ORDINANCE NO. 740

AN ORDINANCE OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, AMENDING SECTION 93.47 OF THE CODE OF THE TOWN OF PAYSON, ALLOWING THE PARKS AND RECREATION DIRECTOR TO WAIVE OR REDUCE PARK FACILITIES FEES.

WHEREAS, the Town of Payson charges fees for applications, facilities use, and clean up associated with the use of its parks; and

WHEREAS, the Town of Payson desires to allow the Parks and Recreation Director to waive such fees when appropriate,

NOW, THEREFORE, THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, DO HEREBY ORDAIN AS FOLLOWS:

Section 1. That Section 93.47 is hereby amended and as amended shall read as follows:

§ 93.47 FEES AND CHARGES.

~~Fees and charges for applications, facilities use, and clean up shall be established by the Parks and Recreation Director. The Council may, in appropriate cases, waive or reduce such fees or charges.~~

(A) Fees and charges for applications, facilities use, and clean up shall be established by the Parks and Recreation Director.

(B) The Parks and Recreation Director may, in appropriate cases, waive or reduce such fees or charges.

(C) An applicant who is dissatisfied with the Parks and Recreation Director's decision on whether to waive or reduce fees or charges may appeal such decision to the Town Council.

Section 2. If any section, subsection, sentence, clause, phrase or portion of this Ordinance Number 740 is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance Number 740. The Mayor and Common Council of the Town of Payson declares that it would have adopted this Ordinance Number 740 and each section, subsection, sentence, clause, phrase or portion thereof despite the fact that any one or more sections, subsections, sentences, clauses, phrases or portions would be declared invalid or unconstitutional.

First Reading & Public Hearing JUN 19 2008 Ex. 5
SECOND READING & Public Hearing JUL 02 2008 G. 5

PASSED AND ADOPTED BY THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON this _____ day of _____, 2008, by the following vote:

AYES _____ NOES _____ ABSTENTIONS _____ ABSENT _____

_____
Kenny J. Evans, Mayor

ATTEST:

_____
Silvia Smith, Town Clerk

APPROVED AS TO FORM:

_____
Samuel I. Streichman, Town Attorney