

**ORDINANCE NO. 16-06**

**AN ORDINANCE OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF QUARTZSITE, ARIZONA, AMENDING THE TOWN CODE OF THE TOWN OF QUARTZSITE, ARIZONA, CHAPTER 15 ZONING, BY AMENDING THE ZONING ARTICLES, BY AMENDING ARTICLE III RULES OF CONSTRUCTION AND DEFINITIONS, SECTION 2 DEFINITIONS TO ADD A DEFINITION OF "CRAFTER"; AND BY AMENDING THE ZONING ARTICLES, ARTICLE VII GENERAL PROVISIONS, SECTION 22 YARD SALES, SWAPMEETS, AND RUMMAGE SALES TO ADD NEW PARAGRAPH 3 RELATED TO CRAFT SALES; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING PENALTIES**

BE IT ORDAINED by the Mayor and Common Council of the Town of Quartzsite, Arizona, as follows:

Section 1. In General.

The Code of Quartzsite, Arizona, Chapter 15 Zoning is hereby amended by amending the Zoning Articles, Article III Rules of Construction and Definitions, Section 2 Definitions to add a definition of "crafter" to read as follows (additions shown in ALL CAPS; deletions shown in ~~strikeout~~):

\* \* \*

**PARAGRAPH 26.1 CRAFTER:** A HOBBIEIST MAKING OR HAND-ASSEMBLING ITEMS OR ARTWORKS FOR SALE ON AN OCCASIONAL BASIS AT A LOCAL CRAFT SALE.

**PARAGRAPH 26.2 CRAFT SALE:** A GATHERING OF CRAFTERS FOR THE SALE OF HANDMADE OR HAND-ASSEMBLED ITEMS OR ARTWORKS ORGANIZED AND HELD BY A BONA FIDE LOCAL CLUB OR NON-PROFIT ORGANIZATION.

\* \* \*

The Code of Quartzsite, Arizona, Chapter 15 Zoning is hereby amended by amending the Zoning Articles, Article VII General Provisions, Section 22 Yard Sales, Swapmeets, and

Rummage Sales to add new Paragraph 3 to read as follows (additions shown in ALL CAPS; deletions shown in ~~strikeout~~):

**SECTION 22        YARD SALES, SWAP MEETS, CRAFT SALES AND RUMMAGE SALES.**

**Paragraph 1**        Yard sales AND RUMMAGE SALES are permitted in all residential neighborhoods provided that such sales are held on the premises, said sale lasting no longer than seventy-two (72) hours at a time and held no more frequently than one (1) time every thirty (30) days.

**Paragraph 2**        Yard sales AND RUMMAGE SALES held longer than seventy-two (72) hours at a time or held more frequently than one (1) time every thirty (30) days at any single address, are considered to be a swap meet and shall be restricted to commercially zoned area by special use permit. ~~Swap meets are allowed subject to review and approve by the Town~~ consistent with administrative rules and procedures adopted by the Town Council.

**PARAGRAPH 3**        CRAFT SALES ARE PERMITTED IN ANY COMMERCIAL ZONE. CRAFT SALES SHALL BE LIMITED TO ONE (1) CRAFT SALE OF A DURATION OF NO LONGER THAN THREE DAYS (72 HOURS) IN ANY THIRTY (30) DAY PERIOD. NO TOWN PERMIT(S) SHALL BE REQUIRED.

Section II.        Providing for Repeal of Conflicting Ordinances.

All ordinances and parts of ordinances in conflict with the provisions of this Ordinance or any part of the Code adopted herein by reference, are hereby repealed.

Section III.        Providing for Severability.

If any section, subsection, sentence, clause, phrase or portion of this Ordinance or any part of the Code adopted herein by reference, 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.

Section IV.        Providing for Penalties

Any person found guilty of violating any provision of this Ordinance shall be guilty of a misdemeanor, and upon conviction thereof shall be punishable by a fine not to exceed Two

Thousand Five Hundred Dollars (\$2,500) or by imprisonment for a period not to exceed six (6) months, or both such fine and imprisonment. Each day that a violation continues shall be a separate offense punishable as herein described.

**PASSED AND ADOPTED** by the Mayor and Common Council of the Town of Quartzsite, Arizona, this 27<sup>th</sup> day of SEPT., 2016 by the following vote:

AYES: MAYOR FOSTER, VM DAVIDSON, CM KELLEY, CM WARNER, CM ORGERON, CM ST. GERMAIN

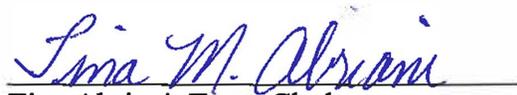
NAYES: Ø ABSENT: Ø

EXCUSED: Ø ABSTAINED: Ø

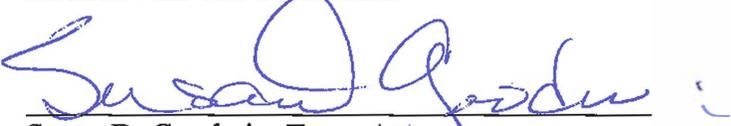
APPROVED this 27<sup>th</sup> day of SEPTEMBER, 2016.

  
Ed Foster, Mayor

ATTEST:

  
Tina Abriani, Town Clerk

APPROVED AS TO FORM:

  
Susan D. Goodwin, Town Attorney

I, TINA ABRIANI, TOWN CLERK, DO HEREBY CERTIFY THAT A TRUE AND CORRECT COPY OF THE ORDINANCE NO. 16-06 ADOPTED BY THE COMMON COUNCIL OF THE TOWN OF QUARTZSITE ON THE 27<sup>th</sup> DAY OF SEPTEMBER, 2016, WAS POSTED IN THREE PLACES ON THE 28<sup>th</sup> DAY OF SEPTEMBER, 2016.

  
Tina Abriani, Town Clerk