

ORDINANCE NO. 3993

AN ORDINANCE OF THE CITY OF SCOTTSDALE, MARICOPA COUNTY, ARIZONA, ADDING ARTICLE III, SECTIONS 19-35, 19-36 AND 19-37, TO CHAPTER 19 OF THE SCOTTSDALE REVISED CODE

BE IT ORDAINED by the Council of the City of Scottsdale as follows:

Section 1. Article III, Sections 19-35, 19-36 and 19-37 of the Scottsdale Revised Code are hereby added to Chapter 19 as follows:

Article III. Criminal Littering.

Section 19-35. Purpose.

The purpose of this article is to promote the health, safety and general welfare of the citizens, visitors and businesses of the City.

Section 19-36. Criminal littering.

A. A person commits criminal littering, if such person without lawful authority throws, places, drops or permits to be dropped on public property or property of another any litter, destructive or injurious material which he does not immediately remove.

B. Criminal littering is a Class Two Misdemeanor and is punished as follows:

1. A mandatory minimum fine of one-hundred fifty dollars (\$150.00), if it occurs within an area designated by the City Council as a Litter Free Enforcement Zone.
2. A mandatory minimum fine of seventy-five dollars (\$75.00), if it occurs in any other area of the City.

C. In addition to the penalties proscribed in subsection B above, the court may require that a person convicted of this section pay restitution for any clean-up costs incurred by the City and perform community service focused on litter pick-up.

D. For the purposes of this article, litter includes any rubbish, refuse, waste material, offal, paper, glass, cans, bottles, organic or inorganic trash, debris, filthy or odoriferous objects, dead animals or any foreign substance of whatever kind or description, whether or not any of these items are of value.

Section 19-37. Litter Free Enforcement Zones.

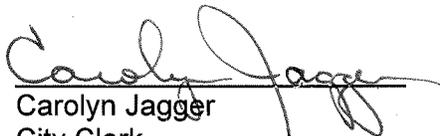
A. The City Council may designate by resolution Litter Free Enforcement Zones upon a finding that such a zone is necessary in order to preserve the health, safety and general welfare. Each such resolution designating an area a Litter Free Enforcement Zone shall include a map establishing the boundaries of the zone.

B. Upon establishment of a Litter Free Enforcement Zone, the City shall place and maintain permanently affixed signs located in a visible manner at the pedestrian and vehicular public access points leading into the zone. The City Manager or designee shall develop regulations concerning the size and color of the required signs and develop a model sign. The required sign regulations and model sign shall be posted on the City's website and filed with the City Clerk's office.

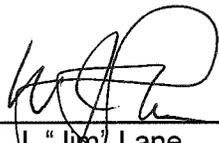
PASSED AND ADOPTED by the City Council of the City of Scottsdale this 13th day of December, 2011.

CITY OF SCOTTSDALE, an Arizona
municipal corporation

ATTEST:



Carolyn Jagger
City Clerk



W. J. "Jim" Lane
Mayor

APPROVED AS TO FORM:



Bruce Washburn, City Attorney
By: Luis E. Santaella, Senior Assistant City Attorney