



# Town of Huachuca City

The Sunset City

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## ORDINANCE NO. 2018-13

**AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE TOWN OF HUACHUCA CITY, ARIZONA, AMENDING THE TOWN CODE, TITLE 3 "REVENUE AND FINANCE," CHAPTER 3.15 "LIBRARY FEES," SECTION 3.15.010, TO REMOVE THE FEE SCHEDULE FROM THE TOWN CODE AND ALLOW THE TOWN COUNCIL TO ESTABLISH LIBRARY FEES BY ADOPTING RESOLUTIONS.**

**WHEREAS**, the Town Council of the Town of Huachuca City has adopted by Resolution No. 84-002 a code known as the Town Code of the Town of Huachuca City, Arizona [the "Code"], and has amended and republished the Code from time to time, as authorized by A.R.S. section 9-240 (B) (28); and

**WHEREAS**, pursuant to A.R.S. 9-419 (A) and the Code section 3.15.010, the Town Council may establish library fees; and

**WHEREAS**, the Town Council wishes to amend the Code to remove the library fee schedule from the Code and enable the Council to adopt and amend the schedule by resolution; and

**WHEREAS**, as required by the Code, section 2.25.040, this Ordinance was first read at a public meeting of the Town Council on May 10, 2018, and at a subsequent meeting on May 24, 2018.

**NOW, THEREFORE, BE IT ORDAINED** by the Mayor and Council of the Town of Huachuca City, Arizona, as follows:

**SECTION 1.** The Code, Chapter 3.15 "LIBRARY FEES" Section 3.15.010 "Library fees," is amended as follows, with deletions in ~~strike through~~ and additions in underlined text:

### **3.15.010 Library fees.**

Library fees shall be established by resolution of the council and amended from time to time.

~~A. Overdue books: \$0.05 per day;~~

~~B. Overdue DVD/VHS: \$1.00 per day;~~

~~C. Lost items: cost of item plus \$3.50 processing fee;~~

~~D. Damaged items: costs of repair (\$3.50 maximum) or replacement cost plus \$3.50 processing fee;~~

- E. Printing: \$0.10 per copy;
- F. Copying: \$0.10 per copy;
- G. Fax: \$1.00 per page (sending or receiving);
- H. Lost library card: first time free replacement, thereafter \$2.50 per replacement.

**SECTION 2.** All ordinances, parts of ordinances, resolutions, parts of resolutions, policies, and parts of policies in conflict with the provisions of this Ordinance, or any part hereof, are hereby repealed.

**SECTION 3.** If any section, subsection or portion of this Ordinance is for any reason held to be invalid or unenforceable by the decision of a court of competent jurisdiction, such decision shall not affect the validity or enforceability of the remaining portions hereof.

**SECTION 4.** The Town Clerk is hereby directed, pursuant to the Code section 2.25.080, to publish this Ordinance as required by A.R.S. 9-812 and 39-204.

**PASSED AND ADOPTED BY THE MAYOR AND TOWN COUNCIL OF THE TOWN OF HUACHUCA CITY, COCHISE COUNTY, ARIZONA, THIS 24th DAY OF MAY, 2018.**

  
Kenneth Taylor, Mayor

ATTEST:

  
Jennifer Fuller, Town Clerk

Approved as to Form:

  
Thomas Benavidez, Town Attorney