

ORDINANCE NO. 5253

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MESA, MARICOPA COUNTY, ARIZONA MODIFYING AND ADOPTING CERTAIN TERMS AND CONDITIONS FOR THE SALE OF UTILITIES, INCLUDING PROVIDING ALTERNATIVES TO THE REQUIREMENTS TO RECEIVE SERVICES OUTSIDE OF THE CITY OF MESA AND AMENDING THE MODIFICATION SECTION OF THE TERMS AND CONDITIONS.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MESA, COUNTY OF MARICOPA, STATE OF ARIZONA, AS FOLLOWS:

Section 1: ADOPTION. The Terms and Conditions for the Sale of Utilities, as made a public record by Resolution adopted on October 6, 2014, three copies of which are on file with the Office of the City Clerk, are hereby modified and adopted.

Section 2: PRESERVATION OF RIGHTS AND DUTIES. This Ordinance does not affect the rights and duties that matured, penalties that were incurred, or proceedings that were begun before the effective date of this Ordinance.

Section 3: SEVERABILITY. If any section, subsection, sentence clause, phrase or portion of this Ordinance or any part of the material adopted herein by reference is for any reason held to be invalid or unconstitutional by the decision of a Court of competent jurisdiction such decision shall not affect the validity of the remaining portions thereof.

Section 4: PENALTY. Among other penalties that may apply, any person that violates any provision of this Ordinance shall be guilty of a misdemeanor. Upon conviction, individuals shall be punished by a fine not to exceed \$2,500, or by imprisonment for a period not to exceed six (6) months, or by such fine and imprisonment. Upon conviction, businesses shall be punished by a fine not to exceed \$20,000. Each instance of violation continued shall be a separate offense, punishable as described above.

Section 5: EFFECTIVE DATE. The effective date of this Ordinance shall be 30 days following adoption by the Mesa City Council.

PASSED AND ADOPTED by the City Council of the City of Mesa, Arizona, this 20th day of October, 2014.

APPROVED

MAYOR

ATTEST

CITY CLERK

