoyed the opening of the Valley View Restaurant, and reminded everyone of the Yavapai-Apache Nation Exodus and Return event on February 26, 2011 that will involve a temporary road closure on the Reservation. The new UPS store will be celebrating their Grand Opening February 19th.

Burnside welcomed the new Public Works Project Manager, Steve Burroughs. Burnside reported on attending the Honor of the Chaplains at the VFW. Hhe described the proposed route of a Pink Fire Truck throughout the state; donations will be sought at each city or town and will be used to aid each town's cancer victims. Burnside commented on the Valentine's evening event at the Mingus Cafeteria; he participated in a brainstorming session on promoting agriculture and canning to benefit the Verde Valley. He reported on the Prescott National Forest presentation on the proposed Trails Map. The Town Manager has been requested to submit a copy of the transportation map that is in the General Plan to be included on the proposed map. Burnside commented on the cleanup efforts in front of the Library, and reminded everyone of the voting ahead for a new Mayor and three Council members.

7. **Call to the Public for items not on the agenda.**

Steve Goetting gave an update on the Pecan & Wine Festival, extending special thanks to all the volunteers, vendors, restaurants, wineries, and others who participated, as well as the Town staff in connection with insurance and yard work. Attendance appeared to be up about 10% over last year, and he will be meeting with Town staff at the end of the month with a final total.

There was no further public input.

8. **Presentation by Carol Brown relative to an overview of Risk Management followed by possible discussion. Staff**

Resource: Carol Brown

There was no action taken.

Carol Brown, Administrative Asst. to the Town Manager, presented a brief overview and definition of Risk Management, and its importance, background and objectives. The presentation included a list of tools to identify risks, some assets that increase the Town's exposure, direct and indirect risk-related costs, insurance options, and the benefit of written guidance provided by a Risk Management Policies and Procedures and Safety Program. Baker commended Brown for the work she had done in her research, and the result should make the Board of Trustees quite happy. Brown alerted the Council to some minor changes that she has made in the draft Policies and Procedures that the Council will be reviewing. Brown added her thanks to all the individuals and agencies that had assisted her in the research.

9. **Public Hearing, discussion, and possible approval of Resolution 2011-833, a resolution of the Mayor and Common Council of the Town of Camp Verde, Yavapai County, Arizona, superseding Resolution 2006-699 and vacating the approval of the Final Plat for the River's View subdivision at Simonton Ranch.** Staff Resource: Mike Jenkins
On a motion by Baker, seconded by German, the Council unanimously approved Resolution 2011-833, a resolution of the Mayor and Common Council of the Town of Camp Verde, Yavapai County, Arizona, superseding Resolution 2006-699 and vacating the approval of the Final Plat for the River's View subdivision at Simonton Ranch.

On a motion by Baker, seconded by Kovacovich, the Council unanimously approved an amendment to the original motion, to delete from Resolution 2011-833, in the last WHEREAS paragraph, the entire last sentence beginning as follows: "Should the developer/subdivider of such property intend on developing the subject property"

STAFF PRESENTATION

Acting Community Development Director Jenkins first explained that he has been made aware of questions about other subdivision plats in process that have been approved and have also had the time limits expire on their plats; once the Council has made a decision on the Simonton Ranch subdivision, the other subdivisions will then be addressed.

Jenkins reviewed the background information on the Final Plat for the subject River's View Subdivision that had been approved by Town Council on October 25, 2006. Jenkins cited the language in Article IV of the Town's Subdivision Regulations that authorizes the Council to vacate that approval since the conditions of the approval of the Final Plat have not been satisfied within the time required and it is not acceptable for recording. The owners of the property have been notified by Certified Mail as well as by telephone. Jenkins said that when documents pertaining to the Homestead and River's View subdivisions in the Simonton Ranch development were referred to other agencies, Yavapai County Flood Control noted that there were several other subdivisions and a comprehensive master drainage plan for the entire area would be required. That led to a further review of the entire project and identification of a problem with the streets because of lack of interconnection with other subdivisions in development, among other issues. The Planning & Zoning Ordinances do not require a recommendation from the Commission prior to Council action. Based on the issues noted, staff believes it would be of benefit to the Town to reconsider and vacate this Final Plat. The developer would then be required to resubmit it through the Community Development Department, in accordance with the new Codes and standards, including the requirements of Yavapai County, and the road alignments and how they connect could also be reviewed

PUBLIC HEARING OPEN

Applicant's Statement

Al Dupuy, Developer, said that because of the economy it does not make economic sense to proceed further; he was grateful for the patience of the Town to this point, but he accepts what has to be done.

COMMENT FROM OTHER PERSONS

There were no comments from other persons.

APPLICANT'S REBUTTAL

No rebuttal was necessary.

PUBLIC HEARING CLOSED

Council Discussion

With no further discussion, Baker made a motion to approve the subject Resolution, seconded by German. A brief discussion, with input from the Town Manager, then followed based on Burnside's objection to the language in the proposed Resolution that refers to land development standards "to be adopted" by the Town. Baker then moved to amend the original motion to delete the language discussed, and action was taken accordingly.

10. **Public Hearing, discussion, and possible approval Resolution 2011-834, a resolution of the Mayor and Common Council of the Town of Camp Verde, Yavapai County, Arizona, superseding Resolution 2006-693 and vacating the approval of the Final Plat for the Homestead subdivision at Simonton Ranch.** Staff Resource: Mike Jenkins

On a motion by Kovacovich, seconded by Baker, the Council unanimously approved Resolution 2011-834, a resolution of the Mayor and Common Council of the Town of Camp Verde, Yavapai County, Arizona, superseding Resolution 2006-693 and vacating the approval of the Final Plat for the Homestead subdivision at Simonton Ranch, and deleting the entire last sentence in the last WHEREAS paragraph.

STAFF PRESENTATION

Jenkins pointed out that Council is considering the identical situation that was just addressed in the preceding item, also adopted on October 25, 2006, with all the same conditions applicable.

PUBLIC HEARING OPEN

Applicant's Statement

There was no applicant's statement. Jenkins confirmed that the applicant has been advised by Certified mail and in telephone conversations on an ongoing basis, as well as regarding another subdivision he has in Camp Verde; he is therefore well aware of the action being taken and is fairly comfortable with it since he has indicated he may want to reconsider how to develop the property because of the current economic conditions.

COMMENT FROM OTHER PERSONS

There were no comments from other persons.

APPLICANT'S REBUTTAL

No rebuttal was necessary.

PUBLIC HEARING CLOSED

Council Discussion

Staff confirmed that deleting the sentence as approved in the previous item would create no problem in the future for someone going forward with a development project, since that would be subject to the Town's newly adopted Codes and it would be the same as starting all over.

Asst. Planner Owens advised the Council that by not taking action tonight and moving this item to a new agenda, it could not be heard any sooner than 15 days due to advertising requirements.

11. **Public Hearing, discussion, and possible approval of Resolution 2011-832 of the Mayor and Common Council of the Town of Camp Verde, Yavapai County, Arizona, superseding Resolution 2006-685 and approval to record the abandonment and reversion to acreage plat for the Silverado subdivision at Simonton Ranch and said plat also including the abandonment of all roadways, easements, and common areas of the subdivision as evaluated by the Planning & Zoning Commission on January 27, 2011. Staff Resource: Mike Jenkins**

On a motion by Roulette, seconded by Whatley, the Council unanimously approved Resolution 2011-832 of the Mayor and Common Council of the Town of Camp Verde, Yavapai County, Arizona, superseding Resolution 2006-685 and approving to record the abandonment and reversion to acreage plat for the Silverado subdivision at Simonton Ranch and said plat, also including the abandonment of all roadways, easements, and common areas of the subdivision as evaluated by the Planning & Zoning Commission on January 27, 2011, with the following amendments to the verbiage: In the first WHEREAS, remove the word "has" following the date of November 17, 2010, continuing with, "...directed town staff to process an Abandonment..."; in the third WHEREAS, revise to state, "there have been no improvements made and lots sold for the Silverado Subdivision, and"; and in the sixth WHEREAS, change the date of November 17, 2010, to correctly reflect January 27, 2011.

STAFF PRESENTATION

Jenkins said that the two plats previously addressed by the Council had not been recorded; this Final Plat for the Silverado subdivision was recorded on July 6, 2006, and is the only recorded plat within any of the subdivisions in Simonton Ranch. Jenkins explained that the Town's Subdivision Regulations, based on municipal authority granted by Arizona Revised Statutes, provide that the Final Plat may be revoked if no lots have been sold and improvements made within three years from the date of the recording. There have been no improvements to and lots sold for the Silverado Subdivision. The current owners have been made aware through a meeting and subsequent discussions, as well as by Certified mail, of the intent to

return the subdivision to the Commission and the Council for action to abandon and revert the property to acreage, with the hearing for approval or denial set for February 16, 2011. Once an item has been recorded it cannot be unrecorded, which protects the public record. The action to abandon and revert to acreage would have the effect of superseding that record and would be recorded as a Plat to notice the public of the current land status of un-subdivided land, and that the previous approval of a subdivision plat by the Council would now be void. On January 27, 2011, the Planning & Zoning Commission recommended approval of the Abandonment and Reversion to Acreage Plat of the Silverado Subdivision to be recorded, which also includes the abandonment of all roadways, easements and common areas of the subdivision.

PUBLIC HEARING OPEN

Applicant's Statement

There was no applicant's statement.

COMMENT FROM OTHER PERSONS

There were no comments from other persons.

APPLICANT'S REBUTTAL

No rebuttal was necessary.

PUBLIC HEARING CLOSED

Council Discussion

In response to Garrison, Town Manager Martin explained his previous comment regarding concern about this item. He said that there are some typos in the proposed Resolution as well as an incorrect date, both of which would not preclude adoption of the Resolution, noting the corrections; however, there is some substantive language that needs to be resolved for consistency, which Martin pointed out for Council to be aware of and to consider.

Pursuant to the comments from Martin, the Council discussion commenced with the suggestion to simply make the corrections noted; that is, to correct the date in the last WHEREAS paragraph to reflect January 27, 2011, instead of November 17, 2010, and revise the third WHEREAS paragraph to state: "WHEREAS, there have been no improvements made and lots sold for the Silverado Subdivision, and". A question of grammar in the first paragraph was also discussed, and it was agreed to delete the word "has" from the sentence. Following a brief further discussion, action was taken accordingly.

12. **Discussion, consideration, and possible direction to staff relative to developing a comprehensive zoning enforcement process utilizing established protocol to include the Planning & Zoning Commission and the Town Attorney.** Staff Resource: Mike Jenkins

On a motion by German, seconded by Garrison, the Council unanimously directed staff to develop a comprehensive zoning enforcement process through the Planning & Zoning Commission and the Town Attorney utilizing the criminal citation process as prescribed in Section 102 of the current Planning & Zoning Ordinances and to place the enforcement procedures in the proposed new Planning and Zoning Ordinances/Town Code as a single guidance source.

Jenkins referred to the two flow charts provided for Council review; one showing the current enforcement procedure and the other the proposed code enforcement procedure. Jenkins outlined the background of Council actions regarding zoning enforcement that has led to conflicts between the Planning & Zoning Ordinance and Town Code, and allowing a choice between civil and criminal citation processes for enforcement of violations. Jenkins reviewed in detail the benefits and desirability of using the simpler and less costly Criminal Citation process. Jenkins also requested that in addition to approving the implementation of the Criminal Citation process, the Council consider allowing utilization of all available Community Development staff as Zoning Code Enforcement personnel, and to involve the Town Manager as part of the standard practices, using the Town Attorney sparingly and only where legal advice is necessary.

The Council discussed the challenges to staff created by the current Code enforcement regulations, expressing general agreement with the desire to enforce compliance in an equal and fair manner, guided by consistent rules and procedures resulting in what is best for the entire community. It was acknowledged that staff is extremely limited, and that there is a need for regulations that can be enforced. Martin confirmed that the action requested from Council would be to direct staff to start

the process to include the Criminal Citation process in one place, preferably the Town Code, since every violation is not necessarily a zoning enforcement issue, and reference it in the other.

There was no public input.

13. **Discussion, consideration, and possible approval of Resolution 2011-835, a resolution of the Mayor and Common Council of the Town of Camp Verde, Yavapai County, Arizona, deeming the granting of a franchise to Arizona Public Service Co. beneficial to the Town and calling a Regular Election set for May 17, 2011 to submit the question to the qualified electors as to whether or not the franchise shall be granted.** Staff Resource: Debbie Barber
 On a motion by Whately, seconded by Baker, the Council unanimously approved Resolution 2011-835, a resolution of the Mayor and Common Council of the Town of Camp Verde, Yavapai County, Arizona, deeming the granting of a franchise to Arizona Public Service Co. beneficial to the Town and calling a Regular Election set for May 17, 2011 to submit the question to the qualified electors as to whether or not the franchise shall be granted.

Town Clerk Barber advised the Council that the current Franchise Agreement expires in 2012, and by renewing it this year the election could be held in conjunction with our regular election cycle this year, and will save election expenses for both the Town and APS. The Manager has negotiated terms of the agreement, as directed by Council on January 5, 2011; the document has been reviewed by the Town Attorney. Because of the general election timeline, the Resolution must be approved no later than February 16, 2011.

Kendra Cea, representing APS, explained that the Franchise is a 25-year agreement, regulated by Arizona Statutes, allowing electric utilities, under City or Town Codes, to construct and maintain electric facilities in highway right-of-ways in order to deliver power to customers. Ms. Cea reviewed highlights of the benefits and function of the Franchise in general.

During the ensuing Council discussion, Ms. Cea confirmed that the election is required by the Arizona Constitution; and in her years of experience there has been no time when the voters did not approve the Franchise agreement. APS makes every effort to inform the public in advance of the election, and the percentage of approval is usually between and 85 and 95.

There was no public input.

14. **Discussion, consideration, and possible direction to staff relative to the method in which Council wishes to review the final revisions to the Town Code and the Policies and Operations Guide. Direction may include setting a work session.** Staff Resource: Debbie Barber
 Town Clerk Barber was directed to bring back to Council the proposed final revisions to the Town Code and Policies and Operations Guide, as discussed at the January 7, 2011 Work Session, for final review and approval at a Work Session scheduled for March 9, 2011, at 6:00 p.m.; also included for review will be the financial policy issues previously discussed. The pages setting forth the proposed final revisions will be inserted into their copies of the original document.

Barber said that following up the all-day retreat on January 7th during which 600 pages of documents were reviewed, she is requesting that Council schedule a meeting at which she will bring back all the suggested changes for a final review. After estimating the time needed for the final review, since all of the members had not been in attendance at the initial meeting and may have questions, and financial issues may also be considered, it was agreed to set a Work Session for March 9, 2011, at 6:00 p.m. Barber discussed with the members the plan to provide the pages for review reflecting the changes made.

15. **Call to the Public for items not on the agenda.**

There was no public input.

16. **Advanced Approvals of Town Expenditures.**

There were no advanced approvals.

17. **Manager/Staff Report** Individual members of the Staff may provide brief summaries of current events and activities. These summaries are strictly for informing the Council and public of such events and activities. The Council will have no discussion or take action on any of these items, except that they

may request that the item be placed on a future agenda.

- **Update relative to Council's request to check into the handicapped parking requirements.** Staff Resource: Russ Martin

Town Manager Martin reported that pursuant to his contact with the Court Magistrate , the Town cannot be any less strict in the matter since the handicapped parking requirements are regulated by State Statute; the Town is required to cite any violation and there is only zero tolerance for not having the card in place as mandated. The only recourse is to appeal to the legislators to change the law in place. Martin added that interviews are in the process to hire the new Finance Director.

18. **Adjournment**

On a motion by Garrison, seconded by Baker, the meeting was adjourned at 8:18 p.m.

Bob Burnside, Mayor

Margaret Harper, Recording Secretary

CERTIFICATION

I hereby certify that the foregoing Minutes are a true and accurate accounting of the actions of the Mayor and Common Council of the Town of Camp Verde during the Regular Session of the Town Council of Camp Verde, Arizona, held on the 16th day of February 2011. I further certify that the meeting was duly called and held, and that a quorum was present.

Dated this _____ day of _____, 2011.

Debbie Barber, Town Clerk

HC

Debbie Barber

From: Russ Martin
Sent: Tuesday, February 22, 2011 8:00 AM
To: Debbie Barber; David Smith; Mike Jenkins; Matthew Morris; Debbie Hughes; Ron Long; Gerry Laurito; Harry Cipriano; Jacque Daughety
Cc: Carol Brown
Subject: Proposed Budget Schedule

**Proposed Budget Calendar for FY 2011-2012
as approved by Council on March 2, 2011**

Date	Task to be completed
March 3, 2011	Brief Council and obtain approval of the budget calendar
March 30, 2011	Council off-site retreat for the purpose of providing staff with policy guidance relative to strategic objectives that they want to pursue in the 2011/2012 budget and to provide guidance to staff for special funding requests. 4:00 p.m. @ Marshal's Department Training Room.
March 28th- April 11	Finance Department completes non-departmental revenue estimates
March 28, 2011	Finance Department distributes budget worksheets and instructions to department heads w/estimated general fund support levels
April 11, 2011	Department Heads submit worksheets to Finance
March 28 - April 11	Finance Dept. compiles budget workpapers and meets with Department Heads to discuss their requests
April 20, 2011	Distribute draft budget with supplementary documentation to Council in advance of work session to be scheduled with Council
April 29 and May 6	Council budget work sessions. 1:00 p.m. - 6:00 p.m. in Council Chambers.
May 18, 2011	Submit agenda item introducing June 16 for 1st public hearing on budget
June 1, 2011	Council makes final budget adjustments
June 15, 2011	Town Council adopts the FY 2010-2011 tentative budget including resolutions et al.
June 8 & June 15	Budget advertisement in local newspapers/Expenditure Limits
June 15, 2011	Public Hearing on FY 2010-2011 tentative budget
June 15, 2011	Town Council adopts the FY 2010-2011 budget including resolutions et al.

*Please note that dates may change if necessary due to delayed information.



**TOWN OF CAMP VERDE
Agenda Action Form**

H.d

Meeting Date: March 2, 2011

Meeting Type: Regular Session

Consent Agenda **Regular Business**

Reference Document: N/A

Agenda Title (be exact):

A RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF CAMP VERDE, YAVAPAI COUNTY, ARIZONA ("TOWN"), AMENDING RESOLUTION 2010-806 AND AMENDING AN INTERGOVERNMENTAL AGREEMENT ("IGA), BETWEEN THE TOWN AND THE STATE PARKS BOARD ("BOARD") ALLOWING FOR AN EXTENSION OF THE EXPIRATION DATE FROM MARCH 29, 2011 TO JUNE 30, 2011 AND AUTHORIZING THE EXPENDITURE OF BUDGETED FUNDS IN THE AMOUNT OF \$26,250 TO CONTINUE SUPPORT OF THE OPERATIONS AT FORT VERDE STATE HISTORIC PARK ("PARK").

Purpose and Background Information:

Council approved an IGA between the Town of Camp Verde and Arizona State Parks Board on March 3, 2010 authorizing supplemental funding to maintain operational status of Fort Verde State Historic Park (Park), as the Park was slated for closure on March 29, 2010). The term of that agreement ran from March 30, 2010 to March 29, 2011.

In anticipation of the impending expiration, staff began negotiations with Arizona State Parks representatives to determine the best approach for continuing operations at the Fort in light of the economic climate. Staff anticipates that through these efforts, we may be able to provide several different options that may be more economical for Fiscal Year 2011-2012. That said, both parties agreed that the best approach at this point would be to extend the current IGA through the end of this Fiscal Year to allow for continued negotiations. Moreover, additional time will allow a better understanding of available funding as we approach budget discussions for the next fiscal year.

The additional funding needed to cover the Park's operational costs of \$26,260, which covers the period from March 29th through June 30, 2011 was included and approved during the 2010-2011 budgeting process. \$26,250 is the amount disbursed to the State for each quarter to maintain the Park's operations.

Recommendation (Suggested Motion):

Move to approve Resolution 2011-837, A RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF CAMP VERDE, YAVAPAI COUNTY, ARIZONA ("TOWN"), AMENDING RESOLUTION 2010-806 AND AMENDING AN INTERGOVERNMENTAL AGREEMENT ("IGA), BETWEEN THE TOWN AND THE STATE PARKS BOARD ("BOARD") ALLOWING FOR AN EXTENSION OF THE EXPIRATION DATE FROM MARCH 29, 2011 TO JUNE 30, 2011 AND AUTHORIZING THE EXPENDITURE OF BUDGETED FUNDS IN THE AMOUNT OF \$26,250 TO CONTINUE SUPPORT OF THE OPERATIONS AT FORT VERDE STATE HISTORIC PARK ("PARK").

Finance Review: **Budgeted** **Unbudgeted** **N/A**

Finance Director Comments/Fund: N/A

Attorney Review: **Yes** **No** **N/A**

Attorney Comments: Incorporated into the document.

Submitting Department: Manager

Contact Person: Russ Martin

Action Report prepared by: V. House

**TOWN OF CAMP VERDE
RESOLUTION 2011-837
AMENDING RESOLUTION 2010-806**

**A RESOLUTION OF THE MAYOR AND COMMON COUNCIL
OF THE TOWN OF CAMP VERDE, YAVAPAI COUNTY, ARIZONA ("TOWN"),
AMENDING RESOLUTION 2010-806 AND AMENDING AN INTERGOVERNMENTAL AGREEMENT ("IGA"),
BETWEEN THE TOWN AND THE STATE PARKS BOARD ("BOARD")
ALLOWING FOR AN EXTENSION OF THE EXPIRATION DATE
FROM MARCH 29, 2011 TO JUNE 30, 2011 AND
AUTHORIZING THE EXPENDITURE OF BUDGETED FUNDS IN THE AMOUNT OF \$26,250
TO CONTINUE SUPPORT OF THE OPERATIONS AT FORT VERDE STATE HISTORIC PARK ("PARK").**

WHEREAS, the Town and the Board entered into the IGA regarding the operation of the Park; and

WHEREAS, the Board is the owner of, and has the authority to manage the PARK, and additionally has the responsibility pursuant to A.R.S. § 41-511.04 (A)(l) and (7) including the acquisition, planning, administration, management and development of state historic sites and a historic preservation program; and

WHEREAS, the TOWN and the Board recognize the importance of keeping the PARK open to the public at this time, and further recognize that the current budget deficits of the State of Arizona make it difficult for the Board to commit adequate funds to operate the PARK. The TOWN is willing to donate monies to augment the operation and to take on maintenance responsibility of the PARK for a period of time or until the Board improves its resource position to fund the PARK; and

WHEREAS, the Town has appropriated a gross expense of \$26,250 to cover operational costs from March 29, 2011 through June 30, 2011; and

WHEREAS, the parties desire to amend the IGA by extending the expiration date and by providing for additional funds to operate the Park.

NOW, THEREFORE, THE MAYOR AND COMMON COUNCIL OF THE TOWN OF CAMP VERDE RESOLVE TO AMEND THE INTERGOVERNMENTAL AGREEMENT AS FOLLOWS:

- A. Amend the IGA by authorizing and extension of the expiration date to June 30, 2011.
- B. Authorize the budgeted expenditure of \$26,250 to support the operational costs of Fort Verde State Historic Park through the end of Fiscal Year 2010/11.

PASSED AND APPROVED by the Mayor and Common Council of the Town of Camp Verde, Arizona, this 2nd day of March, 2011 by a vote of ___ ayes and ___ nays.

Bob Burnside, Mayor

Date

ATTEST:

APPROVED AS TO FORM:

Deborah Barber, Town Clerk

William J. Sims, Attorney



CONTRACT AMENDMENT

Arizona State Parks
1300 W. Washington
Phoenix, AZ 85007

Contract Number: PR10-032

Amendment No: 1

Purpose: Extend Partnership Agreement for Ft Verde State Park

Original Execution:
3/24/10

Contract Officer:
Margaret Fernandez
Phone: 602-542-6937
Email: mjf2@azstateparks.gov

Agreement Expiration: 3/29/11

**Amendment
Issued** 2/15/11

Contractor: Town of Camp Verde

In accordance with the above-mentioned Agreement, the following sections are amended as follows:

1. PAGE 1, Section 2. Duration, Default, Termination, Disposal of Property:
Replace March 29, 2011 to June 30, 2011.
2. PAGE 6, Section 10 Intergovernmental Agreement Requirements:
Attach authenticated copy of the TOWN's action authorizing this amendment.
3. All other provisions of this agreement shall remain in full force and effect.
4. In the event of a conflict between the original and previous amendments, the terms of this amendment shall prevail.
5. Please review, sign, and return to Margaret Fernandez at the above address on or before MMDD 2011.
6. Signature Authority
 - A. This Amendment is entered into and is effective as of the date of the last signature.
 - B. By signing below, the signer certifies the authority to enter into this Amendment and has read the foregoing and agrees to accept the provisions herein.
 - C. This contract may be executed in two or more counterparts each of which shall be deemed an original and all of which together shall constitute one instrument.

RESERVED FOR ARIZONA STATE PARKS

RESERVED FOR TOWN OF CAMP VERDE

Signature _____ Date _____
 Renée E. Bahl, Executive Director
Typed Name and Title
 Arizona State Parks Board
Entity Name
 1300 W. Washington
Address
 Phoenix, AZ 85007
City State Zip

Signature _____ Date _____
 Bob Burnside, Mayor
Typed Name and Title
 Town of Camp Verde
Entity Name
 473 S. Main Street, Suite 102
Address
 Camp Verde, AZ 86322
City State Zip

RESERVED FOR THE ATTORNEY GENERAL

RESERVED FOR THE TOWN OF CAMP VERDE ATTORNEY

Attorney General has been reviewed pursuant to A.R.S. 11-952 by the undersigned Assistant Attorney General who has determined that it is in proper form and is within the powers and authority granted under the laws of the State of Arizona to those parties to the Agreement represented by the Attorney General this _____ day of _____, 2011

TOM HORNE
The Attorney General

I have reviewed the Intergovernmental Agreement between Arizona State Parks Board and the Town of Camp Verde and declare this agreement to be in proper form and within the powers of authority granted to the Town under the laws of the State of Arizona this _____ day of _____, 2011

Assistant Attorney General Signature _____ Date _____

Town Attorney Signature _____ Date _____

RESERVED FOR THE TOWN CLERK

I, _____, Clerk of the Town of Camp Verde, do hereby certify that the foregoing and attached Intergovernmental Agreement between the Arizona State Parks Board and the Town of Camp Verde, was passed and adopted by the Town Council of the Town of Camp Verde, at the regular meeting held this _____ day of _____, 2011.

ATTEST

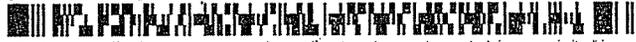
TOWN Clerk Signature _____ Date _____

B: 4733 P: 394 04/07/2010 11:30:36 AM RESL
Ana Wayman-Trujillo
OFFICIAL RECORDS OF YAVAPAI COUNTY \$8.00
TOWN OF CAMP VERDE 2010-4383927

When recorded, return to:

Town of Camp Verde
473 S. Main Street Suite 102
Camp Verde, AZ 86322

B: 4733 P: 394 04/07/2010 11:30:36 AM RESL
\$8.00 Page: 1 of 13 2010-4383927



Handwritten signature

Caption Heading: Resolution 2010-806 and IGA



TOWN OF CAMP VERDE



Resolution 2010-806

A RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF CAMP VERDE, YAVAPAI COUNTY, ARIZONA, APPROVING AND ADOPTING THE INTERGOVERNMENTAL AGREEMENT ("IGA") BETWEEN THE TOWN OF CAMP VERDE ("TOWN") AND THE ARIZONA STATE PARKS BOARD ("BOARD") ALLOWING THE TOWN TO PROVIDE:

- 1) FUNDING OF \$105,000 FOR FORT VERDE STATE HISTORIC PARK ("PARK") IN ORDER SUPPORT THE OPERATIONS OF THE PARK FROM MARCH 30, 2010 TO MARCH 29, 2011; AND**
- 2) APPROVAL OF THE BUDGET RE-APPROPRIATION OF \$26,250 FROM THE CONTINGENCY FUND TO THE ARIZONA STATE PARKS – FORT VERDE LINE ITEM TO FUND THE OPERATIONS THROUGH JUNE 30, 2010.**

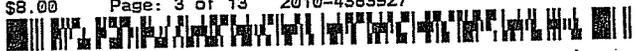
WHEREAS, Fort Verde State Historic Park (PARK), shown in Exhibit "A", is owned and operated by the BOARD; and

WHEREAS, the BOARD is the owner of, and has the authority to manage the PARK, and additionally has the responsibility pursuant to A.R.S. § 41-511.04 (A)(I) and (7) including the acquisition, planning, administration, management and development of state historic sites and a historic preservation program; and

WHEREAS, the TOWN and the BOARD recognize the importance of keeping the PARK open to the public at this time, and further recognize that the current budget deficits of the State of Arizona make it difficult for the BOARD to commit adequate funds to operate the PARK. The TOWN is willing to donate monies to augment the operation and to take on maintenance responsibility of the PARK for a period of time or until the BOARD improves its resource position to fund the PARK; and

WHEREAS, the Town will appropriate a gross expense of \$105,000 from March 30, 2010 to March 29, 2011 with a supplemental funding from Yavapai County for \$30,000 resulting in a net appropriation from the Town for \$75,000.

Resolution 2010-806



NOW, THEREFORE, THE MAYOR AND COMMON COUNCIL OF THE TOWN OF CAMP VERDE RESOLVE TO APPROVE THE INTERGOVERNMENTAL AGREEMENT AS FOLLOWS:

- A. Donate \$62,000 (\$5,167 monthly) to offset the cost of a Park Manager I to work at the PARK, and also donate \$43,000 (\$3,583 monthly) for routine maintenance and operation of the PARK.
- B. Provide a sufficient number of volunteers to supplement PARK staff to operate the PARK safely and efficiently.
- C. Keep the PARK free from any liens arising out of any work performed, materials furnished or obligations incurred by the TOWN.
- D. By signing below, the signer certifies the authority to enter into this IGA and has read the foregoing and agrees to accept the provisions herein.
- E. This IGA is entered into and is effective as of March 30, 2010 and shall continue until March 29, 2011, unless earlier cancelled or terminated. This IGA may be extended for two additional one-year periods, upon 60-calendar days written advance notice by either party, prior to expiration, and the written agreement of the parties.

PASSED AND APPROVED by the Mayor and Common Council of the Town of Camp Verde, Arizona, this ^v17th _{3rd} day of March, 2010 by a vote of 7 ayes and 0 nay.



Bob Burnside, Mayor

3-15-10

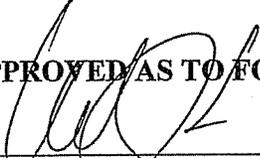
Date

ATTEST:



Deborah Barber, Town Clerk

APPROVED AS TO FORM:



Bill Sims, Town Attorney

Resolution 2010-806



INTERGOVERNMENTAL AGREEMENT
 Between
Arizona State Parks Board
 and
Town of Camp Verde

BROAD Ref No. PR10-032

TOWN Ref No. Resolution
 2010-806

RE: FVSHP Contribution Management

Page 1 of 8

Issued: March 4, 2010

THIS INTERGOVERNMENTAL AGREEMENT (IGA) is made between the TOWN OF CAMP VERDE (the "TOWN"), a municipal corporation of the State of Arizona acting pursuant to its powers enumerated in A.R.S. § 9-494 and the ARIZONA STATE PARKS BOARD ("the "BOARD"), an agency of the State of Arizona acting pursuant to its powers enumerated in A.R.S. §§ 41-511.04 (A)(6), 41-511.05(2), and 41-511.10.

RECITALS:

WHEREAS, Fort Verde State Historic Park (PARK), shown in Exhibit "A", is owned and operated by the BOARD, and,

WHEREAS, the BOARD is the owner of, and has the authority to manage the PARK, and additionally has the responsibility pursuant to A.R.S. § 41-511.04 (A)(1) and (7) including the acquisition, planning, administration, management and development of state historic sites and a historic preservation program; and,

WHEREAS, the Town has the authority to establish and maintain public parks pursuant to A.R.S. §§ 9-494(A), 11-931, 11-932, and 11-933; and CITE to Town Resolution or Approval as included in Section 10 herein, and,

WHEREAS, the TOWN and the BOARD recognize the importance of keeping the PARK open to the public at this time, and further recognize that the current budget deficits of the State of Arizona make it difficult for the BOARD to commit adequate funds to operate the PARK. The TOWN is willing to donate monies to augment the operation and to take on maintenance responsibility of the PARK for a period of time or until the BOARD improves its resource position to fund the PARK,

NOW, THEREFORE, the parties agree as follows:

Section 1. Purpose:

This IGA is created to permit the BOARD to govern the contribution of monies and other support from the TOWN to be used to augment the operation of Fort Verde State Historic Park (the "PARK").

Section 2. Duration, Default, Termination, Disposal of Property:

- A. **Duration:** This IGA is entered into and is effective as of March 30, 2010 and shall continue until March 29, 2011, unless earlier cancelled or terminated. This IGA may be extended for two additional one-year periods, upon 60-calendar days written advance notice by either party, prior to expiration, and the written amendment of the parties.
- B. **Default:** In the event that either party is in default of its obligations, and such default shall continue un-remedied for a period of 30-calendar days after written notification, the other party (in addition to any other remedies existing at law or in equity) may elect, upon not less than sixty 60-calendar days prior written notice, to terminate this IGA.
- C. **Termination:** This IGA may be terminated by either party upon three months written notice to the other party of its intention to terminate. Neither party shall incur new obligations under this IGA once notice of termination has been provided.
- D. **Disposal of Property:**
 - 1. **Funds:**
 - a. Any TOWN contributions not expended as prescribed herein shall be returned.
 - b. In the event of termination or expiration, any advanced funds not expended shall be returned to the advancing agency. All data, information, and any other work production already complete or uncompleted under the terms of this IGA for the advancing agency shall be returned within 90-calendar days from receipt of notice to terminate.



INTERGOVERNMENTAL AGREEMENT

Between
Arizona State Parks Board
 and
Town of Camp Verde

BROAD Ref No. PR10-032

TOWN Ref No.

RE: FVSHF Contribution Management

Page 2 of 8

Issued: March 4, 2010

2. All equipment purchased for the operation of the PARK with funds designated under this IGA shall become the property of the BOARD upon the expiration or termination of this Agreement.

Section 3. The Board Shall.

- A. **Operations.** Operate the PARK open to the public a minimum of five days a week, Thursday through Monday during the duration of this IGA.
- B. **Maintenance.** Maintain and repair the PARK to the best of its ability. Maintenance is defined as, "those activities necessary to keep a facility in good working order and professional in appearance."
- C. **Contributions.** Accept a contribution of \$62,000 (\$5,167 monthly) to offset the cost of a Park Manager I to work at the PARK. Also accept \$43,000 (\$3,583 monthly) for operation and routine maintenance of the PARK.
- D. **Staffing.** Provide one Park Manager I and Ranger Specialists (1,700 hours, funded from PARK fees) to work at the PARK. Continue to use two part-time Senior Community Service Employment Program workers funded through a contract with Northern Arizona Council of Governments to operate the PARK.
- E. **Funds for Capital Improvements.** If funds are available, contribute up to \$35,000 for capital improvement projects on the PARK.
- F. **Other Contributions.** At their discretion, accept other available funds or contributions for the operation of the PARK.
- G. **Volunteer Training.** BOARD staff shall conduct training programs for volunteers covering topics in Section 7A and 7B below.

Section 4. The TOWN Shall:

- A. Donate \$62,000 (\$5,167 monthly) to offset the cost of a Park Manager I to work at the PARK, and also donate \$43,000 (\$3,583 monthly) for routine maintenance and operation of the PARK.
- B. Provide a sufficient number of volunteers to supplement PARK staff to operate the PARK safely and efficiently.
- C. Keep the PARK free from any liens arising out of any work performed, materials furnished or obligations incurred by the TOWN.

Section 5. Financial: The parties understand and agree that this IGA is limited to the extent of monies appropriated and made available to the parties for the purposes outlined in this IGA and no liability shall be incurred by either party beyond the monies available.

Section 6. Capital Improvements: The TOWN and BOARD recognize that some of the facilities in the PARK are in need of repair and replacement. The TOWN and the BOARD shall agree upon a list of capital projects for the Park (on Park grounds), within 30 days of the signing of this IGA utilizing the \$35,000 funding made available by BOARD to be attached as Exhibit B. Exhibit B may be later amended by the written amendment of the parties to include new projects.

- A. **BOARD Coordination/Cooperation in Capital Improvement Projects:**
 1. All capital project development activity on the PARK shall be contracted and procured by the BOARD in conformance with the BOARD's procedures.
 2. Prior to beginning any significant construction on the PARK, the BOARD will coordinate with the TOWN to determine if the TOWN can provide assistance for the project.



INTERGOVERNMENTAL AGREEMENT
Between
Arizona State Parks Board
and
Town of Camp Verde

BROAD Ref No. PR10-032

TOWN Ref No.

RE: FVSHP Contribution Management

Page 3 of 8

Issued: March 4, 2010

3. Previous Historic Structures Reports, Building Conditions Assessments or Historic Building Preservation Plans completed for the BOARD or the State Historic Preservation Office will be used as a basis for repairs, improvements or capital improvement projects.

B. BOARD Funding for Capital Projects.

1. Provided funds are available for projects listed on Exhibit B. The BOARD will provide up to \$35,000 for those projects during the term of this Agreement.

Section 7. Volunteer Park Staff, Competencies and Training

A. Any volunteers working in the PARK on a regular basis will be designated as Arizona State Parks volunteers, and as such will:

1. Attend any orientation and training deemed appropriate by the BOARD, and presented or approved by the BOARD.
2. Wear Arizona State Parks volunteer uniform items while on duty.
3. Review and sign all appropriate Volunteer paperwork.
4. Perform work approved by the BOARD.
5. Be held to the performance standards of all Arizona State Park Volunteers as outlined in the Volunteer Code of Conduct. These documents are incorporated by reference and are available from the Park Manager.
6. Be supervised daily by staff assigned to the PARK, in conjunction with support from the BOARD.
7. Be covered by the State of Arizona's secondary emergency medical insurance policy.

B. Any volunteers working in the PARK on a project or event basis will:

1. Attend any orientation and training deemed appropriate by the BOARD, and presented or approved by the BOARD.
2. Review and sign all appropriate volunteer paperwork.
8. Perform work approved by the BOARD and delineated under the Group Volunteer Agreement and register on the Group Volunteer Log or perform work under the Re-enactors Guidelines and register on the Re-enactors Agreement. These documents are incorporated by reference and are available from the Park Manager.
3. Be held to the performance standards of all Arizona State Park Volunteers as outlined in the Volunteer Code of Conduct.
4. Be covered by the State of Arizona's secondary emergency medical insurance policy.

C. Examples of Volunteer Park staff duties include:

1. Inspecting grounds, equipment, buildings and museum facilities for necessary repairs, security and safety problems or hazards, as well as performing general maintenance.
2. Serving as an interpretive guide and providing information and programs to the visiting public.



INTERGOVERNMENTAL AGREEMENT
 Between
Arizona State Parks Board
 and
Town of Camp Verde

BROAD Ref No. PR10-032

TOWN Ref No.

RE: FVSHP Contribution Management

Page 4 of 8

Issued: March 4, 2010

Section 8. Notices:

A. **PRINCIPAL CONTACTS.** The principal contacts for this AGREEMENT are:

1. Program Administration:

TOWN

Michael Scannell
 Town Manager
 473 S. Main St., Ste. 102
 Camp Verde, AZ 86322
 Phone: 928-567-6631
 Fax: 928-567-8291

BOARD Contact

Northern Regional Manager
 2011 A Kestrel Road
 Cottonwood, AZ 86326
 Phone: 928-639-2962 or 602-542-4174 (Main)
 FAX: 928-639-0342

2. Contract Administration:

TOWN Contact

Carol Brown
 Administrative Assistant to Town Manager
 473 S. Main St., Ste. 102
 Camp Verde, AZ 86322
 Phone: 928-567-6631, Ext. 106
 Email: cjbrown@cvaz.org

BOARD Contact

Margaret Fernandez
 Contract Officer
 1300 West Washington, Room 220
 Phoenix, AZ 85007
 Phone: 602-542-6937
 Email: mjft2@azstateparks.gov

Any notice, demand or request required or authorized by this AGREEMENT to be given or made to or upon the parties to this AGREEMENT shall be deemed properly given or made if delivered to or mailed postage prepaid to the above named persons. Notice is effective on the date of actual receipt or three (3) days after the date of mailing, whichever is earlier.

The designation of the person to or upon whom any notice, demand or request is to be given or made or the address of such person may be changed at any time by notice given in the same manner as provided in this section for other notices.

Section 9. General Terms and Conditions:

- A. **Amendment:** This IGA may be amended only in writing by the parties hereto. Amendments must be approved with the same formality as was this IGA.
- B. **Prohibition of Discrimination:** Neither party shall prohibit or restrict either directly or indirectly, or permit its employees, agents or contractors to prohibit or restrict, the use of any part of the land or facilities by any person because of such person's age, race, creed, color, sex, handicap or national origin.
- C. **Illegal Immigration:** The parties agree to comply with Executive Order 2005-30, "Ensuring Compliance with Federal Immigration Laws by State Employers and Contractors", the provisions of which are hereby incorporated by reference, and any successor statutes.
- D. **No Partnership or Joint Venture:** Nothing contained in this IGA shall be deemed or construed to create a partnership or joint venture between either party, and neither party shall be responsible in any way for the activities, debts, contracts, obligations or acts, negligent or otherwise, of the other, it being expressly agreed that this IGA is an agreement between two independent parties in which the identity of each party is maintained as it was prior to this IGA.



INTERGOVERNMENTAL AGREEMENT
Between
Arizona State Parks Board
and
Town of Camp Verde

BROAD Ref No. PR10-032

TOWN Ref No.

RE: FVSHP Contribution Management

Page 5 of 8

Issued: March 4, 2010

- E. Prohibition of Assignment: The respective rights under this IGA may not be assigned without the prior written consent of the parties hereto and any purported assignment without such consent shall be void and of no effect.
- F. Arizona Law: This IGA shall be governed by and construed in accordance with the laws of the State of Arizona.
- G. Records: Pursuant to A.R.S. § 35-214, all books, accounts, reports, files and other records relating to this IGA shall be subject at all reasonable times to inspection by the State of Arizona for five years after the completion of this IGA. Such records shall be reproduced as designated by the State of Arizona.
- H. Arbitration: The parties agree to use arbitration to resolve disputes arising out of this IGA to the extent required by A.R.S. § 12-1518.
- I. Governor's Cancellation: All parties are put on notice that this IGA is subject to cancellation pursuant to A.R.S. § 38-511.
- J. Indemnification: Each party (as "Indemnitor") agrees to indemnify, defend, and hold harmless the other party (as "Indemnitee") from and against any and all claims, losses, liability, costs, or expenses (including reasonable attorney's fees) (hereinafter collectively referred to as "Claims") arising out of bodily injury of any person (including death) or property damage, but only to the extent that such Claims which result in vicarious/derivative liability to the Indemnitee are caused by the act, omission, negligence, misconduct, or other fault of the Indemnitor, its officers, officials, agents, employees, or volunteers. The State of Arizona, BOARD, is self insured per A.R.S. § 41-621.
- K. Default: In the event that either party hereto is in default of its obligations hereunder, and such default shall continue un-remedied for a period of 30-calendar days after written notice thereof, the other party hereto (in addition to any other remedies existing at law or in equity) may elect, upon not less than sixty 60-calendar days prior written notice, to terminate this IGA.



INTERGOVERNMENTAL AGREEMENT
 Between
Arizona State Parks Board
 and
Town of Camp Verde

BROAD Ref No. PR10-032

TOWN Ref No.

RE: FVSHS Contribution Management

Page 6 of 8

Issued: March 4, 2010

Section 10. Intergovernmental Agreement Requirements.

Attached is the authenticated copy of the TOWN's action authorizing participation to enter into this IGA.

Section 11. Intergovernmental Agreement Signature Authority:

- A. By signing below, the signer certifies the authority to enter into this IGA and has read the foregoing and agrees to accept the provisions herein.
- B. This IGA may be executed in two or more counterparts each of which shall be deemed an original and all of which together shall constitute one instrument.
- C. All parties to this AGREEMENT acknowledge that signatures by electronic means are acceptable and legally binding.

RESERVED FOR ARIZONA STATE PARKS

RESERVED FOR TOWN OF CAMP VERDE

<i>Renée E. Bahl</i>	<i>24 March 2010</i>	<i>Bob Burnside</i>	<i>3-15-10</i>
Signature	Date	Signature	Date
Renée E. Bahl, Executive Director		Bob Burnside, Mayor	
Typed Name and Title		Typed Name and Title	
Arizona State Parks Board		Town of Camp Verde	
Entity Name		Entity Name	
1300 W. Washington		473 S. Main Street, Suite 102	
Address		Address	
Phoenix, AZ 85007		Camp Verde, AZ 86322	
City	State	City	State
	Zip		Zip

RESERVED FOR THE ATTORNEY GENERAL

RESERVED FOR THE TOWN OF CAMP VERDE ATTORNEY

Attorney General has been reviewed pursuant to A.R.S. 11-952 by the undersigned Assistant Attorney General who has determined that it is in proper form and is within the powers and authority granted under the laws of the State of Arizona to those parties to the Agreement represented by the Attorney General this

I have reviewed the Intergovernmental Agreement between Arizona State Parks Board and the Town of Camp Verde and declare this agreement to be in proper form and within the powers of authority granted to the Town under the laws of the State of Arizona this

5th day of *March*, 2010
TERRY GODDARD
 The Attorney General
Vivian Hachtel *3/5/10*
 Assistant Attorney General Signature Date

15 day of *March*, 2010
William D. [Signature]
 Town Attorney Signature Date

RESERVED FOR THE TOWN CLERK

I, *Deborah Barber*, Clerk of the Town of Camp Verde, do hereby certify that the foregoing and attached Intergovernmental Agreement between the Arizona State Parks Board and the Town of Camp Verde, was passed and adopted by the Town Council of the Town of Camp Verde, at the regular meeting held this *3* day of *MARCH*, 2010.

ATTEST

Deborah Barber
 TOWN Clerk Signature Date



RECORDERS MEMO: LEGIBILITY
QUESTIONABLE FOR GOOD REPRODUCTION



INTERGOVERNMENTAL AGREEMENT
Between
Arizona State Parks Board
and
Town of Camp Verde

BOARD Ref No. PR10-032

TOWN Ref No.

RE: FVSHP Contribution Management

Page 7 of 8

Issued: March 4, 2010

EXHIBIT A





INTERGOVERNMENTAL AGREEMENT
Between
Arizona State Parks Board
and
Town of Camp Verde

BOARD Ref No. PR10-032

TOWN Ref No.

RE: FVSHP Contribution Management

Page 8 of 8

Issued: March 4, 2010

EXHIBIT B

FORT VERDE STATE HISTORIC PARK

LIST OF CAPITAL NEEDS

Miscellaneous Small Projects FVSHP \$ 35,000

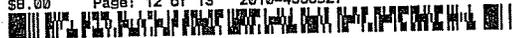


Exhibit B

04-15-10 4:55 PM RCV

FORT VERDE 2010 CAPITAL PROJECTS (Over \$1000)

Administration Bldg. Roof replacement

Back half of bldg roof-3363 sq.ft.-needs to be replaced.
This is the side that gets all of the sun (facing south) most of the cedar shake shingles are curled up.
There are leaks in roof over the museum and office area of the building.
Repairs were attempted, but this half of the roof is too deteriorated to be repaired, and patch repairs would do more harm than good.
Roof is 13 years old.

Cost for replacement labor and material. \$ 21,000 Plus tax

Commanding Officers' Quarters

2900 SQ FT of the cedar shake roof shingles on the south side need to be replaced.
In various places that are curled up, (lifting off the roof), wind and water problems will develop.
The building is set up as a walk-through museum with artifacts of the Fort on display
Roof is 16 years old.

Cost for replacement labor and material. \$19,000 Plus tax

Bachelors' Quarters

1600 SQ FT of the cedar shake roof shingles on the south side needs to be replaced
In various places that are curled up (lifting off the roof), wind and water problems will develop.
The building is set up as a walk through museum with artifacts of the Fort on display.
Roof is 16 years old.

Cost for replacement labor and material. \$ 10,000 Plus tax

Surgeon's Quarters

800 SQ FT of the cedar shake roof shingles on the south side needs to be replaced
In various places that are curled up (lifting off the roof), wind and water problems will develop.
The building is set up as a walk through museum with artifacts of the Fort on display.
Roof is 16 years old.

Cost for replacement labor and material. \$ 5,000 Plus tax

**Received verbal quotes from local roofer just to establish cost for Capital Budget.
Roofer is licensed, bonded, and insured, and it is understood that this verbal quote
was just for a budget, not a bid.**



FORT VERDE MAINTENANCE PROJECTS 2010 (NON CAPITAL UNDER \$1000)

ADMINISTRATION BLDG

Drainage repair	\$300
Repair water damage inside	\$100
Exterior Stucco repair	\$400
Exterior Paint for E and N side of bldg.	\$300

COMMANDING OFFICERS' QUARTERS

Repair Bldg exterior posts	\$350
Repair fascia boards	\$200
Repair windows	\$200
Patch and Paint exterior walls	\$500
Oil exterior wood walls	\$200
Patch and paint entrance hallway and stairway including second floor hall	\$300

BACHELORS' QUARTERS

Repair bldg. exterior posts	\$250
Repair fascia boards	\$200
Repair windows	\$150
Patch and paint exterior walls	\$650
Patch and paint entrance hall	\$200

SURGEONS' QUARTERS

Repair bldg. exterior posts	\$250
Repair fascia boards	\$200
Repair windows	\$150
Patch and paint exterior walls	\$650
Complete renovation to two unfinished rooms	\$800
Build view ports for the two back rooms, so they can be open up for display	\$300

REST ROOM BLDG.

Paint exterior of bldg.	\$450
Paint inside of bldg.	\$300

Fence Repair

\$600

#8



**TOWN OF CAMP VERDE
Agenda Action Form**

Meeting Date: March 2, 2011

Meeting Type: Regular Session

Consent Agenda **Regular Business**

Reference Document: Liquor License Application

Agenda Title (be exact): Discussion, consideration, and possible approval of Liquor License Application for John Perhne-The Valley View Restaurant and Copper Room Lounge located at 102 W. Arnold Street in Camp Verde.

Purpose and Background Information: Staff received and posted the Liquor License Application for John Perhne-The Valley View Restaurant and Copper Room Lounge located at 102 W. Arnold Street in Camp Verde as required by law for 20 days. The Town has not received any comments or complaints regarding the application.

Recommendation (Suggested Motion):

Approve Liquor License Application.

Finance Review: Budgeted Unbudgeted N/A

Finance Director Comments/Fund: N/A

Attorney Review: Yes No N/A

Attorney Comments: N/A

Submitting Department: N/A

Contact Person: Debbie Barber

Action Report prepared by: V. Jones

Arizona Department of Liquor Licenses and Control
 800 West Washington, 5th Floor
 Phoenix, Arizona 85007
 www.azliquor.gov
 602-542-5141

APPLICATION FOR LIQUOR LICENSE
TYPE OR PRINT WITH BLACK INK

Notice: Effective Nov. 1, 1997, All Owners, Agents, Partners, Stockholders, Officers, or Managers actively involved in the day to day operations of the business must attend a Department approved liquor law training course or provide proof of attendance within the last five years. See page 5 of the Liquor Licensing requirements.

SECTION 1 This application is for a:

- MORE THAN ONE LICENSE
- INTERIM PERMIT *Complete Section 5*
- NEW LICENSE *Complete Sections 2, 3, 4, 13, 14, 15, 16*
- PERSON TRANSFER (Bars & Liquor Stores ONLY)
Complete Sections 2, 3, 4, 11, 13, 15, 16
- LOCATION TRANSFER (Bars and Liquor Stores ONLY)
Complete Sections 2, 3, 4, 12, 13, 15, 16
- PROBATE/WILL ASSIGNMENT/DIVORCE DECREE
Complete Sections 2, 3, 4, 9, 13, 16 (fee not required)
- GOVERNMENT *Complete Sections 2, 3, 4, 10, 13, 15, 16*

SECTION 2 Type of ownership:

- J.T.W.R.O.S. *Complete Section 6*
- INDIVIDUAL *Complete Section 6*
- PARTNERSHIP *Complete Section 6*
- CORPORATION *Complete Section 7*
- LIMITED LIABILITY CO. *Complete Section 7*
- CLUB *Complete Section 8*
- GOVERNMENT *Complete Section 10*
- TRUST *Complete Section 6*
- OTHER (Explain) _____

SECTION 3 Type of license and fees LICENSE #(s):

1. Type of License(s): SERIES 12 12133482
 2. Total fees attached: \$ Department Use Only

APPLICATION FEE AND INTERIM PERMIT FEES (IF APPLICABLE) ARE NOT REFUNDABLE.
The fees allowed under A.R.S. 44-6852 will be charged for all dishonored checks.

SECTION 4 Applicant

- 1. Owner/Agent's Name: Mr. Perthne, John P. 10/24/2011
(Insert one name ONLY to appear on license) Last First Middle
- 2. Corp./Partnership/L.L.C.: _____
(Exactly as it appears on Articles of Inc. or Articles of Org.)
- 3. Business Name: The Valley View Restaurant and Copper Room Lounge
(Exactly as it appears on the exterior of premises) 31045558
- 4. Principal Street Location: 102 W Arnold St Camp Verde NAVADAI 86322
(Do not use PO Box Number) City County Zip 928-308-018
- 5. Business Phone: 928-567-8528 Daytime Contact: John Perthne
- 6. Is the business located within the incorporated limits of the above city or town? YES NO
- 7. Mailing Address: P.O. Box 606 Camp Verde AZ 86322
City State Zip
- 8. Price paid for license only bar, beer and wine, or liquor store: Type _____ \$ _____ Type _____ \$ _____

DEPARTMENT USE ONLY

Fees: 100. Application 94.00 Interim Permit 124.00 Agent Change _____ Club _____ Finger Prints \$ _____
TOTAL OF ALL FEES

Is Arizona Statement of Citizenship & Alien Status For State Benefits complete? YES NO

Accepted by: M.C. Date: 2/4/2011 Lic. # 12133482

SECTION 5 Interim Permit:

1. If you intend to operate business when your application is pending you will need an Interim Permit pursuant to A.R.S. 4-203.01.
2. There **MUST** be a valid license of the same type you are applying for currently issued to the location.
3. Enter the license number currently at the location. _____
4. Is the license currently in use? YES NO If no, how long has it been out of use? _____

ATTACH THE LICENSE CURRENTLY ISSUED AT THE LOCATION TO THIS APPLICATION.

I, _____, declare that I am the CURRENT OWNER, AGENT, CLUB MEMBER, PARTNER,
(Print full name)
 MEMBER, STOCKHOLDER, OR LICENSEE (circle the title which applies) of the stated license and location.

State of _____ County of _____

X _____
(Signature)

The foregoing instrument was acknowledged before me this

_____ day of _____, _____
 Day Month Year

My commission expires on: _____

(Signature of NOTARY PUBLIC)

SECTION 6 Individual or Partnership Owners:

EACH PERSON LISTED MUST SUBMIT A COMPLETED QUESTIONNAIRE (FORM LIC0101), AN "APPLICANT" TYPE FINGERPRINT CARD, AND \$24 PROCESSING FEE FOR EACH CARD.

1. Individual:

Last	First	Middle	% Owned	Mailing Address	City State Zip
Perhne	John		100	P.O. Box 1006 Camp Verde, AZ 86322	

Partnership Name: (Only the first partner listed will appear on license) _____

General-Limited	Last	First	Middle	% Owned	Mailing Address	City State Zip
<input type="checkbox"/>						
<input type="checkbox"/>						
<input type="checkbox"/>						
<input type="checkbox"/>						

(ATTACH ADDITIONAL SHEET IF NECESSARY)

2. Is any person, other than the above, going to share in the profits/losses of the business? YES NO
 If Yes, give name, current address and telephone number of the person(s). Use additional sheets if necessary.

Last	First	Middle	Mailing Address	City, State, Zip	Telephone#
Perhne	Dealta	Lois	P.O. Box 1006 Camp Verde	AZ 86322	928-300-0183

SECTION 7 Corporation/Limited Liability Co.:

EACH PERSON LISTED MUST SUBMIT A COMPLETED QUESTIONNAIRE (FORM LIC0101), AN "APPLICANT" TYPE FINGERPRINT CARD, AND \$24 PROCESSING FEE FOR EACH CARD.

- CORPORATION *Complete questions 1, 2, 3, 5, 6, 7, and 8.*
- L.L.C. *Complete 1, 2, 4, 5, 6, 7, and 8.*

1. Name of Corporation/L.L.C.: _____
(Exactly as it appears on Articles of Incorporation or Articles of Organization)
2. Date Incorporated/Organized: _____ State where Incorporated/Organized: _____
3. AZ Corporation Commission File No.: _____ Date authorized to do business in AZ: _____
4. AZ L.L.C. File No: _____ Date authorized to do business in AZ: _____
5. Is Corp./L.L.C. Non-profit? YES NO
6. List all directors, officers and members in Corporation/L.L.C.:

Last	First	Middle	Title	Mailing Address	City State Zip

(ATTACH ADDITIONAL SHEET IF NECESSARY)

7. List stockholders who are controlling persons or who own 10% or more:

Last	First	Middle	% Owned	Mailing Address	City State Zip

(ATTACH ADDITIONAL SHEET IF NECESSARY)

8. If the corporation/L.L.C. is owned by another entity, attach a percentage of ownership chart, and a director/officer/member disclosure for the parent entity. Attach additional sheets as needed in order to disclose personal identities of all owners.

SECTION 8 Club Applicants:

EACH PERSON LISTED MUST SUBMIT A COMPLETED QUESTIONNAIRE (FORM LIC0101), AN "APPLICANT" TYPE FINGERPRINT CARD, AND \$24 PROCESSING FEE FOR EACH CARD.

1. Name of Club: _____ Date Chartered: _____
(Exactly as it appears on Club Charter or Bylaws) (Attach a copy of Club Charter or Bylaws)
2. Is club non-profit? YES NO
3. List officer and directors:

Last	First	Middle	Title	Mailing Address	City State Zip

(ATTACH ADDITIONAL SHEET IF NECESSARY)

SECTION 9 Probate, Will Assignment or Divorce Decree of an existing Bar or Liquor Store License:

1. Current Licensee's Name: _____
(Exactly as it appears on license) Last First Middle
2. Assignee's Name: _____
Last First Middle
3. License Type: _____ License Number: _____ Date of Last Renewal: _____
4. ATTACH TO THIS APPLICATION A CERTIFIED COPY OF THE WILL, PROBATE DISTRIBUTION INSTRUMENT, OR DIVORCE DECREE THAT SPECIFICALLY DISTRIBUTES THE LIQUOR LICENSE TO THE ASSIGNEE TO THIS APPLICATION.

SECTION 10 Government: (for cities, towns, or counties only)

1. Governmental Entity: _____
2. Person/designee: _____
Last First Middle Contact Phone Number

A SEPARATE LICENSE MUST BE OBTAINED FOR EACH PREMISES FROM WHICH SPIRITUOUS LIQUOR IS SERVED.

SECTION 11 Person to Person Transfer:

Questions to be completed by CURRENT LICENSEE (Bars and Liquor Stores ONLY-Series 06,07, and 09).

1. Current Licensee's Name: _____ Entity: _____
(Exactly as it appears on license) Last First Middle (Indiv., Agent, etc.)
2. Corporation/L.L.C. Name: _____
(Exactly as it appears on license)
3. Current Business Name: _____
(Exactly as it appears on license)
4. Physical Street Location of Business: Street _____
City, State, Zip _____
5. License Type: _____ License Number: _____
6. If more than one license to be transferred: License Type: _____ License Number: _____
7. Current Mailing Address: Street _____
(Other than business) City, State, Zip _____
8. Have all creditors, lien holders, interest holders, etc. been notified of this transfer? YES NO
9. Does the applicant intend to operate the business while this application is pending? YES NO If yes, complete Section 5 of this application, attach fee, and current license to this application.

10. I, _____, hereby authorize the department to process this application to transfer the
(print full name)
privilege of the license to the applicant, provided that all terms and conditions of sale are met. Based on the fulfillment of these conditions, I certify that the applicant now owns or will own the property rights of the license by the date of issue.

I, _____, declare that I am the CURRENT OWNER, AGENT, MEMBER, PARTNER
(print full name)
STOCKHOLDER, or LICENSEE of the stated license. I have read the above Section 11 and confirm that all statements are true, correct, and complete.

(Signature of CURRENT LICENSEE)

State of _____ County of _____
The foregoing instrument was acknowledged before me this

Day Month Year

My commission expires on: _____

(Signature of NOTARY PUBLIC)

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SECTION 12 Location to Location Transfer: (Bars and Liquor Stores ONLY)

APPLICANTS CANNOT OPERATE UNDER A LOCATION TRANSFER UNTIL IT IS APPROVED BY THE STATE

1. Current Business: Name _____
(Exactly as it appears on license) Address _____
2. New Business: Name _____
(Physical Street Location) Address _____
3. License Type: _____ License Number: _____
4. If more than one license to be transferred: License Type: _____ License Number: _____
5. What date do you plan to move? _____ What date do you plan to open? _____

SECTION 13 Questions for all in-state applicants excluding those applying for government, hotel/motel, and restaurant licenses (series 5, 11, and 12):

A.R.S. § 4-207 (A) and (B) state that no retailer's license shall be issued for any premises which are at the time the license application is received by the director, within three hundred (300) horizontal feet of a church, within three hundred (300) horizontal feet of a public or private school building with kindergarten programs or grades one (1) through (12) or within three hundred (300) horizontal feet of a fenced recreational area adjacent to such school building. The above paragraph DOES NOT apply to:

- a) Restaurant license (§ 4-205.02)
- b) Hotel/motel license (§ 4-205.01)
- c) Government license (§ 4-205.03)
- d) Fenced playing area of a golf course (§ 4-207 (B)(5))

11 FEB 4 14P.12C M1003

1. Distance to nearest school: _____ ft. Name of school _____
Address _____
City, State, Zip _____
2. Distance to nearest church: _____ ft. Name of church _____
Address _____
City, State, Zip _____
3. I am the: Lessee Sublessee Owner Purchaser (of premises)
4. If the premises is leased give lessors: Name David Conlin
Address P.O. Box 870 Clarkdale, AZ 86324
City, State, Zip _____
- 4a. Monthly rental/lease rate \$ 2500⁰⁰ What is the remaining length of the lease 3 yrs. _____ mos.
- 4b. What is the penalty if the lease is not fulfilled? \$ _____ or other _____
(give details - attach additional sheet if necessary)
5. What is the total **business** indebtedness for this license/location excluding the lease? \$ 25,000
Please list debtors below if applicable.

Last	First	Middle	Amount Owed	Mailing Address	City State	Zip
National	BANK	of	100%	53 Finnie Flat Rd. Amphlett	AZ	86322

(ATTACH ADDITIONAL SHEET IF NECESSARY)

6. What type of business will this license be used for (be specific)? Restaurant & Lounge

SECTION 13 - continued

- 7. Has a license or a transfer license for the premises on this application been denied by the state within the past one (1) year?
 YES NO If yes, attach explanation.
- 8. Does any spirituous liquor manufacturer, wholesaler, or employee have any interest in your business? YES NO
- 9. Is the premises currently licensed with a liquor license? YES NO If yes, give license number and licensee's name:

License # _____ (exactly as it appears on license) Name _____

SECTION 14 Restaurant or hotel/motel license applicants:

- 1. Is there an existing restaurant or hotel/motel liquor license at the proposed location? YES NO
 If yes, give the name of licensee, Agent or a company name:

_____ and license #: _____
Last First Middle

- 2. If the answer to Question 1 is YES, you may qualify for an Interim Permit to operate while your application is pending; consult A.R.S. § 4-203.01; and complete SECTION 5 of this application.
- 3. All restaurant and hotel/motel applicants must complete a Restaurant Operation Plan (Form LIC0114) provided by the Department of Liquor Licenses and Control.
- 4. As stated in A.R.S. § 4-205.02.G.2, a restaurant is an establishment which derives at least 40 percent of its gross revenue from the sale of food. Gross revenue is the revenue derived from all sales of food and spirituous liquor on the licensed premises. By applying for this hotel/motel restaurant license, I certify that I understand that I must maintain a minimum of 40 percent food sales based on these definitions and have included the Restaurant Hotel/Motel Records Required for Audit (form LIC 1013) with this application.



 applicant's signature

As stated in A.R.S § 4-205.02 (B), I understand it is my responsibility to contact the Department of Liquor Licenses and Control to schedule an inspection when all tables and chairs are on site, kitchen equipment, and, if applicable, patio barriers are in place on the licensed premises. With the exception of the patio barriers, these items are not required to be properly installed for this inspection. Failure to schedule an inspection will delay issuance of the license. If you are not ready for your inspection 90 days after filing your application, please request an extension in writing, specify why the extension is necessary, and the new inspection date you are requesting. To schedule your site inspection visit www.azliquor.gov and click on the "Information" tab.



 applicants initials

SECTION 15 Diagram of Premises: (Blueprints not accepted, diagram must be on this form)

- 1. Check ALL boxes that apply to your business:
 Entrances/Exits Liquor storage areas Patio: Contiguous
 Service windows Drive-in windows Non Contiguous
- 2. Is your licensed premises currently closed due to construction, renovation, or redesign? YES NO
 If yes, what is your estimated opening date? 2-15-2011
month/day/year
- 3. Restaurants and hotel/motel applicants are required to draw a detailed floor plan of the kitchen and dining areas including the locations of all kitchen equipment and dining furniture. Diagram paper is provided on page 7.
- 4. The diagram (a detailed floor plan) you provide is required to disclose only the area(s) where spiritous liquor is to be sold, served, consumed, dispensed, possessed, or stored on the premises unless it is a restaurant (see #3 above).
- 5. Provide the square footage or outside dimensions of the licensed premises. Please do not include non-licensed premises, such as parking lots, living quarters, etc.

As stated in A.R.S. § 4-207.01(B), I understand it is my responsibility to notify the Department of Liquor Licenses and Control when there are changes to boundaries, entrances, exits, added or deleted doors, windows or service windows, or increase or decrease to the square footage after submitting this initial drawing.

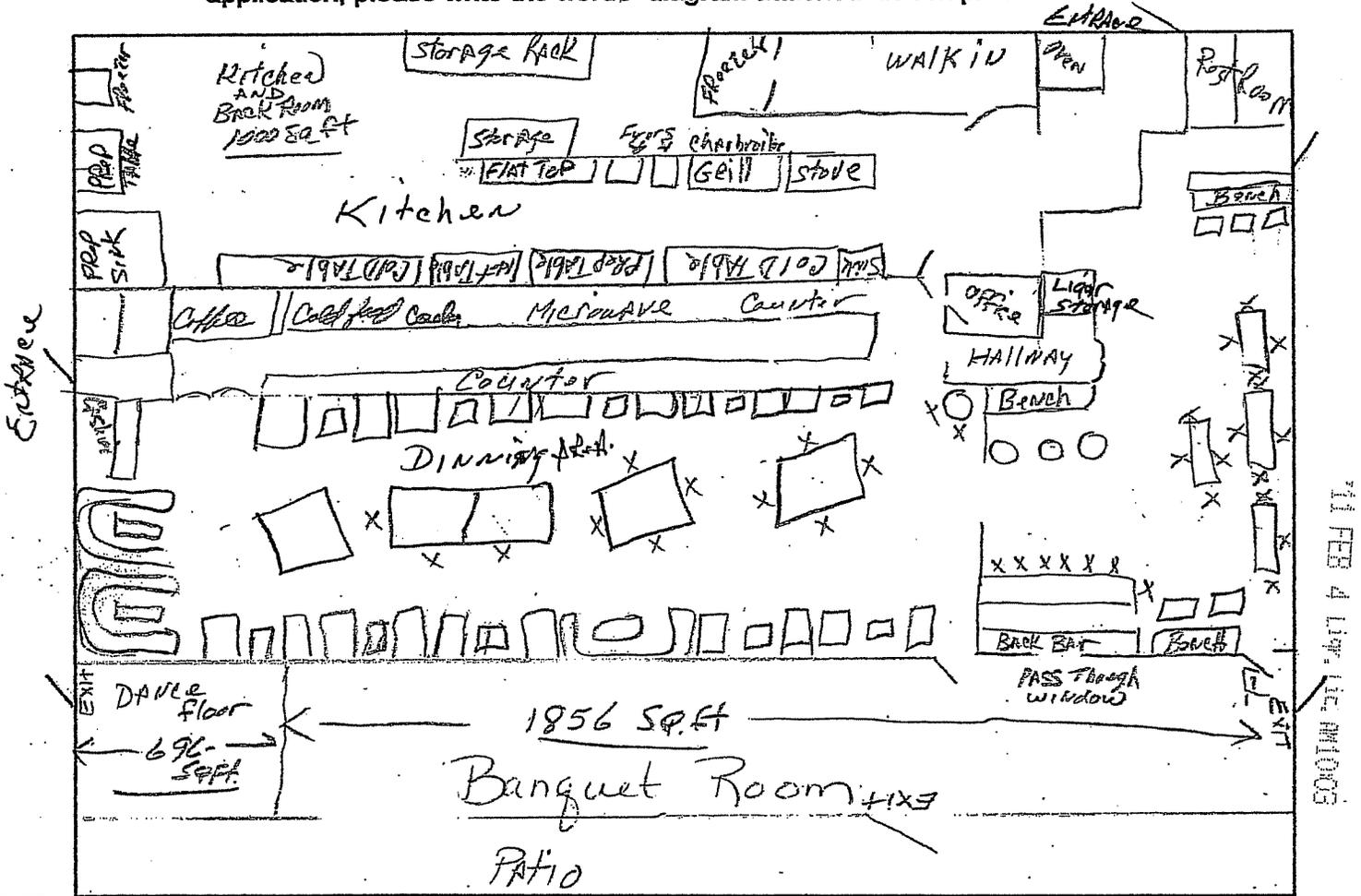


 applicants initials

SECTION 15 Diagram of Premises

4. In this diagram please show only the area where spirituous liquor is to be sold, served, consumed, dispensed, possessed or stored. It must show all entrances, exits, interior walls, bars, bar stools, hi-top tables, dining tables, dining chairs, the kitchen, dance floor, stage, and game room. Do not include parking lots, living quarters, etc. When completing diagram, North is up ↑.

If a legible copy of a rendering or drawing of your diagram of premises is attached to this application, please write the words "diagram attached" in box provided below.

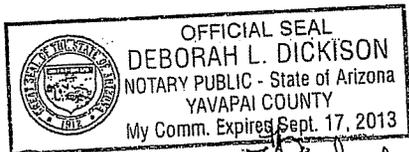


SECTION 16 Signature Block

I, John Perhne, hereby declare that I am the OWNER/AGENT filing this application as stated in Section 4, Question 1. I have read this application and verify all statements to be true, correct and complete.

X [Signature]
(signature of applicant listed in Section 4, Question 1)

State of Arizona County of Yavapai



The foregoing instrument was acknowledged before me this 1 of February, 2011

Deborah L. Dickison
signature of NOTARY PUBLIC

My commission expires on: 17th Sept 2013
Day Month Year

ARIZONA DEPARTMENT OF LIQUOR LICENSES & CONTROL

800 W Washington 5th Floor
 Phoenix, AZ 85007-2934
 www.azliquor.gov
 (602) 542-5141

RESTAURANT OPERATION PLAN

LICENSE # 12133482

1. List by Make, Model and Capacity of your:

Grill	4' flat Grill No model/Serial # available
Oven	6 Burners - 20,000 BTU model JSR 636 Qade Range Bottom is 30,000 BTU Ser# 057288G
Freezer	Walk-in - model ECPL6-46-Z Ser# T94C45052
Refrigerator	Walk-in - Model ECPL6-46-Z Ser# T94C45052
Sink	3 Compartment Sink - Wash Rinse Sanitize
Dish Washing Facilities	model CMA Ser# 113730 Commercial-full size
Food Preparation Counter (Dimensions)	(2) 12" x 4' (1) 3' x 4' (1) 12" x 6' (1) 3' x 5'
Other	Star max 4' Char broiler model- 6048CBP Ser# 60480823

2. Print the name of your restaurant: The Valley View Restaurant & Copper Room Lounge

3. Attach a copy of your menu (Breakfast, Lunch and Dinner including prices).

4. List the seating capacity for:

a. Restaurant area of your premises	[198]
b. Bar area of your premises	[+ 44]
c. Total area of your premises	[242]

5. What type of dinnerware and utensils are utilized within your restaurant?
 Reusable Disposable

6. Does your restaurant have a bar area that is distinct and separate from the restaurant seating? (If yes, what percentage of the public floor space does this area cover). Yes 20 % No

7. What percentage of your public premises is used primarily for restaurant dining? (Does not include kitchen, bar, cocktail tables or game area.) 100 %

*Disabled individuals requiring special accommodations, please call (602) 542-9027

8. Does your restaurant contain any games or television? Yes No
If yes, specify what types and how many of each type (Televisions, Pool tables, Video Games, Darts, etc).

One - TV

9. Do you have live entertainment or dancing? Yes No
(If yes, what type and how often?)

Not @ this time - Waiting for license

10. Use space below or attach a list of employee positions and their duties to fully staff your business.

John Perhner, owner / mgr
Dee Perhner ~~mgr~~ General mgr
Mark Lusche General mgr
Deborah Phillip - Head Server / Bartender
Vicki Mendinhall - Server
Karin Boone - Server
Matt Doerflin - Cook
Benjamin Alaniz - Cook
Taylor Phillips - Busser
Donna Huey - Server / Bartender

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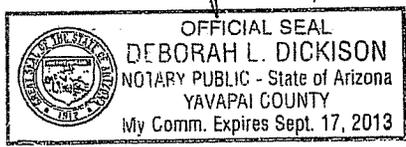
I, John Perhne, hereby declare that I am the APPLICANT filing this application. I have read this application and the contents and all statements true, correct and complete.
(Print full name)

X *John Perhner*
(Signature of APPLICANT)

State of Arizona County of Yavapai
The foregoing instrument was acknowledged before me this 1st day of February, 2011.
Day of Month Month Year

My commission expires on: Sept 17, 2013

Deborah L. Dickison
(Signature of NOTARY PUBLIC)



ARIZONA DEPARTMENT OF LIQUOR LICENSES & CONTROL

800 W Washington 5th Floor
Phoenix, AZ 85007-2934
www.azliquor.gov
(602) 542-5141

RECORDS REQUIRED FOR AUDIT

SERIES 11 (HOTEL/MOTELW/RESTAURANT AND SERIES 12 (RESTAURANT)

MAKE A COPY OF THIS DOCUMENT AND KEEP IT WITH YOUR DLLC RECORDS

In the event of an audit, you will be asked to provide to the Department any documents necessary to determine compliance with A.R.S. §4-205.02(G). Such documents requested may include however, are not limited to:

1. All invoices and receipts for the purchase of food and spirituous liquor for the licensed premises.
2. A list of **all** food and liquor vendors
3. The restaurant menu used during the audit period
4. A price list for alcoholic beverages during the audit period
5. Mark-up figures on food and alcoholic products during the audit period
6. A recent, **accurate** inventory of food and liquor (taken within two weeks of the Audit Interview Appointment)
7. Monthly Inventory Figures - beginning and ending figures for food and liquor
8. Chart of accounts (copy)
9. Financial Statements-Income Statements-Balance Sheets
10. General Ledger
 - A. Sales Journals/Monthly Sales Schedules
 - 1) Daily sales Reports (to include the name of each waitress/waiter, bartender, etc. with sales for that day)
 - 2) Daily Cash Register Tapes - Journal Tapes and Z-tapes
 - 3) Dated Guest Checks
 - 4) Coupons/Specials/Discounts
 - 5) Any other evidence to support income from food and liquor sales
 - B. Cash Receipts/Disbursement Journals
 - 1) Daily Bank Deposit Slips
 - 2) Bank Statements and canceled checks
11. Tax Records
 - A. Transaction Privilege Sales, Use and Severance Tax Return (copies)
 - B. Income Tax Return - city, state and federal (copies)
 - C. Any supporting books, records, schedules or documents used in preparation of tax returns
12. Payroll Records
 - A. Copies of all reports required by the State and Federal Government

11 FEB 4 10 49 AM 2009

- B. Employee Log (A.R.S. §4-119)
 - C. Employee time cards (actual document used to sign in and out each work day)
 - D. Payroll records for all employees showing hours worked each week and hourly wages
13. Off-site Catering Records (must be complete and separate from restaurant records)
- A. All documents which support the income derived from the sale of food off the license premises.
 - B. All documents which support purchases made for food to be sold off the licensed premises.
 - C. All coupons/specials/discounts

The sophistication of record keeping varies from establishment to establishment. Regardless of each licensee's accounting methods, the amount of gross revenue derived from the sale of food and liquor must be substantially documented.

REVOCAION OF YOUR LIQUOR LICENSE MAY OCCUR IF YOU FAIL TO COMPLY WITH A.R.S. §4-210(A)7 AND A.R.S. §4-205.02(G).

A.R.S. §4-210(A)7

The licensee fails to keep for two years and make available to the department upon reasonable request all invoices, records, bills or other papers and documents relating to the purchase, sale and delivery of spirituous liquors and, in the case of a restaurant or hotel-motel licensee, all invoices, records, bills or other papers and documents relating to the purchase, sale and delivery of food.

A.R.S. §4-205.02(G)

For the purpose of this section:

1. "Restaurant" means an establishment which derives **at least forty percent (40%)** of its gross revenue from the sale of food.
2. "Gross revenue" means the revenue derived from all sales of food and spirituous liquor on the licensed premises, regardless of whether the sales of spirituous liquor are made under a restaurant license issued pursuant to this section or under any other license that has been issued for the premises pursuant to this article.

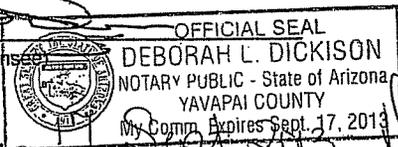
I, (print licensee name):

Perhne John _____
 Last First Middle

have read and fully understand all aspects of this statement.

State of Arizona County of Yavapai
 The foregoing instrument was acknowledged before me this

X John Perhne _____
 (Signature of Licensee) Day 1st day of February 2011
 Day Month Year



My commission Expires on: _____
 Day Month Year (Signature of NOTARY PUBLIC) Deborah L. Dickison

MAKE A COPY OF THIS DOCUMENT AND KEEP IT WITH YOUR DLLC RECORDS

11 FEB 4 10P. LC RM1003

ARIZONA DEPARTMENT OF LIQUOR LICENSES & CONTROL

800 W Washington 5th Floor
Phoenix AZ 85007-2934
(602) 542-5141

QUESTIONNAIRE

Attention all Local Governing Bodies: Social Security and Birthdate Information is Confidential. This information may be given to local law enforcement agencies for the purpose of background checks only but must be blocked to be unreadable prior to posting or any public view.

Read carefully. This instrument is a sworn document. Type or print with BLACK INK. An extensive investigation of your background will be conducted. False or incomplete answers could result in criminal prosecution and the denial or subsequent revocation of a license or permit.

TO BE COMPLETED BY EACH CONTROLLING PERSON, AGENT, OR MANAGER. EACH PERSON COMPLETING THIS FORM MUST SUBMIT AN "APPLICANT" TYPE FINGERPRINT CARD WHICH MAY BE OBTAINED AT DLLC. FINGERPRINTING MUST BE DONE BY A BONA FIDE LAW ENFORCEMENT AGENCY OR A FINGERPRINTING SERVICE APPROVED BY DLLC. THE DEPARTMENT DOES NOT PROVIDE THIS SERVICE.

Effective 10/01/07 there is a \$24.00 processing fee for each fingerprint card submitted.

The fees allowed by A.R.S. § 44-6852 will be charged for all dishonored checks.

Liquor License #

12133482

(If the location is currently licensed)

1. Check appropriate box: [X] Controlling Person (Complete Questions 1-19) [] Agent [] Manager (Only) (Complete All Questions except # 14, 14a & 21) Controlling Person or Agent must complete #21 for a Manager. Controlling Person or Agent must complete # 21

2. Name: Perthne John Last First Middle Date of Birth: [Redacted]

3. Social Security Number: [Redacted] Drivers License: [Redacted] State: ARIZONA

4. Place of Birth: Casa Michigan USA City State Country Height: 5'11" Weight: 280 Eyes: Blue Hair: S+P

5. Marital Status: [] Single [X] Married [] Divorced [] Widowed Daytime Contact Phone: (928) 300-0183

6. Name of Current or Most Recent Spouse: Perthne Debra Lois Gipe Last First Middle Maiden Date of Birth: 11/13/1947 (NOT a public record)

7. You are a bona fide resident of what state? Arizona If Arizona, date of residency: 2001

8. Telephone number to contact you during business hours for any questions regarding this document: (928) 300-0183

9. If you have been an Arizona resident for less than three (3) months, submit a copy of your Arizona driver's license or voter registration card.

10. Name of Licensed Premises: The Valley View Restaurant and Lounge (Copper Room) Premises Phone: (928) 507-8528

11. Physical Location of Licensed Premises Address: 102 W. Arnold St. Camp Verde Yavapai 86322 Street Address City County Zip

12. List your employment or type of business during the past five (5) years. If unemployed part of the time, list those dates. List most recent 1st.

Table with 4 columns: FROM Month/Year, TO Month/Year, DESCRIBE POSITION OR BUSINESS, EMPLOYER'S NAME OR NAME OF BUSINESS (street address, city, state & zip). Row 1: 01/2002, CURRENT, Surveillance, Cliff Castle Casino, 555 Middle Verde Rd, Camp Verde, AZ 86322.

ATTACH ADDITIONAL SHEET IF NECESSARY FOR EITHER SECTION

13. Indicate your residence address for the last five (5) years:

Table with 7 columns: FROM Month/Year, TO Month/Year, Rent or Own, RESIDENCE Street Address, City, State, Zip. Row 1: 1/2004, CURRENT, own, 3259 Robin Lane, Camp Verde, AZ 86322.

If you checked the Manager box on the front of this form skip to # 15

14. As a Controlling Person or Agent, will you be physically present and operating the licensed premises? YES NO
 If you answered YES, how many hrs/day? 6, and answer #14a below. If NO, skip to #15.

14a. Have you attended a DLLC-approved Liquor Law Training Course within the past 5 years? (Must provide proof) YES NO
 If the answer to # 14a is "NO", course must be completed before issuance of a new license or approval on an existing license.

15. Have you been detained, cited, arrested, indicted or summoned into court for violation of ANY law or ordinance, regardless of the disposition, even if dismissed or expunged, within the past ten (10) years (include only traffic violations that were alcohol and/or drug related)? YES NO

16. Are there ANY administrative law citations, compliance actions or consents, criminal arrest, indictments or summonses PENDING against you or ANY entity in which you are now involved? YES NO

17. Have you or any entity in which you have held ownership, been an officer, member, director or manager EVER had a business, professional or liquor application or license rejected, denied, revoked, suspended or fined in this or any other state? YES NO

18. Has anyone EVER filed suit or obtained a judgment against you, the subject of which involved fraud or misrepresentation? YES NO

19. Are you NOW or have you EVER held ownership, been a controlling person, been an officer, member, director or manager on any other liquor license in this or any other state? YES NO

If any answer to Questions 15 through 19 is "YES" YOU MUST attach a signed statement. Give complete details including dates, agencies involved, and dispositions.
SUBSTANTIVE CHANGES TO THIS APPLICATION WILL NOT BE ACCEPTED

20. I, John Perhne, hereby declare that I am the APPLICANT/REPRESENTATIVE
(print full name of Applicant)
 filing this questionnaire. I have read this questionnaire and all statements are true, correct and complete.

X _____ State of _____ County of _____
(Signature of Applicant)

The foregoing instrument was acknowledged before me this _____ day of _____, _____
Month Year

My commission expires on: _____
Day Month Year

(Signature of NOTARY PUBLIC)

COMPLETE THIS SECTION ONLY IF YOU ARE A CONTROLLING PERSON OR AGENT APPROVING A MANAGER'S APPLICATION

21. The applicant hereby authorizes the person named on this questionnaire to act as manager for the named liquor license. The manager named must be at least 21 years of age.

State of Arizona County of Yavapai
 The foregoing instrument was acknowledged before me this 1st day of February, 2011
Month Year

X _____
Signature of Controlling Person or Agent (circle one)

John Perhne
Print Name

My commission expires on: 17th _____
Day Month Year

OFFICIAL SEAL
 DEBORAH L. DICKISON
 NOTARY PUBLIC - State of Arizona
 YAVAPAI COUNTY
 My Comm. Expires Sept. 17, 2013

Deborah L. Dickison
(Signature of NOTARY PUBLIC)

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ARIZONA STATEMENT OF CITIZENSHIP AND ALIEN STATUS FOR STATE PUBLIC BENEFITS Professional License and Commercial License Department of Liquor Licenses and Control

Liquor License #: 12133482

Ownership Name: John Perhne (as listed on the current liquor license application or renewal application)

Title IV of the federal Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (the "Act"), 8 U.S.C. § 1621, provides that, with certain exceptions, only United States citizens, United States non-citizen nationals, non-exempt "qualified aliens" (and sometimes only particular categories of qualified aliens), nonimmigrants, and certain aliens paroled into the United States are eligible to receive state or local public benefits. With certain exceptions, a professional license and commercial license issued by a State agency is a State public benefit.

Arizona Revised Statutes § 1-501 requires, in general, that a person applying for a license must submit documentation to the licensing agency that satisfactorily demonstrates that the applicant is lawfully present in the United States.

Directions: All applicants must complete Sections I, II, and IV. Applicants who are not U.S. citizens or nationals must also complete Section III. Submit this completed form and copy of one or more documents that evidence your citizenship or alien status with your application for license or renewal.

SECTION I - APPLICANT INFORMATION

APPLICANT'S NAME (Print or type) John Perhne DATE 2/3/2011 TYPE OF APPLICATION (check one) [X] INITIAL APPLICATION [] RENEWAL TYPE OF LICENSE Series 12 Restaurant

SECTION II - CITIZENSHIP OR NATIONAL STATUS DECLARATION

Directions: Attach a legible copy of the front, and the back (if any), of a document from the attached List A or other document that demonstrates U.S. citizenship or nationality. Name of document provided: Birth Certificate

A. Are you a citizen or national of the United States? (check one) [X] Yes [] No B. If the answer is "Yes," where were you born? List city, state (or equivalent), and country. City CARO State (or equivalent) Michigan Country or Territory USA

If you are a citizen or national of the United States, go to Section IV. If you are not a citizen or national of the United States, please complete Sections III and IV.

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SECTION III — ALIEN STATUS DECLARATION

Directions: To be completed by applicants who are not citizens or nationals of the United States. Please indicate alien status by checking the appropriate box. Attach a legible copy of the front, and the back (if any), of a document from the attached List B or other document that evidences your status. A.R.S. § 1-501. Name of document provided:

“Qualified Alien” Status (8 U.S.C. §§ 1621(a)(1), -1641(b) and (c))

- 1. An alien lawfully admitted for permanent residence under the Immigration and Nationality Act (INA).
- 2. An alien who is granted asylum under Section 208 of the INA.
- 3. A refugee admitted to the United States under Section 207 of the INA
- 4. An alien paroled into the United States for at least one year under Section 212(d)(5) of the INA.
- 5. An alien whose deportation is being withheld under Section 243(h) of the INA.
- 6. An alien granted conditional entry under Section 203(a)(7) of the INA as in effect prior to April 1, 1980.
- 7. An alien who is a Cuban and Haitian entrant (as defined in section 501(e) of the Refugee Education Assistance Act of 1980).
- 8. An alien who is, or whose child or child’s parent is a “battered alien” or an alien subjected to extreme cruelty in the United States.

Nonimmigrant Status (8 U.S.C. § 1621(a)(2))

- 9. A nonimmigrant under the Immigration and Nationality Act [8 U.S.C. § 1101 et seq.] Nonimmigrants are persons who have temporary status for a specific purpose. See 8 U.S.C. § 1101(a)(15).

Alien Paroled into the United States For Less Than One Year (8 U.S.C. § 1621(a)(3))

- 10. An alien paroled into the United States for less than one year under Section 212(d)(5) of the INA

Other Persons (8 U.S.C. § 1621(c)(2)(A) and (C))

- 11. A nonimmigrant whose visa for entry is related to employment in the United States, or
- 12. A citizen of a freely associated state, if section 141 of the applicable compact of free association approved in Public Law 99-239 or 99-658 (or a successor provision) is in effect [Freely Associated States include the Republic of the Marshall Islands, Republic of Palau and the Federate States of Micronesia, 48 U.S.C. § 1901 *et seq.*];
- 13. A foreign national not physically present in the United States.

Otherwise Lawfully Present (A.R.S. § 1-501)

- 14. A person not described in categories 1–13 who is otherwise lawfully present in the United States. PLEASE NOTE: The federal Personal Responsibility and Work Opportunity Reconciliation Act may make persons who fall into this category ineligible for licensure. See 8 U.S.C. § 1621(a).

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SECTION IV — DECLARATION

All applicants must complete this section. I declare under penalty of perjury under the laws of the state of Arizona that the answers I have given are true and correct to the best of my knowledge.



APPLICANT'S SIGNATURE

2/3/2011

TODAY'S DATE

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Attachment to Form 1 Applicant Statement

EVIDENCE OF U.S. CITIZENSHIP, U.S. NATIONAL STATUS, OR ALIEN STATUS

LIST A: U.S. CITIZEN OR U.S. NATIONAL

Note: In this List, the term "Service" refers to the U.S. Citizenship and Immigration Service, formerly, the U.S. Immigration and Naturalization Service (INS).

[Source: Proposed Rules, Verification of Eligibility for Public Benefits, 8 CFR § 104.23; 63 FR 41662-01 August 4, 1998); and Interim Guidance of Verification of Citizenship, Qualified Alien Status and Eligibility Under Title IV of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 ("Interim Guidance"), 62 FR 61344 (Nov. 17, 1997), Attachment 4]

Evidence showing U.S. citizen or U.S. national status includes the following:

a. Primary Evidence:

- (1) A birth certificate showing birth in one of the 50 states, the District of Columbia, Puerto Rico (on or after January 13, 1941), Guam, the U.S. Virgin Islands (on or after January 17, 1917), American Samoa, or the Northern Mariana Islands (on or after November 4, 1986, Northern Mariana Islands local time) (unless the applicant was born to foreign diplomats residing in such a jurisdiction);
- (2) United States passport;
- (3) Report of birth abroad of a U.S. citizen (FS-240) (issued by the Department of State to U.S. citizens);
- (4) Certificate of Birth (FS-545) (issued by a foreign service post) or Certification of Report of Birth (DS-1350), copies of which are available from the Department of State;
- (5) Form N-561, Certificate of Citizenship;
- (6) Form I-197, United States Citizen Identification Card (issued by the Service until April 7, 1983 to U.S. citizens living near the Canadian or Mexican border who needed it for frequent border crossings) (formerly Form I-179, last issued in February 1974);
- (7) Form I-873 (or prior versions), Northern Marianas Card (issued by the Service to a collectively naturalized U.S. citizen who was born in the Northern Mariana Islands before November 3, 1986);
- (8) Statement provided by a U.S. consular official certifying that the individual is a U.S. citizen (given to an individual born outside the United States who derives citizenship through a parent but does not have an FS-240, FS-545, or DS-1350); or
- (9) Form I-872 (or prior versions), American Indian Card with a classification code "KIC" and a statement on the back identifying the bearer as a U.S. citizen (issued by the Service to U.S. citizen members of the Texas Band of Kickapoos living near the U.S./Mexican border).

[Source: Interim Guidance of Verification of Citizenship, Qualified Alien Status and Eligibility Under Title IV of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 ("Interim Guidance"), 62 FR 61344 (Nov. 17, 1997), Attachment 4]

b. Secondary Evidence

If the applicant cannot present one of the documents listed in (a) above, the following may be relied upon to establish U.S. citizenship or U.S. national status:

- (1) Religious record recorded in one of the 50 states, the District of Columbia, Puerto Rico (on or after January 13, 1941), Guam, the U.S. Virgin Islands (on or after January 17, 1917), American Samoa, or the Northern Mariana Islands (on or after November 4, 1986, Northern Mariana Islands local time) (unless the applicant was born to foreign diplomats residing in such a jurisdiction) within three 3 months after birth showing that the birth occurred in such jurisdiction and the date of birth or the individual's age at the time the record was made;

- (2) Evidence of civil service employment by the U.S. government before June 1, 1976;
- (3) Early school records (preferably from the first school) showing the date of admission to the school, the applicant's date and U.S. place of birth, and the name(s) and place(s) of birth of the applicant's parents(s);
- (4) Census record showing name, U.S. nationality or a U.S. place of birth, and applicant's date of birth or age;
- (5) Adoption finalization papers showing the applicant's name and place of birth in one of the 50 states, the District of Columbia, Puerto Rico (on or after January 13, 1941), Guam, the U.S. Virgin Islands (on or after January 17, 1917), American Samoa, or the Northern Mariana Islands (on or after November 4, 1986, Northern Mariana Islands local time) (unless the applicant was born to foreign diplomats residing in such a jurisdiction), or, when the adoption is not finalized and the state or other U.S. jurisdiction listed above will not release a birth certificate prior to final adoption, a statement from a State-or jurisdiction-approved adoption agency showing the applicant's name and place of birth in one of such jurisdictions, and stating that the source of the information is an original birth certificate;
- (6) Any other document that establishes a U.S. place of birth or otherwise indicates U.S. nationality (e.g., a contemporaneous hospital record of birth in that hospital in one of the 50 states, the District of Columbia, Puerto Rico (on or after January 13, 1941), Guam, the U.S. Virgin Islands (on or after January 17, 1917), American Samoa, or the Northern Mariana Islands (on or after November 4, 1986, Northern Mariana Islands local time) (unless the applicant was born to foreign diplomats residing in such a jurisdiction));

c. Collective Naturalization

If the applicant cannot present one of the documents listed in (a) or (b) above, the following will establish U.S. citizenship for collectively naturalized individuals:

Puerto Rico:

- Evidence of birth in Puerto Rico on or after April 11, 1899 and the applicant's statement that he or she was residing in the U.S., a U.S. possession or Puerto Rico on January 13, 1941; or
- Evidence that the applicant was a Puerto Rican citizen and the applicant's statement that he or she was residing in Puerto Rico on March 1, 1917 and that he or she did not take an oath of allegiance to Spain.

U.S. Virgin Islands:

- Evidence of birth in the U.S. Virgin Islands, and the applicant's statement of residence in the U.S., a U.S. possession or the U.S. Virgin Islands on February 25, 1927;
- The applicant's statement indicating resident in the U.S. Virgin Islands as a Danish citizen on January 17, 1917 and residence in the U.S., a U.S. possession or the U.S. Virgin Islands on February 25, 1927, and that he or she did not make a declaration to maintain Danish citizenship; or
- Evidence of birth in the U.S. Virgin Islands and the applicant's statement indicating residence in the U.S., a U.S. possession or territory or the Canal Zone on June 28, 1932.

Northern Mariana Islands (NMI) (formerly part of the Trust Territory of the Pacific Islands (TTPI)):

- Evidence of birth in the NMI, TTPI citizenship and residence in the NMI, the U.S., or a U.S. territory or possession on November 3, 1986 (NMI local time) and the applicant's statement that he or she did not owe allegiance to a foreign state on November 4, 1986 (NMI local time);
- Evidence of TTPI citizenship, continuous residence in the NMI since before November 3, 1981 (NMI local time), voter registration prior to January 1, 1975 and the applicant's statement that he or she did not owe allegiance to a foreign state on November 4, 1986 (NMI local time); or
- Evidence of continuous domicile in the NMI since before January 1, 1974 and the applicant's statement that he or she did not owe allegiance to a foreign state on November 4, 1986 (NMI local time). Note: If a person entered the NMI as a nonimmigrant and lived in the NMI since January 1, 1974, this does not constitute continuous domicile and the individual is not a U.S. citizen

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d. Derivative Citizenship

If the applicant cannot present one of the documents listed in a or b above, the following may be used to make a determination of derivative U.S. citizenship:

Applicant born abroad to two U.S. citizen parents: Evidence of the U.S. citizenship of the parents and the relationship of the applicant to the parents, and evidence that at least one parent resided in the U.S. or an outlying possession prior to the applicant's birth.

Applicant born abroad to a U.S. citizen parent and a U.S. non-citizen national parent: Evidence that one parent is a U.S. citizen and that the other is a U.S. non-citizen national, evidence of the relationship of the applicant to the U.S. citizen parent, and evidence that the U.S. citizen parent resided in the U.S., a U.S. possession, American Samoa or Swain's Island for a period of at least one year prior to the applicant's birth.

Applicant born out of wedlock abroad to a U.S. citizen mother: - Evidence of the U.S. citizenship of the mother, evidence of the relationship to the applicant and, for births on or before December 24, 1952, evidence that the mother resided in the U.S. prior to the applicant's birth or, for births after December 24, 1952, evidence that the mother had resided, prior to the child's birth, in the U.S. or a U.S. possession for a period of one year.

Applicant born in the Canal Zone or the Republic of Panama:

- A birth certificate showing birth in the Canal Zone on or after February 26, 1904 and before October 1, 1979 and evidence that one parent was a U.S. citizen at the time of the applicant's birth; or
- A birth certificate showing birth in the Republic of Panama on or after February 26, 1904 and before October 1, 1979 and evidence that at least one parent was a U.S. citizen and employed by the U.S. government or the Panama Railroad Company or its successor in title.

In all other situations in which an applicant claims to have a U.S. citizen parent and an alien parent, or claims to fall within one of the above categories, but is unable to present the listed documentation:

- If the applicant is in the U.S., the applicant should contact the local U.S. Citizenship and Immigration Service office for determination of U.S. citizenship;
- If the applicant is outside the U.S., the applicant should contact the State Department for a U.S. citizenship determination.

e. Adoption of Foreign-Born Child by U.S. Citizen

- If the birth certificate shows a foreign place of birth and the applicant cannot be determined to be a naturalized citizen under any of the above criteria, obtain other evidence of U.S. citizenship;
- Because foreign-born adopted children do not automatically acquire U.S. citizenship by virtue of adoption by U.S. citizens, the applicant should contact the local U.S. Citizenship and Immigration Service office for a determination of U.S. citizenship, if the applicant provides no evidence of U.S. citizenship.

f. U.S. Citizenship By Marriage

A woman acquired U.S. citizenship through marriage to a U.S. citizen before September 22, 1922. Provide evidence of U.S. citizenship of the husband, and evidence showing the marriage occurred before September 22, 1922.

Note: If the husband was an alien at the time of the marriage, and became naturalized before September 22, 1922, the wife also acquired naturalized citizenship. If the marriage terminated, the wife maintained her U.S. citizenship if she was residing in the U.S. at that time and continued to reside in the U.S.

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LIST B: QUALIFIED ALIENS, NONIMMIGRANTS, AND ALIENS PAROLED INTO U.S. FOR LESS THAN ONE YEAR

The documents listed below that are registration documents are indicated with an asterisk ("*").

a. "Qualified Aliens"

Evidence of "Qualified Alien" status includes the following:

Alien Lawfully Admitted for Permanent Residence

- *Form I-551 (Alien Registration Receipt Card, commonly known as a "green card"); or
- Unexpired Temporary I-551 stamp in foreign passport or on *I Form I-94.

Asylee

- * Form I-94 annotated with stamp showing grant of asylum under section 208 of the INA;
- *Form I-688B (Employment Authorization Card) annotated "274a.12(a)(5)";
- * Form I-766 (Employment Authorization Document) annotated "A5";
- Grant letter from the Asylum Office of the U.S. Citizenship and Immigration Service; or
- Order of an immigration judge granting asylum.

Refugee

- * Form I-94 annotated with stamp showing admission under § 207 of the INA;
- * Form I-688B (Employment Authorization Card) annotated "274a.12(a)(3)"; or
- * Form I-766 (Employment Authorization Document) annotated "A3"

Alien Paroled Into the U.S. for a Least One Year

- * Form I-94 with stamp showing admission for at least one year under section 212(d)(5) of the INA. (Applicant cannot aggregate periods of admission for less than one year to meet the one-year requirement.)

Alien Whose Deportation or Removal Was Withheld

- * Form I-688B (Employment Authorization Card) annotated "274a.12(a)(10)";
- * Form I-766 (Employment Authorization Document) annotated "A10"; or
- Order from an immigration judge showing deportation withheld under §243(h) of the INA as in effect prior to April 1, 1997, or removal withheld under § 241(b)(3) of the INA.

Alien Granted Conditional Entry

- * Form I-94 with stamp showing admission under §203(a)(7) of the INA;
- * Form I-688B (Employment Authorization Card) annotated "274a.12(a)(3)"; or
- * Form I-766 (Employment Authorization Document) annotated "A3."

Cuban/Haitian Entrant

- * Form I-551 (Alien Registration Receipt Card, commonly known as a "green card") with the code CU6, CU7, or CH6;
- Unexpired temporary I-551 stamp in foreign passport or on * Form I-94 with the code CU6 or CU7; or
- Form I-94 with stamp showing parole as "Cuba/Haitian Entrant" under Section 212(d)(5) of the INA.

Alien Who Has Been Declared a Battered Alien or Alien Subjected to Extreme Cruelty

- U.S. Citizenship and Immigration Service petition and supporting documentation

b. Nonimmigrant

Evidence of "Nonimmigrant" status includes the following:

- * Form I-94 with stamp showing authorized admission as nonimmigrant

c. Alien Paroled into U.S. for Less than One Year

Evidence includes:

- * Form I-94 with stamp showing admission for less than one year under section 212(d)(5) of the INA

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12.



**TOWN OF CAMP VERDE
Agenda Action Form**

Meeting Date: March 2, 2011

Meeting Type: Regular Session

Consent Agenda – Special Announcements **Regular Business** **Work Session**

Reference Document: N/A

Agenda Title (be exact):

Discussion and possible direction to staff relative to proposed changes to the Town Code.

Purpose and Background Information:

On January 7, 2011, Council held an all-day work session to review and formulate proposed changes to the Town Code and the Financial Operations Guide, Risk Management Policy, Council & Committee Policies Rules & Procedures, Records Management Policy, and Agenda Preparation Guidelines. Unfortunately, not all Council members were able to attend the meeting in its entirety. Council has set a work session on March 9, 2011 to continue the review.

Due to the small number of items on the Regular Session agenda, the Mayor has authorized the addition of a Work Session in conjunction with the Regular Session to review changes to the Town Code only. The March 9, 2011 work session will move forward with the review of the policies and additional Town Code changes, if needed.

Council directed staff to provide only the pages that contain the latest recommendations. The changes that Council directed from the January 7, 2011 meeting are highlighted in yellow.

Recommendation (Suggested Motion):

Direct staff accordingly.

Finance Review: **Budgeted** **Unbudgeted** **N/A**

Finance Director Comments/Fund: N/A

Attorney Review: **Yes** **No** **N/A**

Attorney Comments: N/A

Submitting Department: Clerk's Office

Contact Person: Debbie Barber

Action Report prepared by: D. Barber

H. Any ordinances authorizing, ratifying, confirming, approving or accepting any compact or contract with any other municipality, the State of Arizona or any county or subdivision thereof, or with the United States or any agency or instrumentality thereof.

**Article 1-10
EFFECTIVE DATE OF CODE
(2006-A332)**

Each and every section of this code as herein contained and hereby enacted shall take effect and be in force on and after twelve o'clock noon on ~~September 5, 2006~~ 30 days following approval of the ordinance approving the amendments to the Town Code, except that where a later effective date is provided it shall prevail.

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

Section 2-1-1 Elected Officers (2008-A355)

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 (2008-A355)

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 (2008-A355)

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 (2008-A355) (2009-A362) (2009-A364)

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 (I) a primary election for Council is set within 120 days and (II) all statutory requirements for filing candidacy papers can be satisfied. A person who has been elected to fill the remainder of an unexpired term of a vacant office may take the oath of office and begin the remainder of the term of office at any time after the canvass of the election. The vacancy shall not reduce any Council quorum requirements.

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 (2008-A355) (2010-A370)

The Mayor shall not absent himself from the Town for a greater period than SEVEN consecutive days without the consent of Council. In addition, the Mayor shall leave emergency contact numbers with the Town Clerk during the absence.

Section 2-2-6 Failure to Sign Documents (2008-A355)

If the Mayor refuses or fails to sign any ordinance, resolution, contract, warrant, demand or other document or instrument requiring his signature for five CONSECUTIVE WORKING 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.

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**Article 2-3
COUNCIL PROCEDURES
(2002-A218) (2008-A355)**

**Section 2-3-1 Regular Meetings (2003-A262) (2005-A311) (2005-A314) (2008-A355)
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 2-3-2 Special Meetings and Times and Places of Special Meetings is now amended to read:- (2008-A355)(2010-A370)

- 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, to begin at a time and place designated in the motion. In addition, the Mayor or vice mayor if the mayor is absent PURSUANT TO SECTION 2-2-5, and the Town Manager may jointly schedule a special session to be held at a time and in appropriate facilities within the town limits when an urgent and/or unforeseen event or matter arises between regularly scheduled meetings after confirmation of the

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 2-3-3 Posting of Notices (2008-A355)

A. Notice of Council meetings and agendas shall be posted at Town Hall, the United States Post Office, ~~Basha's store at Outpost Mall,~~ **THE 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 also be posted on the Town's website. Locations for posting may be changed by Council resolution.

Comment [CO1]: Majority present agreed to keep the Baha's location in addition to Town Hall & the webpage.

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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 (2008-A355)

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 (2008-A355)

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.

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Comment [CO2]: The 3 Council members remaining at the work session requested a change to the Town Code that limits the ability of Council members to bring items back to an agenda after Council has voted on the item. The following is staff's attempt at a Code change reflecting the language discussed in the work session (this would be the appropriate place to insert the change):

"HOWEVER, IF COUNCIL HAS PREVIOUSLY ADDRESSED AN ITEM, THE ITEM CAN BE PLACED ON A FUTURE AGENDA THAT MUST BE AT LEAST 90 DAYS OUT FROM THE DATE OF THE INITIAL CONSIDERATION AND ONLY IF A COUNCIL MEMBER THAT VOTED WITH THE MAJORITY AGREES TO PLACE THE ITEM ON THE AGENDA. THE 90-DAY TIMELINE DOES NOT APPLY TO NEWLY SEATED COUNCIL MEMBERS."

This item is for discussion and will require approval from a majority to make this change. If Council elects to make this change, corresponding changes will be made to the Council's Policies & Procedures Guide for consistency.

Section 2-3-6 Preparation of Agenda (2002-A255) (2008-A355)

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 Clerk ~~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 Manager, Mayor, and ~~NO MORE THAN TWO (2) COUNCIL~~ 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

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 address routine matters coming before the Council.

Section 2-3-7 Order of Business (2008-A355)

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 (2008-A355) (2008-A358)

A. Where practicable, executive sessions will be held prior to the regular business meetings, as opposed to during or following a meeting.

Comment [CO2]: The 3 Council members remaining at the work session requested a change to the Town Code that limits the ability of Council members to bring items back to an agenda after Council has voted on the item. The following is staff's attempt at a Code change reflecting the language discussed in the work session (this would be the appropriate place to insert the change):

"HOWEVER, IF COUNCIL HAS PREVIOUSLY ADDRESSED AN ITEM, THE ITEM CAN BE PLACED ON A FUTURE AGENDA THAT MUST BE AT LEAST 90 DAYS OUT FROM THE DATE OF THE INITIAL CONSIDERATION AND ONLY IF A COUNCIL MEMBER THAT VOTED WITH THE MAJORITY AGREES TO PLACE THE ITEM ON THE AGENDA. THE 90-DAY TIMELINE DOES NOT APPLY TO NEWLY SEATED COUNCIL MEMBERS."

This item is for discussion and will require approval from a majority to make this change. If Council elects to make this change, corresponding changes will be made to the Council's Policies & Procedures Guide for consistency.

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Each ordinance should SHALL have but one subject ONLY, the nature of which is clearly expressed in the title. Whenever possible, each ordinance shall be introduced as an amendment to this code or to an existing ordinance and, in such case, the title of the sections to be amended shall be included in the ordinance.

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Section 2-4-5 Effective Date of Ordinances

A. No ordinance, resolution, or franchise shall become operative until thirty days after its passage by the Council and execution by the Mayor, except measures permitted by law to be adopted as an emergency that are necessary for the immediate preservation of the peace, health or safety of the Town, but such an emergency measure shall not become immediately operative unless it states in a separate section the reason why it is necessary that it should become immediately operative, and unless it is approved by the affirmative vote of three-fourths of all the members elected to the Council, taken by ayes and nays.

B. In addition to the provisions of subsection A of this section, the clerk shall certify the minutes of any Council meeting at which an ordinance, resolution or franchise, except an emergency measure, is passed. The thirty day period specified in subsection A shall be calculated from the date of passage by the Council, execution by the Mayor, and approval as to form by the Town Attorney, and a copy available to the public pursuant to ARS 19-142.C, as may be amended .

CHAPTER 3 ADMINISTRATION Article 3-1 OFFICERS IN GENERAL

Section 3-1-1 Residency

Residency within Town limits for ~~the manager, department heads or other personnel~~ may be required for certain positions as reflected in the advertising for the position.

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Section 3-1-2 Dual Positions (2007-A346)

The provisions below distinguish between two (2) positions that are appointed and reviewed by the Council (Town Manager and Town Attorney), and other department heads that are under review and control of the Town Manager, who may terminate them for cause, but who do not have the severance offer of Section 3-1-3.B. In the event that a person has a dual position, such as Town Manager/Community Development Director, he or she will have the review and termination rights associated with the higher-level position, but in the event the job title is simply severed, without termination of the individual, such personnel action will not have rights under 3-1-3.B.

Section 3-1-3 Removal Provisions (2000-A160) (2007-A346)

A. Removal for Cause. (2000-A160) (2007-A346)

The Town Manager and the Town Attorney will be reviewed by the Town Council using procedures that may be adopted by motion of the Council and may be removed from their positions for cause. All other department heads and classified employees report to the Town Manager and may be removed for cause. "Removal for Cause" includes failure to receive satisfactory performance reviews, violation of adopted work rules in the Personnel Handbook, violation of drug policies, conviction of a criminal offense involving moral turpitude, loss of any professional license or other qualification necessary for the position, and failure to fulfill tasks assigned by the job description.

B. Termination Other than For Cause. (2006-A160) (2007-A346)

The Town Manager, Town Attorney (if employed by the Town), may be removed by the Council other than for cause, by offering severance pay of six (6) months' salary, conditioned on the employee and Town signing a mutual release for any employment claims, and including other terms mutually agreeable, as may be authorized by ARS §9-239.C, as may be amended.

C. A manager or department head shall provide the Council with thirty days' written notice of intention to resign his position.

**Article 3-2
OFFICERS**

(2000-A160) (2001-A211) (2007-A346) (2008-A355) (2010-A370)

Pursuant to ARS §9-237, as may be amended, in addition to the common Council, the officers of the Town include the Town Clerk, Town Marshal, Director of Public Works/Town Engineer, and TOWN MANAGER, TOWN ATTORNEY, AND other officers (department heads) deemed necessary by the common Council, who shall be appointed as provided by ordinance of the Town. ~~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, OR THE Town Attorney, the Town Manager officer shall appoint a temporary replacement pursuant to Section 3-2-1.1 in consultation with the Mayor and Vice-Mayor. In the temporary absence of an officer other than the Town Manager, OR Town Attorney, the Town Manager may officer shall appoint a temporary replacement in consultation with the Town Manager.~~

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Section 3-2-1 Town Manager (2000-A160) (2001-A211) (2008-A355)

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.

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D. Powers and Duties of Town Manager. The Town Manager is the 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 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 COUNCIL, 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.
13. DOCUMENTS TO SIGN CONTRACTS FOR BUDGETED ITEMS LESS THAN \$10,000 AND OTHER DOCUMENTS THAT ARE NECESSARY TO CONDUCT THE BUSINESS AND AFFAIRS OF THE TOWN PER THE TOWN POLICY AND OPERATIONS GUIDE.

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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.

4. Minutes. The clerk shall prepare or cause to be prepared all minutes of Council proceedings and ensure their correctness and accuracy.

5. Ordinances, Resolutions, Budgets and Notices. The clerk shall process, record, file, publish and, if required by state statute, post all ordinances, resolutions, budgets, and notices that may be passed by the Council.

6. Election Official. The clerk shall be the Town election official and perform those duties required by state statute and as directed by the Council.

7. Licenses. The clerk shall issue or cause to be issued all licenses that may be prescribed by state statute, Town ordinance, or this code.

8. Administrative Duties. The clerk shall perform those administrative responsibilities and duties that are conferred upon the clerk by the Council in addition to those specified in Arizona Revised Statutes, Town ordinances, and this code.

3-2-3 Finance Director (2000-A160) (2007-A346)

A. Office Established. (2007-A346)

The office of the Finance Director is hereby established. The Finance Director shall be appointed the Town Manager on the basis of ability.

B. Duties of Finance Director.

The Finance Director shall receive and safely keep all monies that come to the Town and pay out the same as authorized by the Council or the Manager as authorized by the Council. The Finance Director shall keep a separate record and account of each different fund provided by the Council; apportion the monies received among the different funds prescribed by the Council, and keep a complete set of books showing every money transaction of the Town, the state of each fund, from what source the money in each fund is derived, and for what purpose expended. He-THE DIRECTOR shall make monthly reports to the Council of all receipts and disbursements, and the balance in each fund.

C. Expenditure Control and Purchasing.

The Finance Director is authorized to approve requests to expend funds, but only as authorized in a Council-approved budget ~~AND THE TOWN OF CAMP VERDE POLICY AND OPERATIONS GUIDE, except that in interruptions of Town Services resulting in a public emergency, the Finance Director and the Town Manager may jointly award contracts and make purchases for the purpose of meeting said emergency, but they shall file promptly with the Council a certificate showing such emergency and the necessity of such action, together with an itemized account of all expenditures. It shall be the duty of the Finance Director and the Town Manager to see that no indebtedness is incurred or expenditure made in violation of the Arizona Constitution and the state budget laws.~~

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Section 3-2-4 Town Marshal

A. Office Established. The office of the Town Marshal is hereby established. The Town Marshal 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. The Town Marshal shall be a resident of the Town, unless such requirement is waived by the Council.

C. Powers and Duties. The Town Marshal is the administrative head of the police department of the Town under the direction and control of the Town Manager. He shall perform such duties as may be required of him by law and as the Town Manager may deem necessary.

Section 3-2-5 Director of Community Development (2008-A355)

Section 3-3-8 Exclusive Service

In the event that there is only one person or entity capable of providing a particular commodity or service, the requirement of this article concerning bidding procedures shall not be applicable.

Section 3-3-9 Professional and Technical Services

A. The provisions of this article shall not apply to professional or technical services.

B. No person or firm practicing in a professional or technical field for which a license is required by state law shall be engaged by the Town unless possessing a current license in good standing.

C. Upon engagement, the Town shall enter into a written agreement or memorandum of understanding for the performance of the services for which engaged, setting forth the scope of services and the unit or total price therefore.

Section 3-3-10 Cooperative Purchasing

This article shall not apply to purchases made by, through, or with the State of Arizona or its political subdivisions. The Town may make purchases or award contracts for services without a formal bidding or proposal process whenever other governmental units have done so for the same item or service, if, in the opinion of the purchasing director, a separate bidding process is not likely to result in a lower price for such items or services.

Section 3-3-11 Grants

The provisions set forth in Article 3-3 may be superseded by bidding, proposal, or qualification requirements in federal and state grants.

Section 3-3-12 Purchases from Mayor or Council members

Pursuant to ARS § 38-503(C), as may be amended, the Town, through its common Council, may purchase supplies, materials, and equipment not to exceed three hundred dollars in cost in any single transaction or a total of one thousand dollars annually, or as may be adjusted by law from the Mayor or any member of the common Council without using competitive public bidding procedures according to an annually adopted Town policy.

Section 3-4
Financial Policies
(2009-A366)

Section 3-4-1 Budget Policy

The Town of Camp Verde has a responsibility to its citizens to carefully account for public funds, manage the finances wisely, and plan for adequate funding of services that are desired by the public.

The following budget policy, AS OUTLINED IN THE FINANCIAL OPERATIONS GUIDE provides guidance for preparing the Town of Camp Verde's annual budget (all funds) as well as adoption, implementation, and monitoring of the budget.

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Section 3-4-1.1 Budget Philosophy

The Town of Camp Verde's budget philosophy includes funding the service delivery system using the resources provided through current revenue collection while planning for future needs through capital funding and maintenance.

Section 3-4-1.2 Balanced Budget

Arizona law (Title 42 Arizona Revised Statutes) requires the Town Council to annually adopt a balanced budget. The Town of Camp Verde will develop a balanced budget where projected revenues meet or exceed projected expenditures. In the event that projected revenues are not adequate to sustain the service delivery system desired by the Town's citizens, a draw on fund balance may be authorized by the Town Council. In addition, the Town will not use one-time (non-recurring) revenues to fund continuing (recurring) expenditures.

CHAPTER 4
BOARDS, COMMISSIONS AND COMMITTEES
Article 4-1
MEMBERSHIP
(2000-A164) (2003-A260) (2003-A261)

A. Membership and Organization. Each board and commission shall be made up of seven members appointed by the Council in accordance with the procedures contained in subsection B of this article. The organization of boards and commissions shall include a chairperson, and vice-chairperson who are elected from the membership in accordance with Article 4-2.

B. Selection of New Members. (2000-A164) (2002-A231) (2003-A261)

Prior to the expiration of terms for board and commission members, the TOWN CLERK Council shall call for letters of interest from the general public. Such letters shall be filed with the Town CLERK in accordance with the time lines and other related procedures established by the Council. Membership requirements for appointees are subject to the requirements established in the appropriate resolution or ordinance that created the board or commission. The Council may establish any other requirements at the time such appointments are sought for the purpose of aiding the Council in completing the selection process. Any member of a board or commission appointed by the Council shall reside within the corporate limits of the Town. However, Council may waive the residency requirement with good cause, except for appointments to the Planning and Zoning Commission, Board of Appeals, Board of Adjustments, and Housing Committee. If a member holding a position relocates outside of the Town limits, other than within 90 days from the end of the appointed term, he or she shall resign from the board or commission. (Rev. 2004 by Ord 2003-A261)

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C. Terms of Members. (2000-A164) (2003-A260)

All members ARE appointed to boards and commissions for are limited to a three ~~four~~ three (3) year term which begins on JANUARY ~~October~~ 1 of the year such appointment is made. Members may be re-appointed to additional terms. Such terms are to be staggered so that the terms of no more than three members shall expire in any given year.

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D. Removal. Members of boards or commissions may be removed for cause including excessive lack of attendance, absences of three consecutive meetings or more than half of all scheduled meetings in any municipal year, or improper conduct as determined by the Mayor and Council.

Article 4-2
ORGANIZATION
(2008-A355) (2008-A360)

A. First Meeting. Each board and commission, during its first meeting of the month of January of each calendar year, shall:

1. Elect a Chairperson. The board or commission shall accept nominations from its membership for a chairperson. Such nominations shall be made, and seconded, and selection of one chairperson shall result upon a majority vote of the full membership of the board or commission.

2. Elect a Vice-Chairperson. The board or commission shall accept nominations from its membership for a vice-chairperson. Such nominations shall be made, and seconded, and selection of one vice-chairperson shall result upon a majority vote of the full membership of the board or commission.

3. Set the Regular Meeting Schedule. The Council shall establish regular meeting dates and times and regular meeting place by resolution in January of each year. Commissions may schedule special meetings and work sessions subject to approval of the Town Manager.

B. Duties of Officers/Members. (2008-A355)

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.

2. Vice-Chairperson. The vice-chairperson shall have the responsibility of assuming all of the duties and responsibilities of the chairperson in the event that the chairperson should be absent or the position vacant. Additional duties or activities may be assigned by the chairperson upon majority approval of the board or commission as determined necessary.

Article 4-3
MEETINGS
(2008-A355) (2009-A360)

A. Agendas and Minutes. Each board and commission's **SUPPORTING DEPARTMENTS** shall provide for the posting of agendas and the preparation and approval of minutes for all meetings. The following minimums shall apply to agendas and minutes:

1. Agendas. Agendas shall be posted on the Town Hall bulletin board a minimum of twenty-four hours in advance of all regular, special, and work session meetings of the board or commission and in other locations as deemed necessary.

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a. **Format.** The order of the agenda items may be arranged according to the format approved by the board or commission and additional items may be added. The agenda format shall include at least the following:

- (1) Name of board or commission
- (2) Date, time, and place of meeting with a statement that the meeting place is handicapped accessible
- (3) Call to order
- (4) Roll call
- (5) Discussion and possible action on the following items
- (6) Consent agenda
- (7) Approval of the minutes
- (8) Call to the public
- (9) New business
- (10) Set next meeting, time and date
- (11) Adjournment

b. **Call to the Public.** The "Call to the Public" item shall allow for public input on items either on the agenda or other items that may reasonably affect the board or commission. The board or commission may call for non-agenda item input at this time if appropriate input is allowed during all discussion items. The open meeting law prohibits the board or commission from discussing or making decisions on non-agenda items, however, the board or commission may choose to delegate Town staff to handle the issue or place the item for discussion on a future agenda.

c. **Special or Work Sessions.** The board or commission may, upon majority vote AND APPROVAL OF THE TOWN MANAGER, set a special meeting or work session. In addition, if determined necessary by the affected department head, a special meeting or work session may be called upon discussion with the chairperson.

d. **Agenda Packets.** Upon completion of agenda posting and preparation of attachments to the agenda, copies of the agenda and any attachments shall be made available to the members of the board or commission in the manner deemed appropriate by the department head. Copies of the complete agenda packets shall be placed in the front reception area of Town Hall for disbursement to interested members of the public a minimum of twenty-four hours in advance of the meeting.

e. **Agenda Items.** The department head, depending upon the format of the board or commission, shall determine the content of the agenda discussion items. If determined prudent for the board or commission, the chairperson may set the agenda with concurrence from the department head. Such procedures are determined necessary to ensure that the business of the board or commission is conducted in a timely manner. Should a member wish to place an item on the agenda, the member may request such at the next regular meeting of the board or Commission. In the case of conflicts, items may be brought to the board or commission for a vote to consider whether or not the item should be agendaized. In the case of the planning and zoning commission and the board of adjustments and appeals, all current applications which require review of the board or commission must be agendaized in accordance with state law and may not be removed from the agenda until a vote on the matter has occurred.

2. **Minutes.** The Town Manager will provide for secretarial/ recording services for the commissions. **DIGITAL** Tape-recording of work sessions is preferred, but if not possible, detailed minutes shall be taken by hand by the secretary or recording secretary assigned by the department head. The following procedures shall be followed:

a. **Approval.** Minutes of the previous meeting(s) shall be presented at the most reasonable date following the meeting, usually the next meeting of the board or commission. Such minutes shall be reviewed and approved by a majority vote of the board or commission.

Comment [c3]: Some Council members suggested the following change and asked staff to check into the ramifications of adding, "COUNCIL WILL NOT CONSIDER A PLANNING AND ZONING MATTER UNTIL THE DRAFT MINUTES RELATIVE TO THAT ITEM ARE APPROVED BY THE PLANNING & ZONING COMMISSION." This is the appropriate place to insert the language.

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b. Filing. Upon approval of minutes, the signed original shall be provided to the Town Clerk within ~~seventy-two hours~~ **2 WORKING DAYS FOR COUNCIL AND 10 WORKING DAYS FOR COMMISSIONS** of approval. In addition, the affected department shall maintain copies for public review.

c. Disbursal. **WITHIN THREE WORKING DAYS OF A MEETING, THE DRAFT MINUTES SHALL BE POSTED TO THE TOWN'S WEBPAGE. WITHIN TWO WORKING DAYS FOLLOWING THE APPROVAL, THE FINAL COPY OF THE MINUTES SHALL BE POSTED TO THE TOWN'S WEBPAGE.** ~~In no case shall minutes be provided to the public until such time as they are approved or a draft is placed on an agenda for the board or commission's consideration. After approval, the minutes become a public record and shall be available for public review upon request. Copies of minutes may be released and appropriate copy fees charged to the requesting party in accordance with Town Council policy.~~

d. Content. Minutes shall contain, at minimum, **THE DATE, TIME, AND PLACE OF THE MEETING, THE MEMBERS OF THE PUBLIC BODY RECORDED AS EITHER PRESENT OR ABSENT, A GENERAL DESCRIPTION OF THE MATTERS CONSIDERED, AN ACCURATE DESCRIPTION OF ALL LEGAL ACTIONS PROPOSED, DISCUSSED, OR TAKEN, AND THE NAMES OF MEMBERS THAT PROPOSE EACH MOTION. THE MINUTES SHALL ALSO INCLUDE THE NAMES OF PERSONS AS GIVEN, MAKING STATEMENTS OR PRESENTING MATERIALS TO THE PUBLIC BODY AND A REFERENCE TO THE LEGAL ACTION ABOUT WHICH THEY MADE STATEMENTS OR PRESENTED MATERIAL.** ~~all discussion of each agenda item. Roll call shall be included with a listing of the members present and absent from the meeting, including any staff present. When the board or commission, the motion maker take an action, the seconding party and the numerical vote shall be listed in the minutes along with a complete wording of the motion. If a roll call vote is conducted, the name and vote of all members shall be listed. The minutes shall be as complete as possible with emphasis on discussion to determine the reason(s) for the board or commission's action on an item.~~

B. Voting Procedures, Quorums and Abstentions. The action of any board or commission shall be taken by a vote of the membership. Voting procedures shall be in accordance with Robert's Rules of Order to the extent practicable and in accordance with the Council Policies, Rules, and Procedures Manual **TOWN OF CAMP VERDE POLICIES AND OPERATIONS GUIDE** and shall include the minimum:

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1. Motion. A member of the board or commission only may make a motion, and such motion shall only take place after the introduction of an agenda item. If an agenda item is listed as a public hearing, such motion shall not take place until the public hearing has been called and closed.

2. Second. A motion must receive a second from a member of the board or commission. Once a second is received, additional discussion may take place on the item before the vote is taken. If a motion is not seconded, the motion dies.

3. Voting. The chairperson shall call for a vote upon completion of a motion, second, and any discussion. Such vote shall consist of votes in favor, votes in opposition, or abstentions. For a motion to pass, a minimum of four votes shall be in favor of the motion. If less than four votes are received in favor, the motion is then considered to be a vote of denial of the motion. Items may be tabled or referred to a later agenda if it is determined, by majority vote, that such decision would best be rendered upon receiving more information or if requested by the applicant. Tabling or delaying of agenda items should be based upon a definitive time frame and reason. Such should only be considered when necessary or if the applicant is absent or requests a delay.

4. Quorum. A majority of the membership of the board or commission (four) is considered a quorum. If a quorum is present, the meeting shall commence and voting may occur. An affirmative vote shall be unanimous if only four members are present.

(Referred to a vote of the Citizens, March 2007 Primary Election. Effective March 22, 2007).

**CHAPTER 8
TRANSACTION PRIVILEGE TAX
Article 8-1
ADOPTION OF TAX CODE
(2006-A332)**

That certain document known as "The Tax Code of the Town of Camp Verde, Arizona," three copies of which are on file in the office of the town clerk of the Town of Camp Verde, Arizona, which document was made a public record by Resolution No. 88-45 of the Town of Camp Verde, Arizona, and any amendments thereto is hereby referred to, adopted and made a part hereof as if fully set out in this chapter.

**CHAPTER 9
BUSINESS REGULATIONS
Article 9-1**

**CASUAL BUSINESS LICENSE PEDDLER'S/SOLICITOR'S LICENSE
(2004-A280) (2008-A355)**

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- 9-1-1 Definitions
- 9-1-2 License Required
- 9-1-2.1 Exemptions

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- 9-1-3 Applications
- 9-1-4 Fees - Licensing, Bonding, and Fees
- 9-1-5 Fees for Charitable, Religious or Civic Organizations (2010-A373)

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- 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 Enforcement Provisions
- 9-1-10 Revocation
- 9-1-11 Signs to be Observed

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Section 9-1-1 Definitions (2004-A280) (2008-A355)

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.

E. "PRODUCER" INCLUDES OWNERS, PROPRIETORS OR TENANTS OF AGRICULTURAL LANDS, ORCHARDS, FARMS AND GARDENS WHEREON FOOD PRODUCTS ARE GROWN, RAISED, OR PREPARED FOR MARKET. "FOOD PRODUCT" INCLUDES: EVERY PRODUCT OF THE SOIL IN ITS NATURAL OR MANUFACTURED STATE; BEEF AND BEEF PRODUCTS; SWINE AND PORK PRODUCTS; FOWLS AND POULTRY PRODUCTS; EGGS AND EGG PRODUCTS; MILK AND MILK PRODUCTS; AND LAMB AND SHEEP PRODUCTS.

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Section 9-1-2 License Required (2004-A280) (2008-A355)

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 PEDDLER/SOLICITOR'S 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, OR garage sales, auctions, sidewalk sales, HOME-BASED PARTY SALES OF ITEMS FOR PERSONAL USE (AVON, TUPPERWARE, ETC.), 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.~~

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9-1-2.1 EXEMPTIONS

A PERSON CONDUCTING THE FOLLOWING SHALL BE EXEMPT FROM THIS CHAPTER. (NOTE: FIREWORKS SALES ARE NOT EXEMPT FROM THIS CHAPTER.);

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a. ACTIVITIES REQUIRED BY STATUTE OR BY ORDER OF ANY COURT

b. BONA FIDE AUCTION SALES PURSUANT TO ARIZONA LAW

c. RELIGIOUS, POLITICAL, OR NONPROFIT ORGANIZATIONS, AS RECOGNIZED BY INTERNAL REVENUE SERVICE (MUST PROVIDE DOCUMENTATION)

d. SCHOOL AND YOUTH ACTIVITIES (I.E. BOY SCOUTS, GIRL SCOUTS, CHURCH CLUBS, YOUTH SPORTS GROUPS, ETC.),

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e. FUND RAISING ACTIVITIES INTENDED TO PROVIDE FINANCIAL ASSISTANCE TO THE GRAVELY ILL, TO ASSIST THE VICTIMS OF CRIMES, DISASTERS, OR THE LESS FORTUNATE, FOR THE CONSTRUCTION OF A COMMUNITY FACILITY, ETC.,

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f. GOVERNING AGENCIES

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g. OUTDOOR SALES OR ACTIVITIES BEING CONDUCTED ON A PROPERTY DIRECTLY RELATED TO THE PRIMARY SALES OF A BUSINESS LOCATED ON THE SAME PROPERTY (THOUGH, ACTIVITY MAY BE SUBJECT TO ZONING COMPLIANCE)

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h. ANY BUSINESS OR VENDOR THAT IS PARTICIPATING IN A COMMUNITY-WIDE SPECIAL EVENT ACTIVITY THAT IS SPONSORED BY THE TOWN OR A PRIVATE ORGANIZATION. HOWEVER, A VENDOR WHO DOES NOT HAVE A PERMANENT CAMP VERDE BUSINESS

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LICENSE MUST OBTAIN A TEMPORARY BUSINESS LICENSE FOR SPECIAL EVENTS PURSUANT TO THE TOWN OF CAMP VERDE SPECIAL EVENT POLICY.

- i. PRODUCER OF FARM PRODUCTS ON AGRICULTURAL LANDS, FARMS, AND GARDENS
- j. ACTIVITIES INTENDED TO INCREASE PUBLIC AWARENESS OF PUBLIC PROGRAMS.

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Section 9-1-3 Applications (2004-A280) (2008-A355)

A. Applicants for a ~~Casual-Business~~ PEDDLER/SOLICITOR'S 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:

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1. A CURRENT AND VALID DRIVER'S LICENSE OR OTHER FORM OF STATE-ISSUED IDENTIFICATION THAT INCLUDES THE APPLICANT'S Name, and description, AND RECENT PHOTOGRAPH of the applicant.

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2. COMPLETE address, PHYSICAL AND MAILING legal and local of the peddler/solicitor -

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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 ~~SOLICITOR/PEDDLER'S Casual-Business-License~~ shall be issued for a period longer than three (3) consecutive days.

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7. If a vehicle is to be used, a COMPLETE DESCRIPTION, INCLUDING MAKE AND MODEL, LICENSE PLATE AND NUMBER, VEHICLE IDENTIFICATION NUMBER, AND OTHER IDENTIFYING CHARACTERISTICS OF ALL VEHICLES THAT WILL BE USED IN THE BUSINESS. ~~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.~~

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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.

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9. IF OPERATING FROM A SPECIFIC LOCATION (I.E. RETAIL PARKING LOT) AND NOT DOOR-TO-DOOR, ORIGINAL WRITTEN AND SIGNED LETTER OF CONSENT FROM THE PROPERTY OWNER OF RECORD PERMITTING THE ACTIVITY OR EVENT. ~~Obtain the written permission of the property owner and tenant, if any, for the operation.~~

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~~10. COPIES OF Obtain ANY necessary health or other regulatory permits required by law.~~

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B. No license issued hereunder shall be transferable.

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Section 9-1-4 LICENSING, BONDING, AND Fees (2004-A280) (2008-A355)

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k. FEES:

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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, BUT IS NO LESS THAN THE ACTUAL COSTS ASSOCIATED WITH A BACKGROUND CHECK, THE LICENSE FEES FOR

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CHARITABLE, RELIGIOUS, OR CIVIC ORGANIZATIONS SHALL ALSO BE ESTABLISHED BY COUNCIL RESOLUTION. No fee shall be required of any person, agency, or agent resident of the Town of Camp Verde selling products of the farm, SOIL, or orchard actually produced by the resident.

L. BOND REQUIRED

THE APPLICANT SHALL POST EITHER A CERTIFIED CHECK OR A SURETY BOND PAYABLE TO THE TOWN OF CAMP VERDE IN THE AMOUNT OF ONE THOUSAND DOLLARS (\$1,000) WITH THE TOWN CLERK. EVERY BUSINESS, FIRM, COMPANY, OR CORPORATION, WHICH HAS EMPLOYEES OR AGENTS ACTING IN THE CAPACITY OF PEDDLER, SOLICITOR, ANVASSER, OR TRANSIENT MERCHANT, SHALL WITH THE CLERK A BLANKET SURETY BOND COVERING ALL SUCH EMPLOYEES OR AGENTS AND RUNNING TO THE TOWN IN THE AMOUNT OF FIVE THOUSAND DOLLARS (\$5,000). THE SURETY BOND MUST REMAIN ACTIVE FOR THE DURATION OF THE LICENSE. IF THE BOND IS CANCELLED OR RENEWAL PREMIUMS ARE NOT PAID, THE LICENSE WILL BE REVOKED IMMEDIATELY. SURETY BONDS MUST INCLUDE THE FOLLOWING STATEMENT, AT MINIMUM: THIS BOND MEETS THE REQUIREMENTS OF CHAPTER 9, BUSINESS REGULATIONS, OF THE TOWN CODE.

m. LICENSE

THE APPLICANT SHALL SUBMIT FINGERPRINT(S) AND ALL FEES ASSOCIATED WITH THE COST OF A BACKGROUND CHECK TO THE MARSHAL'S OFFICE FOR A COMPLETE BACKGROUND CHECK. THE CLERK SHALL FORWARD A COPY OF THE APPLICATION TO THE MARSHAL'S OFFICE. THE MARSHAL'S OFFICE SHALL HAVE TEN (10) WORKING DAYS IN WHICH TO RESPOND WITH COMMENTS OR CONCERNS. FOLLOWING A CLEAN BACKGROUND INVESTIGATION AND PAYMENT OF LICENSE FEES, THE CLERK SHALL ISSUE THE PEDDLER/SOLICITOR'S LICENSE FOR A PERIOD NOT TO EXCEED THREE (3) DAYS. THE LICENSE SHALL BE DISPLAYED WITH THE PEDDLER/SOLICITOR AT ALL TIMES.

PEDDLER/SOLICITOR'S LICENSE MAY BE ISSUED TO THE SAME PERSON(S) OR ORGANIZATION NO MORE THAN THREE (3) TIMES IN A ONE-YEAR PERIOD.

Section 9-1-5 Fees for Charitable, Religious or Civic Organizations (2004-A280) (2008-A355)(2010-A373)

There shall be no fees assessed for the use of Town-owned facilities, grounds, or equipment by 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 Town Clerk is authorized to waive user fees only for these organizations based on Council policy. Fees are determined by Council Resolution on an annual basis. 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.

*CHARITABLE ORGANIZATIONS MUST BE RECOGNIZED AS TAX-EXEMPT BY THE INTERNAL REVENUE SERVICE. DOCUMENTATION PROVING IRS EXEMPTION SHALL BE PRESENTED AT THE TIME OF THE REQUEST TO WAIVE FEES.

Section 9-1-6 License to be Posted (2004-A280) (2008-A355)

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 (2004-A280) (2008-A355)

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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. IN THEIR POSSESSION AND ON FILE WITH THE CLERK'S OFFICE. 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.

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Section 9-1-8 Undue Noise Prohibited (2004-A280) (2008-A355)

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.

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Section 9-1-9 Law Enforcement Provisions (2004-A280) (2008-A355)

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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 (2004-A280) (2008-A355)

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 (2004-A280) (2008-A355)

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 9-2 OFF-PREMISES CANVASSING AND SIGNAGE
(Removed by 2004-A280)

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9-2 Definitions

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9-2-1 Limitations on Off-Premises Canvassing Activity

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9-2-3 Specific Prohibitions and Appropriate Conduct

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9-2-4 Violations and penalties

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SECTION 9-2 DEFINITIONS

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- A. "OFF-PREMISES SOLICITATIONS" MEAN ACTIVITIES INITIATED BY BUSINESSES OR THEIR REPRESENTATIVES THAT IS MEANT TO ENGAGE THE PUBLIC IN A CONVERSATION IN ORDER TO CONSUMMATE A BUSINESS TRANSACTION.
- B. "VISITOR'S CENTER" MEANS THE TOWN OF CAMP VERDE FACILITY OPERATED AS THE TOWN'S OFFICIAL VISITOR'S CENTER.

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- C. "VISITOR'S CENTER SIGNAGE" MEANS THAT SIGNAGE THAT IS SPECIFIC TO THE TOWN'S OFFICIAL VISITOR'S CENTER. NO OTHER SIGNAGE IMPLYING THAT A BUSINESS IS THE TOWN'S OFFICIAL VISITOR'S CENTER WILL BE PERMITTED.
- D. "BUSINESS" MEANS ANY COMMERCIAL ACTIVITY IN WHICH ANY REAL PROPERTY, TIMESHARE INTERESTS, GOODS, SERVICES, OR EDIBLES ARE SOLD OR OFFERED FOR SALE OR FOR RENT WITHIN THE CORPORATE LIMITS OF THE TOWN.
- E. "BUSINESS AGENT" MEANS THE EMPLOYEE, REPRESENTATIVE, AGENT, OR SOLICITOR OF ANY BUSINESS.
- F. "ENCLOSED STRUCTURE" MEANS A STRUCTURE HAVING A ROOF AND SUPPORTED BY COLUMN OR WALLS. ENCLOSED STRUCTURE DOES NOT INCLUDE ANY SIDEWALKS UNDER A ROOFED AREA.
- G. "GOODS" SHALL MEAN ANY TANGIBLE ITEM, INCLUDING, BUT NOT LIMITED TO EDIBLES, MERCHANDISE, PRODUCTS, SUPPLIES, COUPONS, PAMPHLETS, BROCHURES, AND MAPS.
- H. "OFF-PREMISES CANVASSING" (OPC) MEANS PERSON-TO-PERSON EFFORTS INITIATED BY A BUSINESS AGENT SOLELY INTENDED TO INTEREST, ENTICE PEDESTRIANS IN OR SOLICIT THE PARTICIPATION OF ANY PERSON TO PARTICIPATE IN COMMERCIAL TRANSACTIONS WITH A BUSINESS, INCLUDING, BUT NOT LIMITED TO OFFERS OF GOODS, CASH, DISCOUNTS ON PRODUCTS OR SERVICES, OR OTHER ITEMS INCLUDING THE OFFERING OF FREE GOODS OR SERVICES OF VALUE MADE IN EXCHANGE FOR OR WITH THE INTENT TO INDUCE THE RECIPIENT'S WILLINGNESS TO RECEIVE INFORMATION RELATING TO A POSSIBLE COMMERCIAL TRANSACTION, EXCEPT WHEN DONE ENTIRELY WITHIN AN ENCLOSED STRUCTURE.
- I. "OPC EMPLOYER" MEANS ANY BUSINESS OR OTHER PERSON WHO DIRECTLY HIRES OR OTHERWISE CONTRACTS WITH AN OPC SOLICITOR TO CONDUCT OPC ACTIVITIES ON ITS BEHALF.
- J. "OPC SOLICITOR" SHALL MEAN ANY PERSON ENGAGED IN OFF-PREMISES CANVASSING.
- K. "PRODUCT" SHALL MEAN THE REAL PROPERTY, TIMESHARE INTERESTS, GOODS, EDIBLES, OR SERVICES SOLD OR OFFERED FOR SALE OR RENT.
- L. "PRODUCT" SHALL MEAN THE REAL PROPERTY COMPRISING THE PRIMARY BUSINESS OF A RESORT OR COMMERCIAL LODGING ESTABLISHMENT MEANS ONLY THAT PORTION OF REAL PROPERTY THAT IS OWNED BY A RESORT OR COMMERCIAL LODGING ESTABLISHMENT WHICH IS USED EXCLUSIVELY FOR RESORT OR COMMERCIAL LODGING ACTIVITY. SUCH ACTIVITY INCLUDES ONLY THE PROVIDING OF LODGING OR ANCILLARY SERVICES TO THE PROVISION OF LODGING FOR THE BENEFIT OF THE ESTABLISHMENT'S GUESTS.
- M. "SIDEWALK" MEANS ANY OUTSIDE WALKWAY, PUBLIC OR PRIVATE, USED BY PEDESTRIANS.
- N. "STREET" SHALL MEAN MEANS ALL THAT AREA DEDICATED TO PUBLIC USE FOR PUBLIC STREET PURPOSES AND IS WITHIN THE JURISDICTION AND CONTROL OF THE TOWN OF CAMP VERDE OR THE ARIZONA DEPARTMENT OF TRANSPORTATION AND SHALL INCLUDE, BUT NOT BE LIMITED TO PUBLIC ROADWAYS, PARKWAYS, AND ALLEYS.

SECTION 9-2-1 LIMITATIONS ON OFF-PREMISES CANVASSING ACTIVITY

NO PERSON SHALL ENGAGE IN OFF-PREMISE CANVASSING WITHIN THE CORPORATE LIMITS OF THE TOWN OF CAMP VERDE, EXCEPT ON REAL PROPERTY COMPRISING THE PRIMARY BUSINESS OF A RESORT OR COMMERCIAL LODGING ESTABLISHMENT.

SECTION 9-2-2 SIGNAGE

IT SHALL BE UNLAWFUL FOR ANY PERSON, COMPANY, CORPORATION, OPC SOLICITOR OR OPC EMPLOYER OR ENTITY ENGAGED IN THE PROCUREMENT OF PROSPECTIVE CUSTOMERS FOR SALES, SOLICITATIONS, PRESENTATION OR SUBSTANTIALLY SIMILAR ACTIVITY, TO IDENTIFY OR ADVERTISE ITSELF BY MEANS OF ANY SIGN, THAT UTILIZES THE FOLLOWING PHRASES OR SUBSTANTIALLY SIMILAR PHRASES, "***TOURIST INFORMATION***".

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"TOURIST CENTER", "VISITOR INFORMATION", "VISITOR CENTER", "ACTIVITY CENTER", "ACTIVITY INFORMATION" UNLESS:

- A. THE IDENTITY OF THE BUSINESS IS DISCLOSED ON THE FACE OF THE SIGN IN LETTERS OF SUFFICIENT SIZE TO BE CLEARLY READABLE TO THE PUBLIC, BUT IN NO EVENT LESS THAN 50% OF THE AVERAGE SIZE OF THE SIGN TEXT, WHICH IS LARGER; AND
- B. THE WORDS "SALES SOLICITATION" ARE CAUSED TO BE PRINTED WITHIN THIRTY DAYS AFTER FEBRUARY 16, 2011 IN AN UNOBSURED MANNER, IN AT LEAST CLEARLY READABLE THREE-QUARTER (3/4) INCH BLOCK LETTERS WITHIN TWO FEET OF AFOREMENTIONED SIGNAGE CONCERNING TURIST OR VISITOR INFORMATION EITHER ON THE DOORS TO THE BUILDING OR ON THE EXTERIOR WALL OF THE BUILDING IMMEDIATELY ADJACENT TO THE DOOR; OR IF THE BUSINESS OPERATES FROM A BOOTH WITHIN ANOTHER BUSINESS ESTABLISHMENT, THE SAME SHALL BE PRINTED ON THE FRONT PANEL OF THE BOOTH IN A LOCATION CLEARLY AND CONSISTENTLY VISIBLE TO ANY PERSONS PASSING BY.
- C. THE FOLLOWING NOTICE IS PROVIDED IN CLEARLY VISIBLE AND READABLE THREE-QUARTER (3/4) INCH BLOCK LETTERS ON THE DOORS OF THE BUILDING, OR ON THE EXTERIOR WALL OF THE BUILDING IMMEDIATELY ADJACENT TO THE DOORS OR ON ANY BOOTH REFERRED TO IN SUBSECTION B "COMPLAINTS OR CONCERNS ABOUT SALES SOLICITATION ACTIVITY MAY BE REPORTED TO THE TOWN OF CAMP VERDE BY CALLING 928-567-6631.
- D. SUCH SIGNS SHALL COMPLY IN ALL MATERIAL RESPECTS WITH ANY ORDINANCES OR RULES SPECIFYING SIGNAGE STANDARDS WITHIN THE TOWN OF CAMP VERDE

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SECTION 9-2-3 SPECIFIC PROHIBITIONS AND APPROPRIATE CONDUCT
IN ADDITION TO THE PROVISIONS OF ANY OTHER APPLICABLE TERM OF THIS ARTICLE, IT SHALL BE CONSIDERED UNLAWFUL AND A VIOLATION OF THIS ARTICLE FOR AN OPC SOLICITOR TO:

- A. INTERFERE WITH OR OBSTRUCT THE FREE TRAVEL OR PASSAGE OF ANY PEDESTRIAN ON ANY STREET OR SIDEWALK OR OBSTRUCT OR OTHERWISE IMPEDE ANY PERSON'S FREE MOVEMENT OR ACCESS TO OR FROM ANY PUBLIC STREET OR SIDEWALK.
- B. THROW, PLACE, OR DEPOSIT SOLID WASTE, LITTER, PAPER, DOCUMENTS OR HANDBILLS ON ANY STREET OR SIDEWALK.
- C. INTENTIONALLY INFLICT EMOTIONAL DISTRESS BY VERBAL OR PHYSICAL HARASSMENT OR COERCION ON ANY PERSON.
- D. MISREPRESENT IN ANY WAY THE PRICE, QUALITY, OR NATURE OF THE PRODUCT BEING PROMOTED.
- E. MISREPRESENT THE SOURCE OR SPONSOR OF ANY INFORMATION OFFERED OR PROVIDED.
- F. OPC SOLICITORS SHALL CONDUCT THEMSELVES IN ACCORDANCE WITH THE FOLLOWING STANDARDS:
 - 1. NO OPC SOLICITOR SHALL TOUCH A PERSON WITHOUT CONSENT DURING A SOLICITATION.
 - 2. NO OPC SOLICITOR SHALL SOLICIT USING ANY OFFENSIVELY LOUD SOUND, VOCIFEROUS SPEECH, BOISTEROUS CONDUCT, OR PROFANE OR VULGAR LANGUAGE.
 - 3. NO OPC SOLICITOR SHALL SOLICIT AN OCCUPANT OF A VEHICLE IN A PUBLIC STREET WHETHER THE VEHICLE IS MOVING, STOPPED, OR PARKED.

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SECTION 9-2-4 VIOLATIONS AND PENALTIES

- 1. ANY RESPONSIBLE OPC EMPLOYER AND EACH RESPONSIBLE OPC SOLICITATOR SHALL BE JOINTLY AND SEVERALLY LIABLE FOR ANY VIOLATIONS OF THIS ARTICLE.

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- 2. ANY VIOLATIONS OF THE TERMS OF THIS ARTICLE SHALL BE PUNISHABLE BY A CIVIL FINE OR IN THE ALTERNATIVE, MAY BE PROSECUTED AS A CLASS 1 MISDEMEANOR. REPEAT VIOLATIONS WITHIN ANY 30-DAY PERIOD MAY ALSO BE PUNISHABLE BY A CIVIL FINE PER VIOLATION OR A CLASS 1 MISDEMEANOR. IN ADDITION, THE TOWN MAY BRING SUIT FOR INJUNCTIVE RELIEF WHERE WARRANTED.
- 3. THE MARSHAL'S OFFICE AND CODE ENFORCEMENT OFFICIAL OF THE COMMUNITY DEVELOPMENT DEPARTMENT IS CHARGED WITH THE IMPLEMENTATION AND ENFORCEMENT OF THIS ARTICLE.

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**Article 9-3
 BUSINESS LICENSES
 (2008-A355)**

- 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 (2008-A355)

- 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 (2008-A355)

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 (2008-A355)

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 Certificate (2008-A355)

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 (2008-A355)

No operation of any new business, excluding Home Occupation OR SERVICE businesses THAT DO NOT HAVE A PERMANENT LOCATION, 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, AS APPROVED BY THE BUILDING OFFICIAL.

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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 (2008-A355)

- 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 becomes 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 Certificate (2008-A355)

C. **Appeals.** If the applicant or affected property owner disagrees with the decision of the Director to issue or deny a temporary permit or the requirements for permit processing related to a permanent or temporary operation, such person may file a written appeal with the Director within ten (10) days of the Director's decision. Such appeal shall be referred to the Board of Adjustment pursuant to Section 112 of the Planning and Zoning Ordinance. Further appeals are possible through Superior Court.

D. **Permit Status.** Issuance of a permit is not an approval by the Town of any use or activity that is prohibited by any other governmental agency or private covenant.

Section 9-4-6 Penalty (2006-A332)

Pursuant to Article 1-8, any person that fails to comply with any provision of this article, or uses property in violation of any provision of this article or permit issued herein, shall be guilty of a petty offense CLASS 2 MISDEMEANOR for the first offense, and a misdemeanor for a second or subsequent offense as to the same property or activity, with each day that the property or activity is not in compliance constituting a separate offense. "Person" includes the property owner, occupant, agent, or any person having control over the use of the property. Enforcement of this ordinance may also be pursuant to Council action under ARS §9-462.05, as may be amended.

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**CHAPTER 10
HEALTH AND SANITATION
Article 10-1
TRANSPORTATION OF REFUSE**

- 10-1-1 Definitions
- 10-1-2 Transporting Refuse
- 10-1-3 Penalty

Section 10-1-1 Definitions

In this article unless the context otherwise requires:

- A. "Bulky items" means all wood, timber, household or construction discards, large pieces of metal, stones, concrete, or other building or similar materials.
- B. "Garbage" means all putrid wastes, except sewage and body wastes, including but not limited to, dead animals and all organic wastes that have been prepared for, or intended to be used as, food or have resulted from the preparation of food, including all such substances from all public and private establishments and residences.
- C. "Plant trimmings" means shrubs or tree growth of more than four feet in length and more than one-half inch in diameter.
- D. "Refuse" means all garbage and trash.
- E. "Trash" means all non-putrid solid wastes consisting of combustible or noncombustible wastes, including but not limited to, paper, cardboard, cans, yard clippings, plant trimmings, ashes, bedding, glass, crockery, bulky items, or other accumulation of debris.
- F. "Yard clippings" means grass, sod, and plant growth of less than four feet in length and less than one-half inch in diameter.

Section 10-1-2 Transporting Refuse

It is unlawful for any person to transport, or cause to be transported, any refuse on or along any public street or alley within the Town, unless the load is so covered or secured with netting, fabric, or other device so as to prevent any of said load from dropping, sifting, leaking, or otherwise escaping. In the case of timber or bulky items, ropes, straps, cables or chains may be substituted for netting or fabric to provide a securely anchored load.

Section 10-1-3 Penalty

Any person found guilty of violating this article, except as otherwise provided, shall be guilty of a class 3 misdemeanor, and upon conviction shall be punished by a minimum fine of thirty-five dollars. No judge shall suspend imposition of sentence, except community service may be used in lieu of fine.

**Article 10-2
REMOVAL OF TRASH, RUBBISH, AND DEBRIS**

- 10-2-1 Declaration of Nuisance
- 10-2-2 Notice
- 10-2-3 Abatement and Lien
- 10-2-4 Unlawful Dumping (2000-A158)

Section 10-2-1 Declaration of Nuisance

It is hereby declared to be a public nuisance, fire hazard, and hazard to public health and safety to allow the accumulation of rubbish, trash, filth, debris, abandoned inoperable vehicles, dilapidated buildings and structures, litter, garbage, dead animals, brush, street cleaning, industrial wastes, or other unsanitary matter of any kind on any property, buildings, lots, grounds, tracts of land and the contiguous sidewalks, streets, and alleys.

Section 10-2-2 Notice

Written notice of any violation of Section 10-2-1 shall be either personally served or sent to the owner, lessee, or occupant of the property at his last known address by registered or certified mail, or the address to which the tax bill for the property was last mailed. If the owner does not reside on such property, a duplicate notice shall also be sent to him at his last known address. The notice shall be dated, signed by the ~~zoning inspector~~ CODE ENFORCEMENT OFFICER OR BUILDING OFFICIAL, have attached a copy of this article, and be substantially ~~IN~~ INCLUDE, AT MINIMUM, the following form
ITEMS: PROPERTY DESCRIPTION/ADDRESS; DESCRIPTION OF THE VIOLATION; REQUIRED
MITIGATION; CONSEQUENCES; DATED AND SIGNED BY THE BUILDING OFFICIAL

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Notice to Compel Property Cleanup

Property Description/Address:

You are the record owner, lessee, or occupant of the above property that was recently inspected by the Town and found to have accumulated trash and other material in violation of Article 10-2 of the Camp Verde Town Code (attached). You have thirty days from receipt of this notice to clean up the property by removing the material or abating the condition which constitutes a hazard to public health and safety, or the Town will cause the removal and abatement at an estimated cost of \$ _____ plus an additional 5% (for inspection and incidental costs) of \$ _____. This total amount of \$ _____ will then be an assessment and, when recorded in Yavapai County, becomes a lien on the property which will be enforceable and foreclosed as provided under ARS 9-499, as may be amended).

than allowable by this Ordinance or any other suspicious activity or purchases that may be related to the manufacture or possession of illegal drugs.

**ARTICLE 11-2
FIREWORKS**

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SECTION 11-2-1 DEFINITIONS

SECTION 11-2-2 CONSUMER FIREWORKS PROHIBITED; EXCEPTIONS

SECTION 11-2-3 SALE OF FIREWORKS

**SECTION 11-2-4 POSTING OF SIGNS BY PERSONS ENGAGED IN THE SALE OF FIREWORKS:
CIVIL PENTALTY**

**SECTION 11-2-5 AUTHORITY TO ENFORCE VIOLATIONS OF THIS ARTICLE; MEANS OF
ENFORCEMENT**

**SECTION 11-2-6 LIABILITY FOR EMERGENCY RESPONSES RELATED TO USE OF FIREWORKS:
DEFINITIONS**

SECTION 11-2-7 PENALTY

SECTION 11-2-1 DEFINITIONS

**THE FOLLOWING WORDS, TERMS AND PHRASES, WHEN USED IN THIS ARTICLE, HAVE THE
MEANINGS ASCRIBED TO THEM IN THIS SECTION, EXCEPT WHERE THE CONTEXT CLEARLY
INDICATES A DIFFERENT MEANING:**

A. CONSUMER FIREWORKS: THOSE FIREWORKS DEFINED BY ARIZONA REVISED
STATUTES SECTION 36-0601.

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B. DISPLAY FIREWORKS: THOSE FIREWORKS DEFINED BY ARIZONA REVISED STATUTES
SECTION 36-1601.

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C. FIREWORKS: ANY COMBUSTIBLE OR EXPLOSIVE COMPOSITION, SUBSTANCE OR
COMBINATION OF SUBSTANCES, OR ANY ARTICLE PREPARED FOR THE PURPOSE OF
PRODUCING A VISIBLE OR AUDIBLE EFFECT BY COMBUSTION, EXPLOSION,
DEFLAGRATION OR DETONATION. THAT IS A CONSUMER FIREWORK, DISPLAY
FIREWORK OR PERMISSIBLE CONSUMER FIREWORK AS DEFINED BY ARIZONA REVISED
STATUTES SECTION 36-1601.

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D. NOVELTY ITEMS: FEDERALLY DEREGULATED NOVELTY ITEMS THAT ARE KNOWN AS
SNAPPERS, SNAP CAPS, PARTY POPPERS, GLOWWORKS, SNAKES, TOY SMOKE
DEVICES, SPARKLERS, AND CERTAIN TOYS AS DEFINED IN ARIZONA REVISED
STATUTES SECTION 36-1601.

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E. PERMISSIBLE CONSUMER FIREWORKS: THOSE FIREWORKS AS DEFINED BY ARIZONA
REVISED STATUTES SECTION 36-1601, THAT MAY BE SOLD WITHIN THE TOWN OF CAMP
VERDE EVEN WHERE THE USE OF THOSE ITEMS HAS BEEN PROHIBITED.

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F. SUPERVISED PUBLIC DISPLAY: A MONITORED PERFORMANCE OF DISPLAY
FIREWORKS OPEN TO THE PUBLIC AND AUTHORIZED BY PERMIT BY THE CAMP VERDE
FIRE DEPARTMENT.

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SECTION 11-2-2 CONSUMER FIREWORKS PROHIBITED; EXCEPTIONS

A. THE USE, DISCHARGE, OR IGNITION OF CONSUMER FIREWORKS WITHIN THE TOWN LIMITS OF THE TOWN OF CAMP VERDE IS PROHIBITED.

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B. NOTHING IN THIS SECTION OR ARTICLE SHALL BE CONSTRUED TO PROHIBIT THE USE, DISCHARGE OR IGNITION OF NOVELTY ITEMS OR THE OCCURRENCE OF A SUPERVISED PUBLIC DISPLAY OF FIREWORKS.

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C. PERMITS MAY BE GRANTED BY THE CAMP VERDE FIRE DEPARTMENT FOR CONDUCTING A PROPERLY SUPERVISED PUBLIC DISPLAY OF FIREWORKS. EVERY SUCH PUBLIC DISPLAY OF FIREWORKS SHALL BE OF SUCH CHARACTER AND SO LOCATED, DISCHARGED OR FIRED, ONLY AFTER PROPER INSPECTON AND IN A MANNER THAT DOES NOT ENDANGER PERSONS, ANIMALS, OR PROPERTY. A PERMIT SHALL NOT BE ISSUED, AND MAY BE REVOKED, DURING TIME PERIODS OF HIGH FIRE DANGER WARNINGS. THE FIRE DEPARTMENT HAS AUTHORITY TO IMPOSE CONDITIONS ON ANY PERMITS GRANTED.

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D. FAILURE TO COMPLY WITH ANY PERMIT REQUIREMENTS ISSUED BY THE FIRE DEPARTMENT IS A CRIMINAL OFFENSE CONSTITUTING A CLASS TWO MISDEMEANOR.

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E. FIREWORKS MAY NOT BE COMBINED, ALTERED OR MANIPULATED IN ANY WAY OUTSIDE OF THE INTENDED USE THAT, IN THE OPINION OF THE FIRE DEPARTMENT, INCREASES THE POTENTIAL FOR FIRE DAMAGE OR PERSONAL INJURY.

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SECTION 11-2-3 SALE OF FIREWORKS

A. NO PERSON SHALL SELL OR PERMIT OR AUTHORIZE THE SALE OF PERMISSIBLE CONSUMER FIREWORKS TO A PERSON WHO IS UNDER SIXTEEN YEARS OF AGE.

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B. NO PERSON SHALL SELL OR PERMIT OR AUTHORIZE THE SALE OF PERMISSIBLE CONSUMER FIREWORKS IN CONFLICT WITH STATE LAW.

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C. NO PERSON SHALL FURNISH PERMISSIBLE CONSUMER FIREWORKS TO A PERSON WHO IS UNDER SIXTEEN YEARS OF AGE.

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D. NO PERSON WHO IS UNDER SIXTEEN YEARS OF AGE SHALL POSSESS PERMISSIBLE CONSUMER FIREWORKS.

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E. PERMITS AND FEES SHALL BE REQUIRED FOR THE CONSTRUCTION, ERECTION, OR OPERATION OF A BUSINESS THAT SELLS CONSUMER FIREWORKS.

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SECTION 11-2-4 POSTING OF SIGNS BY PERSONS ENGAGED IN THE SALE OF FIREWORKS: CIVIL PENALTY

A. PRIOR TO THE SALE OF PERMISSIBLE CONSUMER FIREWORKS, EVERY PERSON ENGAGED IN SUCH SALES SHALL PROMINENTLY DISPLAY SIGNS INDICATING THE FOLLOWING:

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1. THE USE OF FIREWORKS, EXCEPT NOVELTY ITEMS, AS DEFINED BY TOWN OF CAMP VERDE CODE, INCLUDING PERMISSIBLE CONSUMER FIREWORKS, IS PROHIBITED.

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2. CONSUMER FIREWORKS AUTHORIZED FOR SALE UNDER STATE LAW MAY NOT BE SOLD TO PERSONS UNDER THE AGE OF 16.

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B. SIGNS REQUIRED UNDER THIS SECTION SHALL BE PLACED AT EACH CASH REGISTER AND IN EACH AREA WHERE CONSUMER FIREWORKS ARE DISPLAYCED FOR SALE.

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C. THE COMMUNITY DEVELOPMENT DEPARTMENT SHALL DEVELOP REGULATIONS CONCERNING THE SIZE AND COLOR OF THE REQUIRED SIGNS.

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D. ANY PERSON ENGAGED IN THE SALE OF CONSUMER FIREWORKS SHALL PROVIDE A WRITTEN NOTICE TO EACH INDIVIDUAL WHO PURCHASES CONSUMER FIREWORKS. SUCH NOTICE SHALL INFORM THE PURCHASER THAT THE USE, DISCHARGE, OR IGNITION OF CONSUMER FIREWORKS WITHIN THE TOWN OF CAMP VERDE IS PROHIBITED. THE NOTICE SHALL ALSO INFORM THE PURCHASER OF THE KEY REQUIREMENTS AND PROHIBITIONS CONTAINED IN THIS ORDINANCE. THE COMMUNITY DEVELOPMENT DEPARTMENT SHALL DEVELOP REGULATIONS CONCERNING THE SIZE AND CONTENT OF THE REQUIRED NOTICE AND DEVELOP A MODEL NOTICE.

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E. ANY PERSON ENGAGED IN THE SALE OF CONSUMER FIREWORKS SHALL REQUIRE EACH PURCHASER OF CONSUMER FIREWORKS TO SIGN A REGISTRY INDICATING THE NAME, ADDRESS AND AGE OF THE PURCHASER.

F. FAILURE TO COMPLY WITH SUBPARTS A, B, D AND E OF THIS SECTION IS A CRIMINAL OFFENSE CONSTITUTING A CLASS TWO MISDEMEANOR.

SECTION 11-2-5 AUTHORITY TO ENFOCE VIOLATIONS OF THIS ARTICLE; MEANS OF ENFORCEMENT

A. A MARSHAL'S OFFICE DEPUTY, OR THE TOWN ATTORNEY MAY ISSUE CRIMINAL COMPLAINTS TO ENFORCE THIS ARTICLE.

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B. ANY PERSON AUTHORIZED PURSUANT TO THIS SECTION TO ISSUE A CIVIL COMPLAINT MAY ALSO ISSUE A NOTICE OF VIOLATION SPECIFYING ACTIONS TO BE TAKEN AND THE TIME IN WHICH THEY ARE TO BE TAKEN TO AVOID ISSUANCE OF A CIVIL OR CRIMINAL COMPLAINT.

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C. THE TOWN BUILDING OFFICIAL MAY ISSUE FIRE CODE OR PERMIT VIOLATIONS TO ENFORCE THIS ARTICLE.

SECTION 11-2-6 LIABILITY FOR EMERGENCY RESPONSES RELATED TO THE USE OF FIREWORKS: DEFINITIONS

A. A PERSON WHO USES, DISCHARGES OR IGNITES PERMISSIBLE CONSUMER FIREWORKS, OR ANYTHING THAT IS DESIGNED OR INTENDED TO RISE INTO THE AIR AND EXPLODE OR TO DETONATE IN THE AIR OR TO FLY ABOVE THE GROUND, IS LIABLE FOR THE EXPENSES OF ANY EMERGENCY RESPONSE THAT IS REQUIRED BY SUCH USE, DISCHARGE OR IGNITION. THE FACT THAT A PERSON IS CONVICTED OR FOUND RESPONSIBLE FOR A VIOLATION(S) OF THIS ARTICLE IS PRIMA FACIE EVIDENCE OF LIABILITY UNDER THIS SECTION.

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B. THE EXPENSES OF AN EMERGENCY RESPONSE ARE A CHARGE AGAINST THE PERSON LIABLE FOR THOSE EXPENSES PURSUANT TO SUBPART A OF THIS SECTION. THE CHARGE CONSTITUTES A DEBT OF THAT PERSON AND MAY BE COLLECTED PROPORTIONATELY BY THE PUBLIC AGENCIES, FOR-PROFIT ENTITIES OR NOT-FOR-PROFIT ENTITIES THAT INCURRED THE EXPENSES. THE PERSON'S LIABILITY FOR THE EXPENSE OF AN EMERGENCY RESPONSE SHALL BE THE AMOUNT SET FORTH IN EXISTING TOWN ORDINANCES FOR A SINGLE INCIDENT. THE LIABILITY IMPOSED UNDER THIS SECTION IS IN ADDITION TO AND NOT IN LIMITATION OF ANY OTHER LIABILITY THAT MAY BE IMPOSED.

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C. FOR THE PURPOSES OF THIS SECTION:

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1. "EXPENSES OF AN EMERGENCY RESPONSE" MEANS REASONABLE COSTS DIRECTLY INCURRED BY PUBLIC AGENCIES, FOR-PROFIT ENTITIES OR NOT-FOR-PROFIT ENTITIES THAT MAKE AN APPROPRIATE EMERGENCY RESPONSE TO AN INCIDENT.
2. "REASONABLE COSTS" INCLUDES THE COSTS OF PROVIDING POLICE, FIRE FIGHTING, RESCUE AND EMERGENCY MEDICAL SERVICES AT THE SCENE OF AN INCIDENT AND THE SALARIES OF THE PERSONS WHO RESPOND TO THE INCIDENT.

SECTION 11-2-7 PENALTY

THE PENALTY FOR VIOLATING ANY PROHIBITION OR REQUIREMENT IMPOSED BY THE ARTICLE IS A CLASS TWO MISDEMEANOR UNLESS ANOTHER PENALTY IS SPECIFICALLY PROVIDED FOR.

**CHAPTER 12
TRAFFIC
Article 12-1
ADMINISTRATION**

- 12-1-1 Duty of Marshal's Office
- 12-1-2 Records of Traffic Violations
- 12-1-3 Marshal's Office to Investigate Accidents
- 12-1-4 Traffic Accident Studies

Section 12-1-1 Duty of Marshal's Office

A. It shall be the duty of the Marshal's Office to provide for the enforcement of the street traffic regulations of the town and all of the state vehicle laws applicable to street traffic in the town, to make arrests for traffic violations, to investigate accidents, to assist in developing ways and means to improve traffic conditions, and to carry out all duties specially imposed upon the Marshal's Office by this chapter.

B. Any peace officer or duly authorized agent of the town may stop and detain a person as is reasonably necessary to investigate an actual or suspected violation of this chapter and to serve a copy of the traffic complaint for any alleged civil or criminal violation of this chapter.

Section 12-1-2 Records of Traffic Violations

A. The Marshal's Office shall keep a record of all violations of the traffic laws of the town or of the state vehicle laws of which any person has been charged, together with a record of the final disposition of all such alleged offenses. Such record shall accumulate during at least a five-year period and from that time on the record shall be maintained complete for at least the most recent five-year period.

B. All forms for records of violations and notices shall be serially numbered. For each month and year, a written record shall be maintained complete for at least the most recent five-year period.

Section 12-1-3 Marshal's Office to Investigate Accidents

It shall be the duty of the Marshal's Office to investigate traffic accidents and to arrest and assist in the prosecution of those persons charged with violations of law causing or contributing to such accidents.

Section 12-1-4 Traffic Accident Studies

Whenever the accidents at any particular location become numerous, the Marshal's Office shall conduct studies of such accidents and determine remedial measures.

**Article 12-2.
TRAFFIC CONTROL
(2004-A276)**

- 12-2-1 Directing Traffic
- 12-2-2 Obedience to Traffic Regulations
- 12-2-3 Use of Coasters, Roller Skates, Skateboards, and Similar Devices Restricted (2004-A276)
- 12-2-4 Traffic Control Devices
- 12-2-5 Authority to Designate Crosswalks, Establish Safety Zones and Mark Traffic Lanes
- 12-2-6 Authority to Place and Obedience to Turning Markers
- 12-2-7 Authority to Place and Obedience to Restricted Turn Signs
- 12-2-8 One-Way Streets and Alleys
- 12-2-9 Regulation of Traffic at Intersections
- 12-2-10 Drivers to Obey Signs
- 12-2-11 Processions
- 12-2-12 Regulation of Motorized Play Vehicles and Motorized Skateboards

Section 12-2-1 Directing Traffic

- A. The Marshal's Office is hereby authorized to direct all traffic by voice, hand, or signal.
- B. Officers of the fire department, when at the scene of a fire, may direct or assist the Marshal's Office in directing traffic thereat or in the immediate vicinity.

Section 12-2-2 Obedience to Traffic Regulations

It is a civil traffic violation for any person to do any act forbidden by or to fail to perform any act required by this chapter. It is a Class 2 misdemeanor for any person to willfully fail or refuse to comply with any lawful order or direction of the Marshal's Office or any of its duly designated, qualified and acting law enforcement agents.

Section 12-2-3 Use of Coasters, Roller Skates, Skateboards, and Similar Devices Restricted (2004-A276)

- A. It is a civil traffic violation for any person upon roller skates, coaster, skateboard, go-cart, or riding any coaster, toy vehicle, or similar device to go upon any roadway, WITHOUT A RESPONSIBLE ADULT PRESENT WHILE A CHILD IS USING SUCH DEVICES, except while crossing a street on a crosswalk, and, when crossing, such person shall be granted all of the rights and shall be subject to all of the duties applicable to pedestrians, THE DEVICES SHALL IN NO WAY IMPEDE THE FLOW OF TRAFFIC OR PLACE THE CHILD IN DANGER.
- B. No person shall ride upon, in or by means of roller skates, coaster, skateboard, toy vehicle, go-cart, or any similar coasting or skating device, any sidewalk included in the following prohibited areas of operation:

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2. Use of Department of Public Safety. The Arizona Department of Public Safety is hereby authorized to exchange the fingerprint data with the Federal Bureau of Investigation pursuant to ARS 41-1750, as may be amended, and Public Law 92-544

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3. Conditional Acceptance of Employment. Applicants may submit their employment application forms and fingerprint cards for processing up to 10 days before selection by the Town of a candidate. Any employment by the Town is subject to results of the criminal records check, and, if an applicant has been notified of his or her selection and has temporarily assumed a position with the Town, such position may be vacated at the option of the Town depending on the criminal history results.

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CHAPTER 15
MANNER OF ELECTIONS
Article 15-1
CALL AND NOTICE OF ELECTION
(2002-A212) (2002-A222)

This article shall comply with and be automatically updated to current applicable Arizona Revised Statutes to include ARS §9-821.01 City and Town Elections, §39-204 Publication of Notice, §16-409 Mail Ballot Elections, and §16-558.01 Mailing of Ballots and .02 Replacement Ballots and other relevant sections as they may apply.

Section 15-1-1 Call of Election

The Town Clerk shall cause to be published a 'Call of Election' approximately 100 days prior to the election date in order to inform the public about the election and to alert candidates to filing dates. [Nothing on the ballot shall be indicative of the source of the candidacy or the support of the candidate.]

Section 15-1-2 Notice of Election

The Town Clerk shall cause to be published once per week for two consecutive weeks IN A LOCAL NEWSPAPER a Notice of Election approximately 30 days prior to the election date. The publication shall comply with ARS §39-204. APPLICABLE ELECTION INFORMATION SHALL ALSO BE POSTED ON THE TOWN'S WEBSITE.

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Article 15-2
ELECTION RESULTS
(2009-A364)

Section 15-2-1 Primary Election Option

A candidate is declared elected to office in the Primary Election if that candidate received a majority of all votes cast as set forth in ARS §9-821.01.

Section 15-2-2 Minimum Number of Votes Required for Election to Office

The minimum number of votes a candidate for Council Member must receive to be elected to office under this provision is more than half of the total number of valid votes cast at the primary election for all offices.

Section 15-2-3 General Election

If there are offices not filled in the Primary Election, a General Election will be held. The Primary is then considered as an election for nominating candidates for the ensuing General Election. Candidates are qualified for inclusion on the General Election ballot in order of the vote total they received at the Primary