

**LEGAL NOTICE**

**TOWN OF JEROME**

**NOTICE IS HEREBY GIVEN** that the following ordinance was finally adopted on October 11, 2011 by the Town of Jerome, Yavapai County, Arizona:

**ORDINANCE NO. 392**

**AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE TOWN OF JEROME, ARIZONA,  
ADOPTING BY REFERENCE THE AMENDED AND RESTATED JEROME TOWN CODE;  
A RECODIFICATION OF PRIOR AMENDMENTS**

Section 1. Adoption by Reference. Pursuant to A.R.S. § 9-802 (as amended) the Town hereby adopts for application and enforcement the Town of Jerome Town Code, dated as of July 19, 2011, a compilation of previously adopted and modified ordinances that are declared a public record pursuant to Resolution 2011-497.

Section 2. Effective Date. This Ordinance is to be effective when publication and posting pursuant to A.R.S. § 9-813 is accomplished.

Section 3. Copies of the Town Code. At least three (3) copies of the Town of Jerome Town Code, dated as of July 19, 2011 shall be kept on file in the office of the Town Clerk. Copies placed for public access shall be readily available for public inspection during normal working hours.

Section 4. Penalty. Pursuant to A.R.S. § 9-240.B.28, A.R.S. § 9-240.B.29 and A.R.S. § 13-602, it is hereby declared that any violation of the Town of Jerome Town Code, dated as of July 19, 2011, and revisions adopted thereto, is a Class 2 misdemeanor, with punishment as provided by law, unless otherwise specified within a particular section of the Town of Jerome Town Code. For purposes of A.R.S. § 9-803, the provisions of the Town of Jerome Town Code concerning penalty clauses are set forth on Exhibit A of this ordinance.

Section 6. Severability. All ordinances, or parts of ordinances, adopted by the Town of Jerome in conflict with the provisions of this ordinance or any part of the Town Code adopted herein by reference, are hereby repealed, effective as of the day this ordinance is effective.

PASSED AND ADOPTED by a majority vote of the Town Council in an open meeting by the Town Council, Town of Jerome, Arizona, on the 11th day of October, 2011, to be effective when publication and posting, pursuant to A.R.S. § 9-813, is completed.

**EXHIBIT A to ORDINANCE NO. 392**

**Articles of Jerome Town Code which prescribe penalties for violations**

Article No.	Title/Description	Penalty
1-8	General Penalty Clause	Class I misdemeanor; penalties in accordance with A.R.S. Title 13.
6-3-3 (C)	Animals – Running at Large	Unspecified misdemeanor; up to \$300 fine and/or 3 months imprisonment.
6-4-6	Animals – Confinement of Animals in Motor Vehicles	Class II misdemeanor; up to \$300 fine and/or 3 months imprisonment.
7-15-9	Building and Safety Codes –	Class I misdemeanor; penalties in accordance with A.R.S. Title 13; each day

<b>Article No.</b>	<b>Title/Description</b>	<b>Penalty</b>
	Encroachment Permits for Public Rights of Way	a separate offense.
8-4-7	Business – Sexually Oriented Business Code – Inspection	Unspecified misdemeanor* for refusal to permit lawful inspection of premises; no specific penalty prescribed.
8-4-12	Business – Sexually Oriented Business Code – Location of Sexually Oriented Businesses	Unspecified misdemeanor* for operating a sexually oriented business in any zoning district where it is not permitted, or within 1,500 feet of a church, school, residential district, public park, recreational area, children’s or family entertainment area, or premises licensed for alcohol, or for operating more than one sexually oriented business in the same structure, or for increasing the floor area in any sexually oriented business; no specific penalty prescribed.
8-4-13	Business – Sexually Oriented Business Code – Additional Regulations for Adult Motels	Unspecified misdemeanor* for renting or sub-renting a sleeping room to a person and within 10 hours renting or sub-renting the same room again, if the establishment does not have a sexually oriented business code license; no specific penalty prescribed.
8-4-14	Business – Sexually Oriented Business Code –Additional Regulations for Exhibition of Sexually Explicit Films, Videos or Live Entertainment in Viewing Rooms	Unspecified misdemeanor* for a person operating a sexually oriented business which exhibits of sexually explicit films, videos or live entertainment in viewing rooms, who fails to adhere to the various requirements of this section pertaining to those activities; no specific penalty prescribed.
8-4-15	Business – Sexually Oriented Business Code – Additional Regulations for Escort Agencies	Unspecified misdemeanor* for acting as or agreeing to act as an escort for any person under the age of 18 years; no specific penalty prescribed.
8-4-16	Business – Sexually Oriented Business Code – Additional Regulations for Nude Model Studios	Unspecified misdemeanor* for a person under the age of 18 who appears semi-nude or nude in or on the premises of a nude model studio, unless that person was in a restroom not open to public view or visible to any other person; no specific penalty prescribed.
8-4-17	Business – Sexually Oriented Business Code – Additional Regulations Concerning Public Nudity	Unspecified misdemeanor* for a person, in a sexually oriented business, to intentionally appear nude or depict sexual activities, or to appear semi-nude (unless that person is an employee at least five feet from any patron and on stage at least two feet from the floor), or for an employee, while semi-nude, to solicit any pay or gratuity from any patron or customer, or to touch a customer or the clothing of a customer; no specific penalty prescribed.
8-4-18	Business – Sexually Oriented Business Code – Prohibition Against Children in a Sexually Oriented Business	Unspecified misdemeanor* for knowingly allowing a person under the age of 18 on the premises of a sexually oriented business; no specific penalty prescribed.
8-4-21	Business – Sexually Oriented Business Code – Penalty clause	Specifies a Class 1 misdemeanor for any violation of Article 4; each day a separate offense. No specific penalty prescribed. Also provides that a sexually oriented business operated without a valid license constitutes a public nuisance and may be abated by a suit for injunctive relief.
9-4-10	Health and Sanitation – Removal of Litter – Placement of Debris	Unspecified misdemeanor for littering; no specific penalty prescribed. Also provides that violator shall be liable for all costs of removal by Town pursuant to Article 4.
10-1-5	Offenses – Excavations to be Covered	Unspecified misdemeanor for maintaining a well, pit, cellar or other excavation deeper than two feet on any unenclosed lot without substantial curbing, covering or protection. No specific penalty prescribed.
10-1-13 (E)	Offenses – Loud Noise Prohibited	Provides that any person violating any provision of this article shall be deemed guilty, upon first offense, of a civil infraction punishable by a fine up to \$175.00; further provides that a second offense within six months is a civil infraction punishable by a fine of up to \$300.00, and that a third offense committed within 12 months is a Class I misdemeanor, punishable by a fine of up to \$2,500 and/or 180 days imprisonment.
10-1-18	Offenses – Prostitution	Unspecified misdemeanor; no specific penalty prescribed.
10-1-25	Offenses – Park Regulations	Class I misdemeanor to have any glass container in any Jerome Town Park, or to have alcohol in the Upper Park between 10 p.m. and 8 a.m., or to have

Article No.	Title/Description	Penalty
		alcohol in the Middle Park or Lower Park except by permit. No specified penalty prescribed.
10-2-2 (D)	Offenses – Fireworks – Fireworks Prohibited	Class II misdemeanor to use, discharge or ignite fireworks within the Town of Jerome, with fine up to \$750.00 and/or imprisonment up to four months and probation up to two years.
10-2-2 (E)	Offenses – Fireworks – Fireworks Prohibited	Class I misdemeanor to fail to comply with any permit requirements issued by the Fire Chief pursuant to this article, with fine up to \$2,500 and/or imprisonment up to six months, and probation up to three years.
10-2-4 (D)	Offenses – Fireworks – Posting of Signs by Persons Engaged in the Sale of Fireworks; Penalty	Class II misdemeanor for failure to comply with requirements of this section, with fine up to \$750.00 and/or imprisonment up to four months and probation up to two years.
10-2-7	Offenses – Fireworks – Penalty	Provides that any penalty not specified in this article is a Class II misdemeanor punishable by a fine up to \$750.00 and/or imprisonment up to four months and probation up to two years.
12-1-10 (D)	Jerome Traffic Code – Other Restricted Parking Areas	Provides specific sanctions for time limit parking violations as follows: First offense - \$5.00, or as increased by ordinance; Second offense within 24 hours - \$15.00, or as increased by ordinance; Third offense and subsequent offenses within 30 days - \$15.00, or as increased by ordinance.
12-1-18	Jerome Traffic Code – Penalties	Unspecified misdemeanor for any violation of the Jerome Traffic Code, with fine up to \$1,000.00 and/or imprisonment up to six months. Each day constitutes a separate offense. Also specifies that violations are Civil Traffic Violations subject to added sanctions by the Town Magistrate. Further provides that parking violations are petty offenses which may be issued a parking citation in the amount of \$10.00 for each violation.
14-1-8	Streets and Sidewalks – Penalty for Nonpayment	In the event that a property owner has been notified in accordance with this section that he/she must repair or renew an adjoining sidewalk, and fails to do so, and the Town undertakes the repairs, and the property owner does not pay the Town for those repairs as set forth in this Section, provides that the Town may impose a penalty of 50% of those costs which would become part of a lien by the Town against the property.
14-3	Streets and Sidewalks – Damaging Sidewalks	Unspecified misdemeanor for damaging a sidewalk without a permit, and requirement to pay all expenses of repair or repair the damage.
14-4-6	Streets and Sidewalks – Violations and Enforcement	Class I misdemeanor for working in Town rights of way without a permit, or violating the conditions of a permit, or building in violation of any approved plans or permit, or violating any provisions of the MAG or Public Works Standard Codes, or failing to comply with such an order as affirmed or modified by the Building Office. Each violation is a separate misdemeanor. Each 10 days that the violation continues constitutes a separate offense.
* See 8-4-21 below, which specifies that all violations of the article constitute a Class I misdemeanor, and that each day constitutes a separate offense.		