



Founded 1876
 Incorporated 1899

TOWN OF JEROME

POST OFFICE BOX 335, JEROME, ARIZONA 86331
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ORDINANCE NO. 447

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF JEROME, YAVAPAI COUNTY, ARIZONA, AMENDING CHAPTER 10, "OFFENSES," OF THE JEROME TOWN CODE BY THE ADDITION OF NEW ARTICLE 10-3 THEREOF, "DRIVING WHILE USING A PORTABLE COMMUNICATIONS DEVICE"

WHEREAS, the Jerome Town Council is authorized to adopt provisions necessary to preserve the health of the Town of Jerome, and to make and enforce all local, police, sanitary, and other regulations not in conflict with the general laws; and

WHEREAS, A.R.S. §28-626(B) authorizes the adoption of additional traffic regulations that are not in conflict with other state traffic or transportation regulations; and

WHEREAS, the use of portable communications devices and texting while driving a motor vehicle has increased in recent years; and

WHEREAS, the use of portable communication devices and texting while driving a motor vehicle has contributed to the increase in injuries, deaths, property damage, health care costs, and auto insurance rates; and

WHEREAS, motorists who operate portable communication devices and/or text while driving a motor vehicle are statistically more likely to become involved in a traffic accident; and

WHEREAS, it is the desire of the Jerome Town Council to promote and encourage healthy and safe behaviors for all by regulating certain traffic behaviors;

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF JEROME, YAVAPAI COUNTY, ARIZONA, AS FOLLOWS:

Section 1. Chapter 10, "Offenses," of the Jerome Town Code is hereby amended by the addition of NEW Article 10-3 thereof, "Driving While Using A Portable Communications Device," as set forth in Resolution No. 578 of the Town of Jerome, Arizona, three copies of which are on file in the office of the Town Clerk of the Town of Jerome. Said document was made a public record by Resolution No. 578 and is made a part hereof as if fully set out in this Ordinance.

Date of first reading: 1/8/2019

Date of adoption: _____

Voting record at adoption:

| | MOVED | SECONDED | AYE | NAY | ABSENT | ABSTAIN |
|------------|-------|----------|-----|-----|--------|---------|
| BARBER | | | | | | |
| DILLENBERG | | | | | | |
| HARVEY | | | | | | |
| MOORE | | | | | | |
| WORTH | | | | | | |

Section 2. Following its adoption, this Ordinance shall be published by the Town Clerk in accordance with the requirements of A.R.S. §39-203 *et seq.*

Section 3. All ordinances or parts of ordinances that are in conflict with the provisions of this Ordinance are hereby repealed to the extent of their inconsistency herewith.

Section 4. Should any section or provision of this Ordinance be declared invalid by a court of competent jurisdiction, such decision shall not affect the validity of this Ordinance, any provision incorporated by reference and any other provision of the Town Code as a whole or any part thereof other than the part so declared invalid.

PASSED AND ADOPTED BY THE TOWN COUNCIL OF THE TOWN OF JEROME, YAVAPAI COUNTY, ARIZONA, THIS ____ DAY OF _____ 2019.

Christina "Alex" Barber, Mayor

ATTEST:

APPROVED AS TO FORM:

Candace Gallagher, Town Manager/Clerk

William J. Sims, Esq.
Town Attorney