

SUBMITTED BY: Kraig Fullen, Chief of Police

MANAGEMENT TEAM REVIEW: Luis Pedroza, Interim City Manager

FOCUS AREA: Other / NA

ORGANIZATIONAL IMPROVEMENTS: N/A

SUBJECT: **FIRST READING OF ORDINANCE NO. 21-1138**, an Ordinance of the Mayor and Council of the City of Douglas, Cochise County, Arizona, MODIFYING TITLE 2 of the DOUGLAS MUNICIPAL CODE relating to the MAGISTRATE COURT by AMENDING Chapter 2.40.025 DRIVER LICENSE SUSPENSION FEE, establishing severability of components of Ordinance; and declaring an emergency.

EXECUTIVE SUMMARY:

SB1151 was passed by the Arizona State Legislature and will become law effective September 29, 2021. An amendment to Chapter 2.40.025 is required to avoid conflict with the new law.

BACKGROUND:

The City of Douglas Magistrate Court was formally required to collect a suspension fee of seventy-five dollars (\$75) for each suspension of an Arizona driver's license; which the court was required to issue as the result of a failure to pay a civil sanction or a default judgment in a civil traffic matter or an out-of-state driver's license privilege.

SB1151 was proposed with the intent of reversing the mandatory suspension of an Arizona driver's license as the result of a failure to pay a civil sanction or a default judgment in a civil traffic matter or an out-of-state driver's license privilege and will be applied retroactive to the effective date of 9/29/21.

DISCUSSION:

In order to avoid conflict with State Statute, staff is recommending Title 2, Chapter 2.40.025, of the Douglas Municipal Code to be amended as attached and declaring an emergency to allow the changes to become effective on 9/29/2021 upon approval by the Mayor and Council.

“...I MOVE THAT THE MAYOR AND COUNCIL APPROVE THE PLACEMENT OF ORDINANCE NO. 21-1138 ON ITS FIRST READING BY NUMBER AND TITLE ONLY AND DECLARING AN EMERGENCY.”

“...I MOVE THAT THE MAYOR AND COUNCIL APPROVE THE FIRST READING OF ORDINANCE NO. 21-1138, AND TO PLACE IT ON SECOND READING BY NUMBER AND TITLE ONLY AND DECLARING AN EMERGENCY.”

“...I MOVE THAT THE MAYOR AND COUNCIL APPROVE THE SECOND READING OF ORDINANCE NO. 21-1138, AND TO PLACE IT ON THIRD READING BY NUMBER AND TITLE ONLY AND DECLARING AN EMERGENCY.”

“...I MOVE THAT THE MAYOR AND COUNCIL APPROVE THE THIRD READING OF ORDINANCE NO. 21-1138 BY NUMBER AND TITLE ONLY AND DECLARING AN EMERGENCY.”

FISCAL IMPACT:

N/A