

ORDINANCE NO. 16-1061

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AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF DOUGLAS, COCHISE COUNTY, ARIZONA, AUTHORIZING THE SALE OF IMPROVED REAL ESTATE LOCATED AT 1000 N. PAN AMERICAN AVENUE AND MORE COMMONLY KNOWN AS THE YMCA BUILDING TO KEITH C. & GUADALUPE DINWIDDIE PURSUANT TO TERMS ENTERED INTO BY THE PARTIES; ESTABLISHING SEVERABILITY OF COMPONENTS OF ORDINANCE; AND ESTABLISHING AN EFFECTIVE DATE THEREOF.

WHEREAS, Article I, Section 3 (A) of the City Charter empowers the City to acquire real property for any City purpose and to sell or otherwise dispose of real property in the manner, for such consideration and upon such conditions as may be determined by the City Council; and

WHEREAS, Article VII, Section 5 (12) of the City Charter provides that the acquisition, sale, lease or exchange of real property shall be by ordinance; and

WHEREAS, the Mayor and Council find that it is in the best interest of the City of Douglas to sell an improved lot located in the downtown area commonly known as the YMCA building in Douglas, Arizona, and more specifically described on the attached Exhibit "A", which is incorporated herein by reference; and

WHEREAS, the Mayor and Council find that the sale of the improved real property is in the best interest of the City pursuant to the terms and conditions described on the attached Exhibit "B" as entered into by the parties.

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

Section 1. The City is authorized to sell to Keith C. & Guadalupe Dinwiddie, the improved real estate more specifically described on the attached Exhibit "A" for a total purchase price of \$70,000 plus associated closing costs per the terms of the accepted offer in Exhibit "B".

Section 2. Approving the terms of the accepted offer in Exhibit "B", attached hereto and incorporated herein by reference.

Section 3. The City Manager is authorized and directed to sign and execute all documents necessary to consummate the sale of the property.

Section 4. Severability: If any chapter, section, subsection, sentence, clause or phrase 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 of this Ordinance and this Ordinance shall continue in full force and effect after the deletion of the illegal or unconstitutional provision.

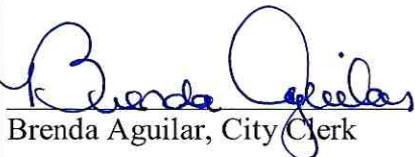
1 **Section 5. Effective date.** The provisions in this Ordinance shall be effective thirty (30) days
2 after final approval and adoption by the Mayor and Council.

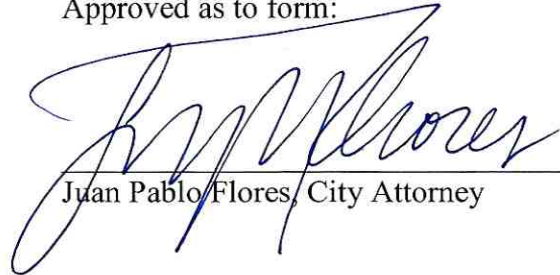
3 **PASSED AND ADOPTED** by the Mayor and Council of the City of Douglas, Arizona, this 13th
4 day of April, 2016.

5 
Daniel Ortega Jr., Mayor

6 Attest:

Approved as to form:

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8 Brenda Aguilar, City Clerk
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Juan Pablo Flores, City Attorney

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ORDINANCE NO. 16-1062

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AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE
CITY OF DOUGLAS, COCHISE COUNTY, ARIZONA,
ESTABLISHING A NEW SECTION TO THE WATER AND
SEWER CODE UNDER SECTION 13.04.010 TITLED
PRETREATMENT PROGRAM AS PART OF THE CITY
WATER AND SEWER CODE AND AMENDING ORDINANCES
NO. 405, 755, 794, 06-904, 07-906, 08-923, 09-973 AND
RESOLUTION NO. 11-866, ESTABLISHING SEVERABILITY
OF COMPONENTS OF ORDINANCE; AND ESTABLISHING
AN EFFECTIVE DATE THEREOF.

7 **WHEREAS**, the City of Douglas owns and operates the City water and sewage works and provides
8 water and sewer services to consumers living in the Douglas area; and

9 **WHEREAS**, this City Ordinance indirectly amends all noted Ordinances and Resolutions and
10 establishes a new Section to Chapter 13.04 of the Douglas Municipal Code under Section 13.04.010 to
11 be titled Pretreatment Program; and

12 **WHEREAS**, the City's Public Services Code allows the City to make modifications to the provision of
13 water and sewer services; and

14 **WHEREAS**, the City Council now finds that in order for the City water and sewage works to be in full
15 compliance county, state, federal, health, safety, environmental, hazardous materials or other
16 governmental or public agency codes, ordinances, regulations, or orders with respect to the City
17 wastewater system, it is necessary to establish this new program.

18 **NOW, THEREFORE, be it ordained by the Mayor and Council of the City of Douglas, Arizona,**
19 **as follows:**

20 **Section 1.** The Section 13.04.010 titled Pretreatment Program of the City of Douglas Water and Sewer
21 Code under Chapter 13 of the Municipal Code, attached hereto as Exhibit "A", and incorporated herein
22 by reference as though fully set forth herein verbatim is approved amending the noted Ordinances and
23 Resolutions at the time this ordinance becomes effective.

24 **Section 2.** Section 13.04.020 (N) of the City of Douglas Water and Sewer Code under Chapter 13 of the
25 Municipal Code is also amended deleting the subsections 1-9 therein as shown on Exhibit "A", and
incorporated herein by reference as though fully set forth herein verbatim is also approved amending
the noted Ordinances and Resolutions at the time this ordinance becomes effective.

Section 3. Severability. If any chapter, section, subsection, sentence, clause or phrase 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 of this
Ordinance.

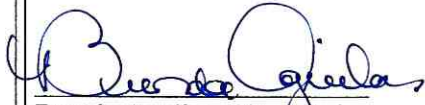
Section 4. Effective date. The provisions in this Ordinance shall be effective thirty (30) days after
final approval and adoption by the Mayor and Council.

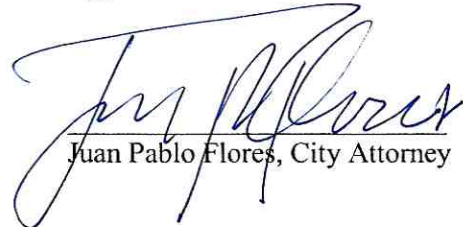
1 **PASSED AND ADOPTED** by the Mayor and Council of the City of Douglas, Arizona, this 13th
2 **day of April, 2016.**

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Daniel Ortega Jr., Mayor

4 Attest:

Approved as to Form:

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6 Brenda Aguilar, City Clerk

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Juan Pablo Flores, City Attorney

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