

## MARANA ORDINANCE NO. 2022.027

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RELATING TO FINANCE; AMENDING THE TOWN OF MARANA COMPREHENSIVE FEE SCHEDULE TO REDUCE THE SIGNATURE EVENT VENDOR FEE - NON FOOD VENDOR - SINGLE; APPROVING AND AUTHORIZING A RETROACTIVE, PARTIAL WAIVER OF THE SIGNATURE EVENT VENDOR FEE - NON FOOD VENDOR - SINGLE FOR THE 2022 FALL FESTIVAL AND THE 2022 HOLIDAY FESTIVAL SIGNATURE EVENTS; AND ESTABLISHING AN EFFECTIVE DATE

WHEREAS the Town Council is authorized by A.R.S. § 9-240(A) to control the finances of the Town; and

WHEREAS the Town Council, via Ordinance No. 2021.008, adopted an amended comprehensive fee schedule on May 18, 2021, which was made a public record by and attached as Exhibit A to Resolution No. 2021-071; and

WHEREAS from time to time the Town Council has adopted amendments to the comprehensive fee schedule, most recently on October 18, 2022, via Ordinance No. 2022.023; and

WHEREAS the comprehensive fee schedule includes a "Signature Event Vendor Fee - Non Food Vendor - Single", which is currently \$150.00 per event (the "Approved Fee"); and

WHEREAS the Approved Fee was intended to be increased from \$100.00 to \$125.00 for fiscal year 2022-2023 ("FY23"), but was erroneously increased to \$150.00 when the comprehensive fee schedule was amended on May 17, 2022 via Ordinance No. 2022.009; and

WHEREAS for both the 2022 Fall Festival and the 2022 Holiday Festival signature events, vendors were charged the intended fee of \$125.00 instead of the Approved Fee of \$150.00; and

WHEREAS to correct the error, Town staff seeks Council approval to amend the Approved Fee from \$150.00 to \$125.00 in the comprehensive fee schedule and to retroactively waive \$25.00 of the Approved Fee for the 2022 Fall Festival and the 2022 Holiday Festival signature events; and

WHEREAS the Mayor and Council of the Town of Marana find that amending the fee schedule and partially waiving the Approved Fee, as set forth in this ordinance, are in the best interests of the Town and its residents.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the Town of Marana, Arizona, as follows:

SECTION 1. The Town of Marana comprehensive fee schedule adopted via Ordinance No. 2021.008, as previously amended, is hereby amended (with deletions shown with ~~strikeouts~~ and additions shown with double underlining) (only amendments to the fee schedule are shown; the remainder of the fee schedule is unchanged):

Fee/Description	Amount	Unit of Measure	Notes
<b>COMMUNITY SERVICES: PARKS, RECREATION &amp; SPECIAL EVENTS</b>			
Signature Event Vendor Fee - Non Food Vendor - Single	<del>\$150.00</del> <u>\$125.00</u>	Per Event	This fee is for a single booth. Includes electricity and waives cost for 10 day temporary business license.

SECTION 2. The Town Council hereby retroactively waives the collection of \$25.00 of the Approved Fee for the 2022 Fall Festival and 2022 Holiday Festival signature events.

SECTION 3. The various town officers and employees are authorized and directed to perform all acts necessary or desirable to give effect to this ordinance.

SECTION 4. All ordinances, resolutions, or motions and parts of ordinances, resolutions, or motions of the Council in conflict with the provisions of this ordinance are hereby repealed, effective as of the effective date of this ordinance.

SECTION 5. If any section, subsection, sentence, clause, phrase or portion of the this ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, the decision shall not affect the validity of the remaining portions of this ordinance.

SECTION 6. This ordinance shall become effective on the 31<sup>st</sup> day after its adoption.

PASSED AND ADOPTED by the Mayor and Council of the Town of Marana, Arizona, this 6th day of December 2022.

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Mayor Ed Honea

ATTEST:

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David E. Udall, Town Clerk

APPROVED AS TO FORM:

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Jane Fairall, Town Attorney

