

ORDINANCE NO. 1572

AN ORDINANCE OF THE MAYOR AND CITY COUNCIL OF THE CITY OF APACHE JUNCTION, ARIZONA, AMENDING APACHE JUNCTION CITY CODE VOLUME I, BY REPEALING CHAPTER 8: BUSINESS, ARTICLE 8-10: MOBILE AND TEMPORARY FOOD AND BEVERAGE VENDORS, IN ITS ENTIRETY; AND ADOPTING BY REFERENCE A NEW CHAPTER 8, BUSINESS, ARTICLE 8-10: MOBILE AND TEMPORARY FOOD AND BEVERAGE VENDORS, AS MORE FULLY DETAILED IN THAT CERTAIN DOCUMENT TITLED "2026 AMENDMENTS TO THE APACHE JUNCTION CITY CODE, VOLUME I, CHAPTER 8: BUSINESS, ARTICLE 8-10: MOBILE AND TEMPORARY FOOD AND BEVERAGE VENDORS; REPEALING ANY CONFLICTING PROVISIONS; PROVIDING FOR SEVERABILITY; PROVIDING FOR PENALTIES; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the mayor and city council on September 19, 2017 adopted Apache Junction City code, Volume I, Chapter 8: Business, Article 8-10: Mobile and Temporary Food and Beverage Vendors by Ordinance No. 1450; and

WHEREAS, the City of Apache Junction parks and recreation department and the city clerk's office conducted a comprehensive review of the current mobile and temporary food and beverage vendors and its effectiveness and alignment with current legislation on statutes; and

WHEREAS, staff concluded the existing mobile and temporary food and beverage vendors code need updates to match the 2017 state legislation; and

WHEREAS, on May 5, 2025 a council work session was held to discuss possible changes needed to the current mobile and temporary food and beverage vendor city code; and

WHEREAS, on May 20, 2025 the mayor and city council directed city staff to proceed with updating the code as recommended by staff; and

WHEREAS, on November 4, 2025 a council meeting was held to discuss staff recommendations; and

WHEREAS, A.R.S. § 9-802 permits municipalities to enact the

provisions of a code or public record theretofore in existence without setting forth such provisions in full text as long as the adopting ordinance is published in full text and at least one paper copy of the code changes or public record is filed in the office of the clerk of the municipality and one electronic copy is accessible on the city's webpage and made available for public inspection.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF APACHE JUNCTION, ARIZONA, AS FOLLOWS:

SECTION I            IN GENERAL

1. Existing Apache Junction City Code, Volume I, Chapter 8: Business, Article 8-10: Mobile and Temporary Food and Beverage Vendors, is hereby repealed in its entirety and replaced with the new provisions noted below in #2.
2. That certain document containing the amended and new Chapter 8, Article 8-10 code provisions titled "2026 Amendments to the Apache Junction City Code, Volume I, Chapter 8: Business, Article 8-10: Mobile and Temporary Food and Beverage Vendors", of which one paper copy is on file with the city clerk's office and one electronic copy is accessible on the city's webpage ([www.apachejunctionaz.gov](http://www.apachejunctionaz.gov)), which document was made a public record by Resolution No. 25-37 of the City of Apache Junction, is hereby referred to, adopted and made a part hereof as if fully set out in this ordinance, pursuant to A.R.S. § 9-802.

SECTION II            REPEALING ANY CONFLICTING ORDINANCES

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

SECTION III            PROVIDING FOR SEVERABILITY

If any section, subsection, sentence, phrase, clause or portion of this ordinance or any part of the codes or regulations 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 violation of the provisions adopted herein shall be punishable as a class one misdemeanor consistent with Apache Junction City Code, Volume I, Chapter 1: General, Article 1-1: General, § 1-1-11, Penalty.

SECTION VI            ESTABLISHING AN EFFECTIVE DATE

The provisions of this ordinance shall take effect on February 1, 2026.

PASSED AND ADOPTED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF APACHE JUNCTION, ARIZONA, THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_.

SIGNED AND ATTESTED TO THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
WALTER "CHIP" WILSON  
Mayor

ATTEST:

\_\_\_\_\_  
EVIE MCKINNEY  
City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
RICHARD J. STERN  
City Attorney