

Marijuana

- Replace Section 3.1.5 M Medical Marijuana and Marijuana Establishments
- Amend All Referenced Table of Uses (L-I, C-2, MSC)
- Amend Definitions Appendix

M. Medical Marijuana and Marijuana Establishments and Testing Facilities

(Entire Section Replaced with New Section M)

1. Medical Marijuana and Marijuana Use Definitions

Medical Marijuana and Marijuana Establishments shall include the following terms as identified in the ARS 36-2801 and ARS 36-2850;

- a) Non-Profit Medical Marijuana Dispensary - a not-for-profit entity that acquires, possesses, cultivates, manufactures, delivers, transfers, transports, supplies, sells or dispenses marijuana or related supplies and educational materials to cardholders.
- b) Marijuana Establishment -
 - (i) A single retail location at which the licensee may sell marijuana and marijuana products to consumers, cultivate marijuana and manufacture marijuana products.
 - (ii) A single off-site cultivation location at which the licensee may cultivate marijuana, process marijuana and manufacture marijuana products, but from which marijuana and marijuana products may not be transferred or sold to consumers.
 - (iii) A single off-site location at which the licensee may manufacture marijuana products and package and store marijuana and marijuana products, but from which marijuana and marijuana products may not be transferred or sold to consumers.
- c) Dual-Licensee - means an entity that holds both a nonprofit medical marijuana dispensary registration and a marijuana establishment license.

2. Siting of Medical Marijuana and Marijuana Establishments having On-Site Cultivation and Manufacturing

Medical Marijuana and Marijuana Establishments having on-site Cultivation and/or Manufacturing of Marijuana as defined in ARS 36-2801 and ARS 36-2850, as well as in the definitions of each respective use listed in Section 3.1.5 M 1 of this ordinance shall only be permitted in the L-I (Light Industrial) and C-2 (General Commercial) Zoning Districts.

3. Siting of Medical Marijuana and Marijuana Establishments having no On-Site Cultivation

Medical Marijuana and Marijuana Establishments having no on-site Cultivation and/or Manufacturing of Marijuana as defined in ARS 36-2801 and ARS 36-2850, as well as in the definitions of each respective use listed in Section 3.1.5 M1 of this ordinance shall be permitted in the L-I (Light Industrial) and C-2 (General Commercial) Zoning Districts and on Main Street fronting properties located in the MSC (Main Street Corridor) Zoning District and/or Infill Incentive Overlay - Entertainment District.

4. **Supplemental Siting Requirements**

a) No Medical Marijuana, Marijuana, or Dual-Licensee shall be located within 300' of the property line of a parcel having one of the following uses on the premises: Residence, Educational Facility, Library, Public Park, Day Care Facility, Worship Assembly Use, or another Non-Profit Medical Marijuana Dispensary, Marijuana Establishment, or Dual-Licensee. Properties located inside the Infill Incentive Overlay – Entertainment District shall be exempt from this requirement.

b) Medical Marijuana and Marijuana Establishments having no on-site Cultivation and/or Manufacturing of Marijuana located in the Main Street Corridor and/or Infill Incentive Overlay – Entertainment District shall not be located within 100' of the property line of a restaurant or bar dispensing alcoholic beverages.

5. **Medical Marijuana and Marijuana Testing Facility Use Definitions**

Medical Marijuana and Marijuana Testing Facilities shall include the following terms as identified in ARS 36-2801 and ARS 36-2850;

a) Independent third-party laboratory - An entity that has a national or international accreditation and that is certified by the Arizona Department of Health Services to analyze marijuana cultivated for medical use.

b) Marijuana testing facility – The Arizona Department of Health Services or another entity that is licensed by the Arizona Department of Health Services to analyze the potency of marijuana and test marijuana for harmful contaminants.

6. **Siting of Medical Marijuana and Marijuana Testing Facilities**

Medical Marijuana and Marijuana Testing Facilities shall only be permitted in the L-I (Light Industrial) Zoning District.

7. **Supplemental Siting Requirements**

No Medical Marijuana Testing Facility or Marijuana Testing Facility shall be located within 300' of the property line of a parcel having one of the following uses on the premises: Residence, Educational Facility, Library, Public Park, Day Care Facility, Worship Assembly Use, Non-Profit Medical Marijuana Dispensary, Marijuana Establishment, Dual Licensee, or another Medical Marijuana Testing Facility or Marijuana Testing Facility

Swimming Pool Barrier

- Amend Section 3.2.6 J Swimming Pools

J. Swimming Pools (Create new exception)

1. General: Every swimming pool shall be completely enclosed by a permanent fence, wall or barrier to restrict access to the swimming pool from public property, from adjacent private property and directly from all dwelling units or guest rooms located on the same premises as the swimming pool. These swimming pool enclosure and barrier detail requirements apply to all new swimming pools installed on or after the effective date of this Ordinance and to all additions, alterations, repairs or replacements made to existing swimming pool enclosures.

a) Exceptions:

i. Swimming pools built on single-family residential property on or before the effective date of this Ordinance need not be retroactively fitted with a barrier between the dwelling and the pool provided all occupants of the dwelling are at least six (6) years of age or older. All other portions of the swimming pool enclosure shall be installed and maintained as required herein. This exception does not eliminate an owner's responsibility for providing a temporary barrier or otherwise physically restricting visiting children's direct access from the dwelling to the swimming pool.

This exception shall expire and the required permanent barrier shall be retroactively installed between the dwelling and the swimming pool whenever one (1) or more children under six (6) years of age become residents of the property.

ii. Above ground swimming pools which have non-climbable sides not less than forty-eight (48) inches high above the adjacent ground level may be located on single-family residential property without a fence or barrier between the pool and the dwelling provided any steps or ladder are either removable, without the use of tools, or are designed to be secured in an inaccessible position with a lock or latch located not less than fifty-four (54) inches above the adjacent ground level.

iii. The property owner and any other person in charge of a swimming pool shall ensure that the required swimming pool enclosure, including all gates, doors, locks, latches and other portions of the barrier are maintained safe and in good working order. No person shall alter or remove any portion of a swimming pool enclosure except to repair, reconstruct or replace the enclosure in compliance with this Section.

iv. An approved alarm system, continuously maintained at all points of ingress and egress to the dwelling unit and guest rooms may satisfy the barrier requirement from dwelling unit to pool whenever no children under the age of six (6) are permanent occupants of the property. It shall be the owner's responsibility to maintain this alarm system fully functional at all times. This exception does not eliminate the requirement to restrict access to the pool from public or adjacent private property using a permanent fence, wall or barrier

Access to Schools

- Amend Section 3.1.4 D

D. Schools; public or private, boarding, college or university (Eliminate Sub-Sections)

1. The facility shall meet fire code, building code and any other applicable regulations.
2. All access for high schools, boarding schools, or colleges shall be from an arterial or collector roadway, as classified in the Somerton Transportation Plan; vehicular ingress and egress to local streets is prohibited.
3. Elementary schools shall not be located adjacent to arterial roads or roads with higher classifications.
4. A separate Conditional Use Permit shall be required for any additional accessory uses customarily found in conjunction with schools, including classrooms, dormitories, stadiums, outdoor recreational lighting, and auditoriums which were not specifically described when the CUP was originally approved.
5. Schools shall comply with the outdoor lighting requirements established in Section 4.6 and may require a separate Conditional Use Permit; unless modified as part of the CUP process.
6. Schools shall comply with the building setback and building height requirements established by the zoning district for which the School is located; unless modified as part of the CUP process.
7. Schools shall comply with Landscaping and Screening requirements as specified in Section 4.4; unless modified as part of the CUP process.
8. Schools shall comply with all parking requirements specified in Section 4.3; unless modified as part of the CUP process.
9. Schools shall comply with all signage requirements specified in Section 4.5; unless modified as part of the CUP process.

Marijuana Uses Proposed Zoning Code Text Amendment

City of Somerton | Community Development Department
City Council Work-Session March 30, 2021

Allowed Uses and Zoning Districts

CURRENT

1. **Non-Profit Medical Marijuana Dispensary, Cultivation Site**
A not-for-profit entity that acquires, possesses, cultivates, manufactures, delivers, transfers, transports, supplies, sells or dispenses marijuana or related supplies and educational materials to cardholders.
2. **Medical Marijuana Testing Facility**
An Independent third-party laboratory - An entity that has a national or international accreditation and that is certified by the Arizona Department of Health Services to analyze marijuana cultivated for medical use.

PROPOSED

1. **Non-Profit Medical Marijuana Dispensary**
A not-for-profit entity that acquires, possesses, cultivates, manufactures, delivers, transfers, transports, supplies, sells or dispenses marijuana or related supplies and educational materials to cardholders.
2. **Marijuana Establishment**
(i) A single retail location at which the licensee may sell marijuana and marijuana products to consumers, cultivate marijuana and manufacture marijuana products.
(ii) A single off-site cultivation location at which the licensee may cultivate marijuana, process marijuana and manufacture marijuana products, but from which marijuana and marijuana products may not be transferred or sold to consumers.
(iii) A single off-site location at which the licensee may manufacture marijuana products and package and store marijuana and marijuana products, but from which marijuana and marijuana products may not be transferred or sold to consumers.
3. **Dual-Licensee** - An entity that holds both a nonprofit medical marijuana dispensary registration and a marijuana establishment license.
4. **Medical Marijuana Testing Facility**
An Independent third-party laboratory - An entity that has a national or international accreditation and that is certified by the Arizona Department of Health Services to analyze marijuana cultivated for medical use.
5. **Marijuana Testing Facility**
The Arizona Department of Health Services or another entity that is licensed by the Arizona Department of Health Services to analyze the potency of marijuana and test marijuana for harmful contaminants.

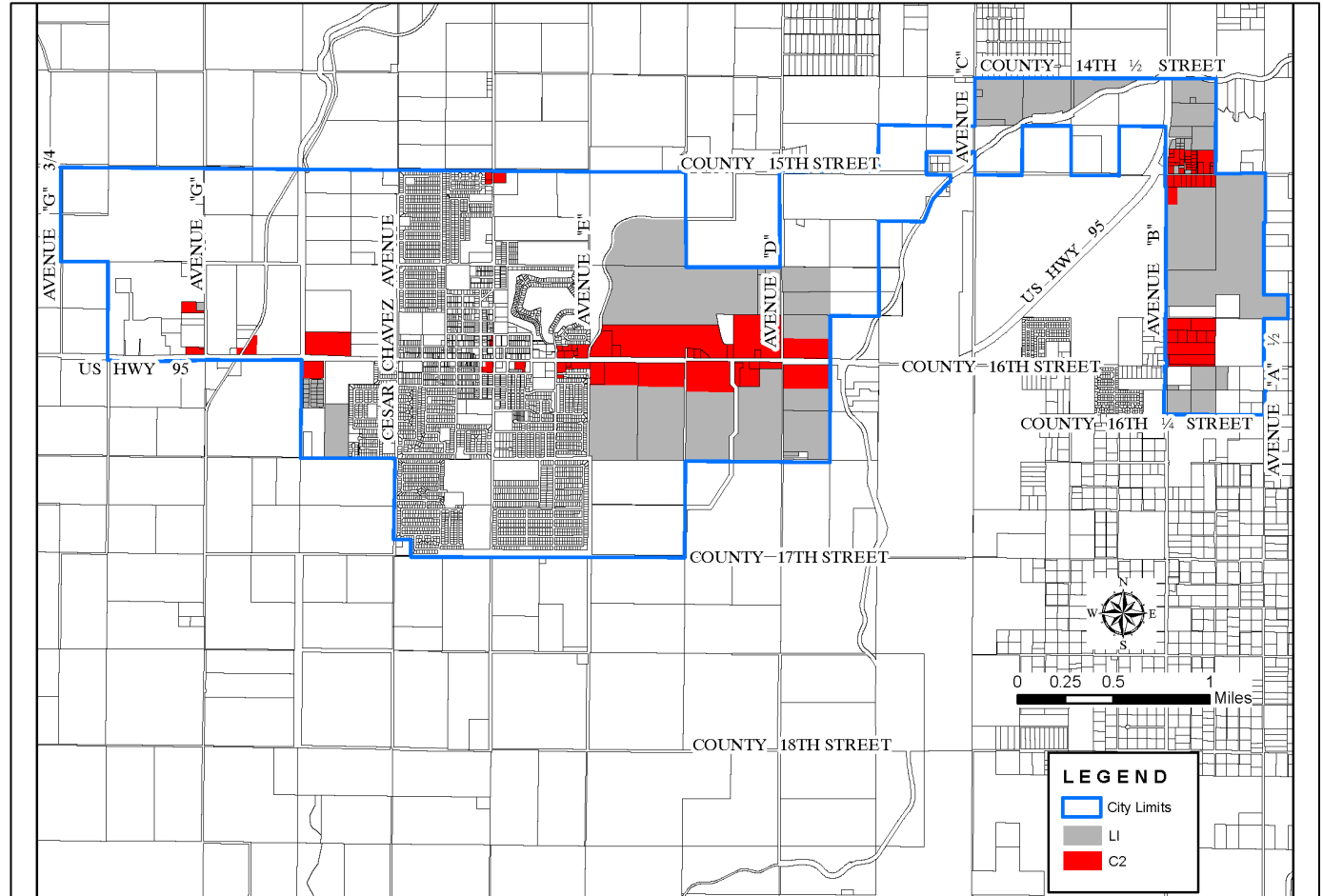
Non-Profit Medical Marijuana Dispensary – With On-Site Cultivation Marijuana Establishment – With On-Site Cultivation

CURRENT

1. Light Industrial (L-I)
Medical Only - Conditional Use
2. General Commercial (C-2)
Medical Only - Conditional Use

PROPOSED

1. Light Industrial (L-I)
Medical and Recreational -
Permitted Use
2. General Commercial (C-2)
Medical and Recreational -
Permitted Use



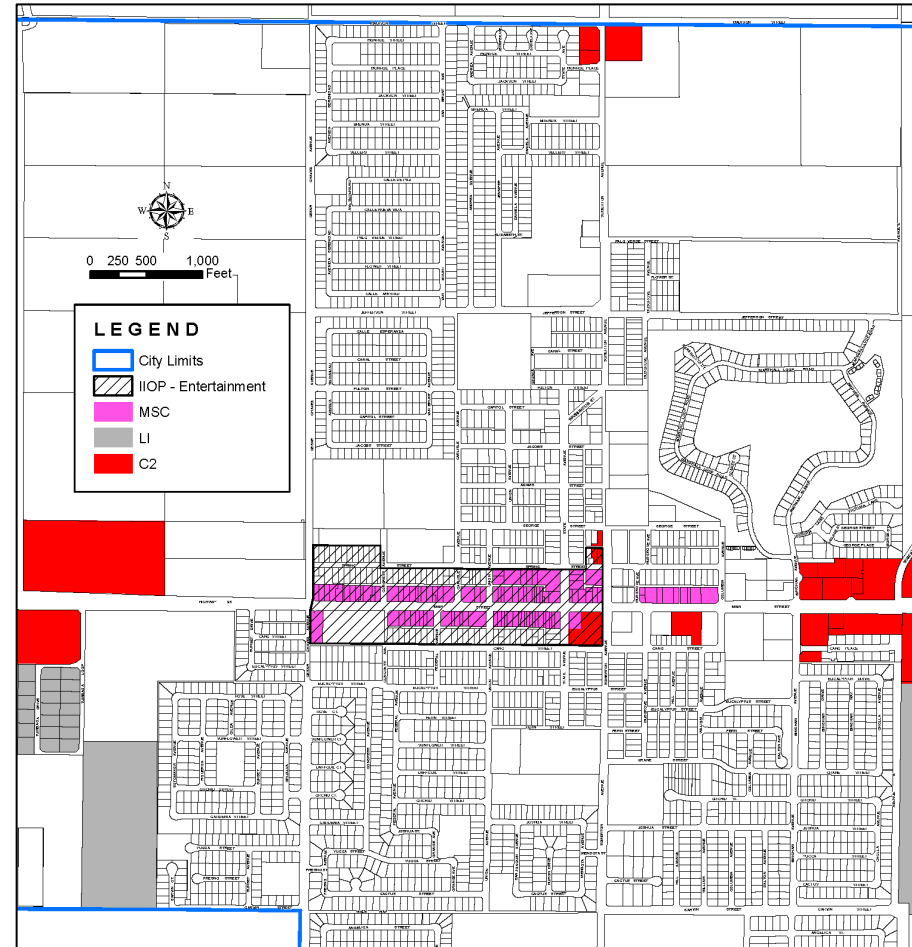
Non-Profit Medical Marijuana Dispensary –No On-Site Cultivation Marijuana Establishment – No On-Site Cultivation

CURRENT

1. Light Industrial (L-I)
Medical Only - Conditional Use
2. General Commercial (C-2)
Medical Only - Conditional Use

PROPOSED

1. Light Industrial (L-I)
Medical and Recreational - Permitted Use
2. General Commercial (C-2)
Medical and Recreational - Permitted Use
3. MSC (Main Street Corridor)
Medical and Recreational - Permitted Use
on Properties facing Main Street only
4. Infill Incentive Overlay –
Entertainment District
Medical and Recreational - Permitted Use
on Properties facing Main Street only



Medical Marijuana Testing Facility Marijuana Testing Facility

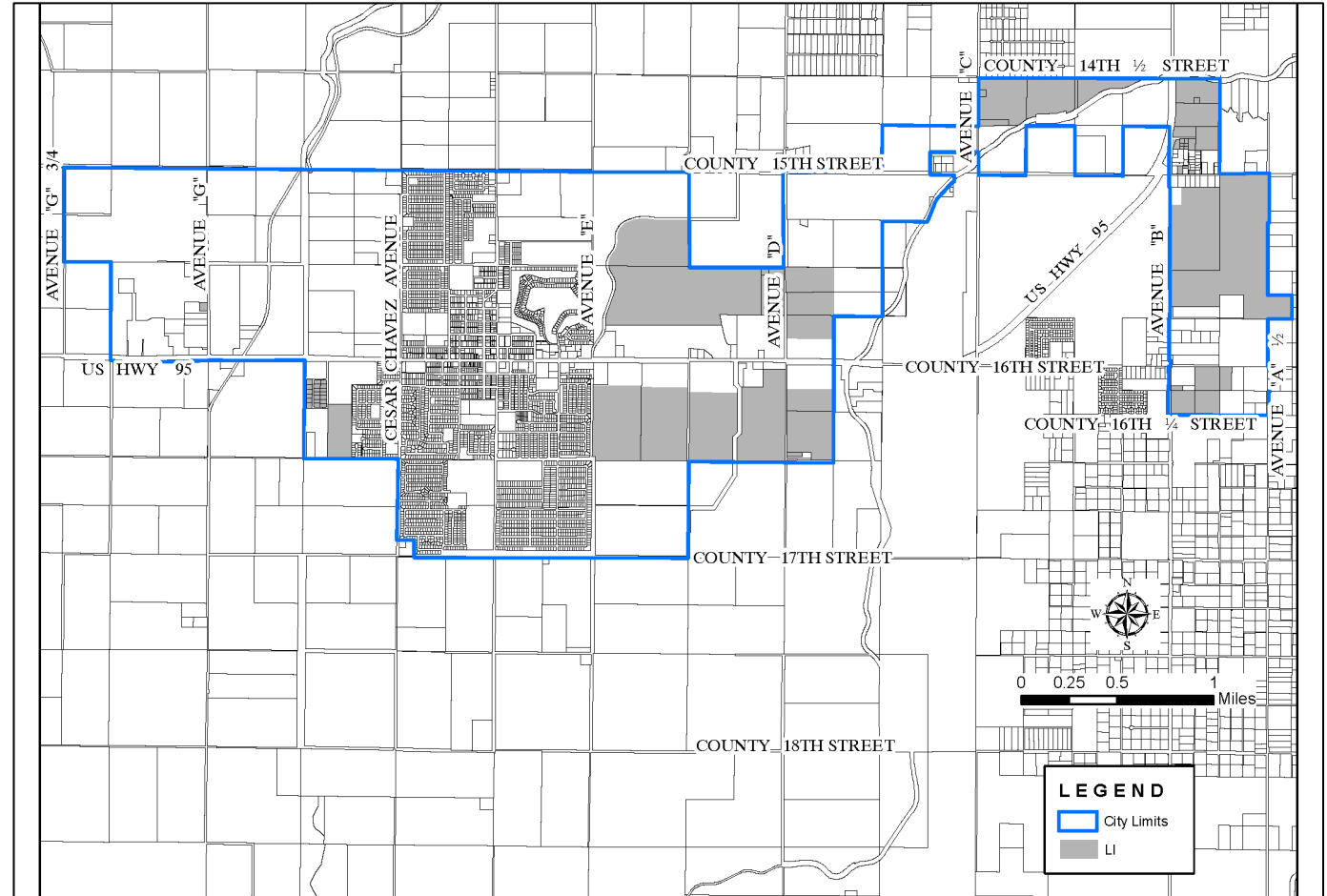
CURRENT

1. Light Industrial (L-I)
Medical Only - Conditional Use
2. General Commercial (C-2)
Medical Only - Conditional Use

PROPOSED

1. Light Industrial (L-I)
Medical and Recreational
Testing Facility - Permitted Use

(State accredited Facility or
State Run Facility Only)



Proposed Amendments

CURRENT

- Zoning Ordinance only Recognizes Non-Profit Medical Marijuana Dispensary
- 1000' Distance Required from Property Line of Parcel Containing one of the Following Uses; residence, public park, educational facility, library, bar or restaurant dispensing alcoholic beverages, adult oriented business or another medical marijuana dispensary.
- Any Dispensary located in a C-2 Zoning District location requires incorporation of Medical Research and Pharmaceutical Product Development Site.
- Conditional Use Permit Required in C-2 and L-I Zoning Districts
- \$2500 Non-Refundable Application Fee. Yearly renewal fee of \$2,500.

PROPOSED

- Zoning Ordinance would Recognize Non-Profit Medical Marijuana Dispensary AND Marijuana Establishment Uses
- 300' Distance Required from Property Line of Parcel Containing one of the Following Uses; residence, public park, educational facility, library, adult oriented business or another marijuana dispensary.
- Restaurants and bars dispensing alcoholic beverage are removed from distance requirement.
- Eliminate Medical Research and Pharmaceutical Product Development Site component required for both Medical and Recreational Dispensaries located in a C-2 Zoning District.
- IIO – Entertainment (Infill Incentive Overlay Entertainment District) exempt from 300' distance required. **Use only allowed on properties facing Main Street.**
- Eliminate the requirement of Conditional Use Permit (CUP) in all Zoning Districts.
- \$2500 Non-Refundable Application Fee. Yearly renewal fee of \$2,500.

Timeframe for Approval

All Text Amendments to the Somerton Zoning Ordinance Require approval by the Somerton City Council in a public hearing setting after being considered by the Somerton Planning and Zoning Commission in a public hearing setting. Text amendments also require a Citizen Review Process in the form of a Work Session with the Planning and Zoning Commission. Arizona Revised Statutes require that ample notification is given to the public prior to conducting any public hearing or citizen review process related to the proposed text amendment. Below is the fastest possible adoption scheduled based on the requirements of the A.R.S and Somerton Zoning Ordinance.

1. March 16 2021 - Presentation to City Council. Information Only. **Complete**
2. March 16 thru March 25 2021 – Staff Research and Preparation. **Complete**
3. March 26 2021 Notification for Planning and Zoning Commission Work Session, 1st Public Hearing, and 2nd Public Hearing Sent. **Complete**
4. March 30 2021 – Work Session with Somerton City Council.
5. April 9 2021 – Required Planning and Zoning Commission Work Session.
6. April 19 2021 – First Public Hearing with Planning and Zoning Commission.
7. May 4 2021 – Second Public Hearing with City Council. First Reading of Ordinance.
8. May 18 2021 – Second Reading of Ordinance.
9. June 19 2021 – Text Amendment becomes effective.

Questions?

	YUMA	SAN LUIS	SOMERTON (PROPOSED)
TYPE PERMITTED	MEDICAL & DUAL-LICENSEE	MEDICAL, REC., & DUAL LICENSEE	MEDICAL, RECREATIONAL, & DUAL-LICENSEE
PROCESS TYPE	PERMITTED BY RIGHT	PERMITTED BY RIGHT 1000'	PERMITTED BY RIGHT
DISTANCE REQUIRMENT	1000' FROM SELECT USES	FROM SELECT USES	300' FROM SELECT USES
ZONING ALLOWED	C-2 & L-I	L-I	C-2, L-I, MSC / IIO ENTERTAINMENT
TEST FACILITY ALLOWED	NO	NO	YES

No. 2021-XXX

AN ORDINANCE OF THE MAYOR AND CITY COUNCIL, AMENDING THE SOMERTON CITY CODE ARTICLE 2-7, CITY OF SOMERTON ZONING AND SUBDIVISION ORDINANCE BY REMOVING THE ENTIRE SECTION 3.1.5.M MEDICAL MARIJUANA DISPENSARY, CULTIVATION SITE, AND REPLACING IT WITH A NEW SECTION 3.1.5 M; MEDICAL MARIJUANA, MARIJUANA ESTABLISHMENT, CULTIVATION AND TESTING FACILITIES ESTABLISHING A PURPOSE; SETTING FORTH DEFINITIONS; PROHIBITING MARIJUANA ON PUBLIC PROPERTY; REGULATING MARIJUANA ESTABLISHMENTS; CULTIVATION SITES; AND MARIJUANA TESTING FACILITIES; ESTABLISHING REGULATIONS FOR PERSONAL USE AT RESIDENCES; AUTHORIZING RETAIL SALES FROM MARIJUANA AND MARIJUANA PRODUCTS; IMPOSING FEES; SETTING FORTH VIOLATIONS; PROVIDING FOR ENFORCEMENT AND PENALTIES; AMEND TABLES OF ALLOWED USES 2.4-1 MAIN STREET CORRIDOR (MSC); 2.5-1 GENERAL COMMERCIAL (C-2), 2.6-1 LIGHT INDUSTRIAL (L-I); AND INFILL, INCENTIVE OVERLAY-ENTERTAINMENT DISTRICT; AND PROVIDING FOR SEVERABILITY.

WHEREAS, the City of Somerton City Council adopted Ordinance No. 2015-002, CITY OF SOMERTON ZONING AND SUBDIVISION ORDINANCE, and Article 2-7 on March, 3, 2015; and,

WHEREAS, the Arizona Medical Marijuana Act, Arizona Revised Statutes § 36-2801 et al., and Title 9, Chapter 17 of the Arizona Administrative Code allow the establishment and operation of nonprofit medical marijuana dispensaries and cultivation sites in the City of Somerton (“City”) according to a prescribed statutory and regulatory process;

WHEREAS, the statewide ballot measure I-23-2020, known as the “Smart and Safe Arizona Act” was certified by Proposition 207 and placed on the November 3, 2020 general election ballot, where it was approved by a majority of the votes cast at the November 3, 2020 general election;

WHEREAS, the City finds that Proposition 207 authorizes marijuana establishments and testing facilities to use chemical extraction or chemical synthesis, including butane and other flammable gases to extract marijuana concentrate, which poses a threat to the health, safety, and security of the community and increases the responsibilities of law enforcement and other City departments to respond to violations of state and local laws, including building, electrical, plumbing, and fire codes; and

WHEREAS, the City seeks to protect the public health, safety, and welfare of the City of Somerton, as follows:

Section 3.1.5 M. of the Somerton Zoning Ordinance is hereby removed in its entirety and replaced by a new **SECTION 3.1.5 M; MEDICAL MARIJUANA, MARIJUANA ESTABLISHMENT, CULTIVATION AND TESTING FACILITIES** to read as follows:

1. **Purpose:** The City has a duty to protect the health, safety, and welfare of the community. Except as allowed by law for personal, private use. The City enacts reasonable regulations and requires compliance with zoning laws for the retail sale, cultivation and manufacturing of marijuana or marijuana products in a marijuana establishment, the cultivation, processing and manufacturing of marijuana in a primary residence and in the regulation of marijuana testing facilities. Nothing in this article is intended to promote or condone the sale, cultivation, manufacture, transport, production, distribution, possession, storage, or use of marijuana or marijuana products in violation of any applicable law.
2. **Definitions:**
Medical Marijuana and Marijuana Establishments shall include the following terms as identified in the ARS §36-2801 and ARS § 36-2850.

Non-Profit Medical Marijuana Dispensary - a not-for-profit entity that acquires, possesses, cultivates, manufactures, delivers, transfers, transports, supplies, sells or dispenses marijuana or related supplies and educational materials to cardholders.

Marijuana Establishment:

- (i) A single retail location at which the licensee may sell marijuana and marijuana products to consumers, cultivate marijuana and manufacture marijuana products.
- (ii) A single off-site cultivation location at which the licensee may cultivate marijuana, process marijuana and manufacture marijuana products, but from which marijuana and marijuana products may not be transferred or sold to consumers.
- (iii) A single off-site location at which the licensee may manufacture marijuana products and package and store marijuana and marijuana products, but from which marijuana and marijuana products may not be transferred or sold to consumers.

City – means the City of Somerton, Arizona.

Consume, Consuming and Consumption – means the act of ingesting, inhaling, or otherwise introducing marijuana into the human body.

Consumer – means an individual who is at least twenty-one years of age and who purchases marijuana or marijuana products.

Cultivate or Cultivations – means to propagate, breed, grow, prepare, and package marijuana.

Department – means the *State* of Arizona Department of Health Services or its successor agency.

Dual Licensee – means an entity that holds both a nonprofit medical marijuana dispensary registration and a marijuana establishment license.

Extraction – means the process of extracting or separating resin from marijuana to produce or process any form of marijuana concentrates using water, lipids, gases, solvents, or other chemicals or chemical processes.

Manufacture or Manufacturing – means to compound, blend, extract, infuse, or otherwise make or prepare a marijuana product.

Marijuana – Means all parts of the plant of the genus *cannabis*, whether growing or not, as well as the seeds from the plant, the resin extracted from any part of the plant, and every compound, manufacture, salt, derivative, mixture, or preparation of the plant or its seeds or resin. Includes *cannabis* as defined in ARS § 13-3401. Does not include industrial hemp, the fiber produced from the stalks of the plant of the genus *cannabis*, oil, or cake made from the seeds of the plant, sterilized seeds of the plant that are incapable of germination, or the weight of any other ingredient combined with marijuana to prepare topical or oral administrations, food, drink, or other products.

Marijuana Concentrate – Means resin extracted from any part of a plant of the genus *cannabis* and every compound, manufacture, salt, derivative, mixture, or preparation of the resin or tetrahydrocannabinol. Does not include industrial hemp or the weight of any other ingredient combined with *cannabis* to prepare topical or oral administrations, food, drink, or other products.

Marijuana Products – means marijuana concentrate and products that are composed of marijuana and other ingredients and that are intended for use or consumption, including edible products, ointments, and tinctures.

Marijuana Testing Facility – means the Department or another entity that is licensed by the Department to analyze the potency of marijuana and test marijuana for harmful contaminants.

Open Space – means a public park, public sidewalk, public walkway, public trail, preserve, public pedestrian thoroughfare, or public rights-of-way.

Public Place – has the same meaning prescribed in the Smoke-Free-Arizona Act, ARS §36-601-01.

Smoke – means to inhale, exhale, burn, carry, or possess any lighted marijuana or lighted marijuana products, whether natural or synthetic.

3. Siting of Medical Marijuana and Marijuana Establishments having On-Site Cultivation and Manufacturing.

Medical Marijuana and Marijuana Establishments having on-site Cultivation and/or Manufacturing of Marijuana as defined in ARS 36-2801 and ARS 36-2850, as well as in the definitions of each respective use listed in Section 3.1.5 M 1 of this ordinance shall only be permitted in the L-I (Light Industrial) and C-2 (General Commercial) Zoning Districts.

4. Siting of Medical Marijuana and Marijuana Establishments having no On-Site Cultivation

Medical Marijuana and Marijuana Establishments having no on-site Cultivation and/or Manufacturing of Marijuana as defined in ARS 36-2801 and ARS 36-2850, as well as in the definitions of each respective use listed in Section 3.1.5 M1 of this ordinance shall be permitted in the L-I (Light Industrial) and C-2 (General Commercial) Zoning Districts and on Main Street fronting properties located in the MSC (Main Street Corridor) Zoning District and/or Infill Incentive Overlay -Entertainment District.

5. Supplemental Siting Requirements

No Medical Marijuana, Marijuana, or Dual-Licensee shall be located within 300' of the property line of a parcel having one of the following uses on the premises: Residence, Educational Facility, Library, Public Park, Day Care Facility, Worship Assembly Use, or another Non-Profit Medical Marijuana Dispensary, Marijuana Establishment, or Dual-Licensee. Properties located inside the Infill Incentive Overlay – Entertainment District shall be exempt from this requirement.

6. Medical Marijuana and Marijuana Testing Facility Use Definitions

Medical Marijuana and Marijuana Testing Facilities shall include the following terms as identified in ARS 36-2801 and ARS 36-2850;

- a) Independent third-party laboratory - An entity that has a national or international accreditation and that is certified by the Arizona Department of Health Services to analyze marijuana cultivated for medical use.
- b) Marijuana testing facility – The Arizona Department of Health Services or another entity that is licensed by the Arizona Department of Health Services to analyze the potency of marijuana and test marijuana for harmful contaminants.

7. Siting of Medical Marijuana and Marijuana Testing Facilities

Medical Marijuana and Marijuana Testing Facilities shall only be permitted in the L-I (Light Industrial) Zoning District.

8. Supplemental Siting Requirements

No Medical Marijuana Testing Facility or Marijuana Testing Facility shall be located

within 300' of the property line of a parcel having one of the following uses on the premises: Residence, Educational Facility, Library, Public Park, Day Care Facility, Worship Assembly Use, Non-Profit Medical Marijuana Dispensary, Marijuana Establishment, Dual Licensee, or another Medical Marijuana Testing Facility or Marijuana Testing Facility

9. Marijuana Prohibited on Public Property.

To the fullest extent allowable by law, it is unlawful to possess, smoke, consume, sell or distribute, store, cultivate, manufacture, or produce marijuana or marijuana products on or in property that is occupied, owned, controlled, or operated by the City; And smoke marijuana or consume marijuana products in an open space in the City.

Tables of Allowed Uses amending for Zoning District Main Street Corridor, Table 2.4-1; General Commercial, Table 2.5-1; Light Industrial, Table 2.6-1; and Infill Incentive Overlay-Entertainment District to allow for Medical Marijuana and Marijuana Establishments as a new Use Category.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Common Council of the City of Somerton, Arizona as follows:

SECTION ONE: That the Somerton City Code, Article 2-7, **SOMERTON ZONING AND SUBDIVISION ORDINANCE** will be amended as presented above.

SECTION TWO: That these changes are in accordance with Article II, Sections 1 and 2 of the Constitution of Arizona.

SECTION THREE: That the City Council has considered the individual property rights and personal liberties of the City residents before adopting this ordinance.

SECTION FOUR: If any section, subsection, sentence, clause, phrase, or portion of this ordinance 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 thereof.

PASSED AND ORDAINED by Mayor and Council of the City of Somerton Arizona this _____ day of _____, 2021.

Gerardo Anaya, Mayor

ATTEST:

Jerry Cabrera, City Manager

APPROVED AS TO FORM:

Jorge Lozano, City Attorney