

REFERENCE TITLE: cities; towns; water reuse plans

State of Arizona
House of Representatives
Fifty-sixth Legislature
Second Regular Session
2024

HB 2010

Introduced by
Representative Griffin

AN ACT

AMENDING SECTION 9-240, ARIZONA REVISED STATUTES; RELATING TO COMMON COUNCIL.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:
2 Section 1. Section 9-240, Arizona Revised Statutes, is amended to
3 read:
4 9-240. General powers of common council
5 A. The common council shall have control of the finances and
6 property of the corporation.
7 B. The common council shall also have power within the limits of
8 the town:
9 1. To erect, purchase or lease necessary buildings for the purposes
10 of the corporation.
11 2. To appropriate money and provide for the payment of its debts
12 and expenses.
13 3. ~~(a)~~ To exercise exclusive control over the streets, alleys,
14 avenues and sidewalks of the town and to **DO THE FOLLOWING:**
15 (a) Give and change the names thereof.
16 (b) ~~To~~ Prevent and punish for the encumbering thereof, and to abate
17 and remove all encumbrances and obstructions thereon.
18 (c) ~~To~~ Widen, extend, straighten, regulate, grade, clean or
19 otherwise improve the same.
20 (d) ~~To~~ Open, lay out and improve new streets, avenues and alleys.
21 (e) ~~To~~ Vacate or abandon any street, avenue, alley, park, public
22 place or sidewalk in such town or to abolish them, provided that
23 rights-of-way or easements of existing sewer, gas, water or similar
24 pipelines and appurtenances and for canals, laterals or ditches and
25 appurtenances, and for electric, telephone, and similar lines and
26 appurtenances shall continue as they existed ~~prior to~~ **BEFORE** the vacating,
27 abandonment, or abolishment thereof.
28 (f) ~~To~~ Protect the same from encroachment and injury.
29 4. To erect and maintain bridges, culverts, sidewalks and
30 crossways, and prevent and punish for injuries thereto or obstructions
31 thereon.
32 5. ~~(a)~~ To construct and maintain sewers and drains, and prevent
33 and punish for any obstruction ~~thereof, or thereto~~ **OF THE SEWERS AND**
34 **DRAINS.**
35 ~~(b)~~ 6. To change the channels of natural watercourses, to wall the
36 same and cover them over, and regulate the same as sewers.
37 ~~(c)~~ 7. To prevent and punish for the filling up, altering or
38 changing of natural watercourses by private persons.
39 ~~(d)~~ 8. To regulate the bridging of all millraces, irrigating and
40 other ditches at the crossings of public highways, by the owners of such
41 millraces and ditches, and after such bridge or ford is built according to
42 the street commissioner's instructions, the crossing shall thereafter be a
43 public charge.

1 ~~6.~~ 9. To provide the town with water, to construct public wells,
2 cisterns and reservoirs in the streets and other public and private places
3 within the town, or beyond the limits thereof, and to supply the same with
4 pumps and conducting pipes or ditches.

5 ~~7.~~ ~~(a)~~ 10. To provide regulations for the prevention and
6 extinguishment of fires, INCLUDING DOING ANY OF THE FOLLOWING:
7 ~~(b)~~ ~~To prevent~~ (a) PREVENTING the erection of wooden buildings
8 within prescribed limits.
9 ~~(c)~~ ~~To regulate~~ (b) REGULATING the construction of chimneys,
10 furnaces and fireplaces.
11 ~~(d)~~ ~~To regulate~~ (c) REGULATING the storage of explosives, tar,
12 pitch, resin and other combustible or inflammable materials, ~~and to~~
13 ~~prescribe~~ PRESCRIBING the places and manner of storing the same.

14 ~~8.~~ 11. To provide for lighting the streets and other public places
15 of the town, and to exclusively regulate and control the laying and
16 repairing of gas pipes and other appurtenances therein.

17 ~~9.~~ 12. To provide for enclosing, improving and protecting the
18 public grounds and cemeteries of the town, and to direct and regulate the
19 planting of ornamental and shade trees therein and in the streets of the
20 town.

21 ~~10.~~ 13. To establish markets and marketplaces for the town and to
22 regulate the same.

23 ~~11.~~ ~~(a)~~ 14. To establish and maintain necessary cemeteries and
24 burial places for the town beyond the limits thereof.

25 ~~(b)~~ 15. To regulate the burial of the dead.

26 ~~(c)~~ 16. To require a registration of the deaths and births, and to
27 impose penalties ~~upon~~ ON physicians and surgeons for any default in the
28 premises.

29 ~~12.~~ 17. To establish and regulate the police of the town, to
30 appoint watchmen and policemen, and to remove them, and to prescribe their
31 powers and duties.

32 ~~13.~~ 18. To prevent, suppress and punish any riot, rout, affray,
33 disorderly noise or disturbance in any public or private place within the
34 town.

35 ~~14.~~ 19. To prevent, suppress and punish racing or immoderate riding
36 or driving through the streets.

37 ~~15.~~ ~~(a)~~ 20. To prohibit and punish any amusements or practice
38 tending to annoy or obstruct persons passing ~~upon~~ ON the streets or
39 sidewalks, or frighten horses or other animals being ridden or driven
40 thereon.

41 ~~(b)~~ 21. To restrain and punish the ringing of bells, blowing of
42 horns, crying of goods or other noises, performances and practices tending
43 to cause the collection of persons ~~upon~~ ON the streets or sidewalks and
44 the obstruction thereof.

1 ~~16.~~ ~~(a)~~ 22. To prohibit the roaming at large of animals within the
2 town.
3 ~~(b)~~ 23. To authorize the impounding and summary sale ~~thereof~~ OF
4 ANIMALS when found roaming at large contrary to ordinance.
5 ~~(c)~~ 24. To impose penalties ~~upon~~ ON the owners ~~thereof~~ OF ANIMALS
6 for a violation of any ordinance in relation thereto.
7 ~~(d)~~ 25. To regulate, restrain and prohibit the running at large of
8 dogs and to authorize their destruction when at large contrary to any
9 ordinance of the town, and to impose penalties ~~upon~~ ON the owners thereof.
10 ~~17.~~ ~~(a)~~ 26. To suppress and prohibit prostitution and unlawful
11 sexual intercourse and to punish persons guilty thereof.
12 ~~(b)~~ 27. To suppress and prohibit the operation of disorderly
13 houses and to punish the owners, managers, lessees, agents, keepers and
14 inmates thereof.
15 ~~(c)~~ 28. To suppress and prohibit gambling and the operating of
16 gambling houses and to punish the owners, managers and employees thereof
17 and players at such games.
18 ~~18.~~ 29. To fix the amount of license taxes to be paid by any
19 person, firm, corporation or association for carrying on any business,
20 game or amusement, calling, profession or occupation, and prescribe the
21 method of collection or payment of the same, for a stated period in
22 advance, and fix penalties for failure to comply by fine or imprisonment,
23 or both. ~~Nothing in~~ This article ~~shall be construed as authorizing~~ DOES
24 NOT AUTHORIZE any town or city to levy an occupational license or fee on
25 any activity when the general law of the state precludes levying such a
26 license or fee.
27 ~~19.~~ 30. To authorize the clerk to issue licenses, to direct the
28 manner of issuing and registering the same, and the fees of the clerk
29 therefor. ~~No~~ A license ~~shall~~ MAY NOT be granted for more than one
30 year, ~~and not~~ OR COST less than ~~ten dollars nor~~ \$10 OR more than ~~five~~
31 ~~thousand dollars shall be charged for any license so issued~~ \$5,000.
32 ~~20.~~ ~~(a)~~ 31. To provide regulations to prevent the introduction or
33 spread of contagious, loathsome or infectious diseases within the town.
34 ~~(b)~~ 32. To make quarantine laws and enforce them within the town
35 and within two miles thereof, and to provide pest houses and hospitals
36 necessary therefor.
37 ~~21.~~ ~~(a)~~ 33. To define, abate and remove nuisances, and punish
38 persons committing nuisances.
39 ~~(b)~~ 34. To compel the owner or any occupant of any house or
40 premises to clean the grounds, stables, alleys, streets and walks
41 appurtenant and adjacent thereto.
42 ~~(c)~~ 35. To prohibit within the town and within two miles beyond
43 the limits thereof slaughterhouses, tanneries, soap factories,
44 establishments for the steaming or rendering of tallow, lard or offal, and

1 all other establishments and places where any nauseous, offensive or
2 unwholesome business may be carried on.
3 ~~22.~~ 36. To perform other acts, and prescribe other regulations,
4 ~~which~~ THAT may be necessary or expedient for the prevention or suppression
5 of disease.
6 ~~23.~~ 37. To establish and maintain a workhouse or houses of
7 correction, to make regulations for the government thereof and to appoint
8 the officers and keepers thereof.
9 ~~24.~~ 38. To authorize the arrest and punishment of vagrants,
10 stragglers and idle and disorderly persons found loitering or strolling
11 about in public places, leading an immoral or profligate life, and to
12 authorize the confinement of any such person, and persons who fail to pay
13 any fine, in the workhouse or house of correction for a period not
14 exceeding three months.
15 ~~25.~~ ~~(a)~~ 39. To direct and control the laying and construction of
16 railroad tracks, bridges, switches and sidetracks in the streets, alleys
17 and other public places of the town.
18 ~~(b)~~ AND to require ~~the same~~ THEM to be so laid and constructed as to
19 interfere as little as possible with the ordinary travel and use of the
20 streets, and other public places.
21 ~~(c)~~ 40. To authorize the construction of tramways, electric, steam
22 or cable roads and railways in the town, and to regulate the operation
23 thereof, and the fares to be charged thereon and to require the owners
24 thereof to keep in repair the streets wherein the same may be laid, and to
25 construct and keep in repair all bridges, culverts, crossways, ditches and
26 sewers.
27 ~~(d)~~ 41. To regulate the speed of locomotives.
28 ~~26.~~ 42. To levy taxes as hereinafter mentioned in this article.
29 ~~27.~~ 43. To apply any surplus money in the treasury of the town to
30 the extinguishment of the debt of the town, or to provide a sinking fund
31 for that purpose.
32 ~~28.~~ ~~(a)~~ 44. To make, amend or repeal all ordinances necessary or
33 proper for the carrying into effect of the powers vested in the
34 corporation, or any department or officer thereof.
35 ~~(b)~~ ~~To~~ AND TO DO ANY OF THE FOLLOWING:
36 (a) Enforce the observance of such ordinances. ~~, and to~~
37 (b) Punish violations thereof by fine or imprisonment, or both, and
38 by confinement at hard labor, in the discretion of the magistrate or court
39 before whom a conviction may be had, ~~but no.~~ A fine ~~shall~~ MAY NOT be
40 imposed ~~exceeding two thousand five hundred dollars, nor~~ OF MORE THAN
41 \$2,500 OR imprisonment or confinement at hard labor ~~exceeding~~ OF MORE THAN
42 six months.
43 (c) Unless specifically prohibited by statute, to classify
44 ordinance violations as criminal or civil offenses.

1 ~~29.~~ 45. To adopt ordinances for the government of the corporation,
2 its officers and persons within its corporate limits needful for the good
3 government and order of the municipalities, and to provide the manner of
4 prosecution and define the punishment for the violation of such ordinance.
5 46. TO PARTICIPATE IN WATER REUSE AND RECYCLING PROGRAMS AND
6 REGIONAL WASTEWATER RECHARGE PROJECTS AND RELATED INFRASTRUCTURE.