

CHAPTER 13 – MISCELLANEOUS PROVISIONS AND OFFENSES

Sec. 13-100. Noise; second response; law enforcement services restitution.

(a) A violation of sections 13-90-13-97 of this code shall include assessment of mandatory restitution in an amount determined by the court. Restitution shall be imposed as a term of probation sentence, in addition to fines, assessments, surcharges and incarceration costs to cover the cost of personnel and equipment in the law enforcement special assignment.

(b) A charge shall be imposed for the second and subsequent response to a party, gathering or event. If the actual cost to the City exceeds two hundred dollars (\$200.00), The City Manager or his designee shall charge the actual cost of the second or subsequent response.

(c) The City Attorney shall request restitution for all charges imposed by the City.

(d) The entry of a restitution order by the court shall not preclude the City from maintaining a separate civil action for charges and damages for second and subsequent responses under this chapter. The prevailing party in any civil action for recovery of charges and damages for second and subsequent responses shall be entitled to recover taxable costs and reasonable attorney fees in the manner provided by Title 12, Chapter 3, Article 5, Arizona Revised Statutes.

(e) In event the person charged is a minor, the court may award restitution against the parents or legal guardians of the minor to the extent permitted by Title 8, Chapter 2, Article 4, Arizona Revised Statutes. Nothing herein shall preclude the City from maintaining a separate civil action for charges and damages for second and subsequent responses against the parents and legal guardians of any minor charged with a violation of Sections 13-90 - 13-97 of this code.

(Ord. No. 06-32, 09/05/06, Enacted) SUPP 2006-03