

TUCSON, ARIZONA
Supp. No. 121 – Instruction Sheet

Enclosed with this instruction sheet are new and replacement pages for your loose-leaf copy of the Code, bringing the Code current through December 18, 2018. In order to keep your copy of the Code up to date, you must remove the following indicated obsolete pages from your Code and replace them with the indicated revised pages. The current revision number appearing on the lower left corner of each page revised in this package is “Supp. No. 121”. If you have any questions, please contact American Legal Publishing at 1-800-445-5588.

Remove from Code. Add to Code

Title Page, ii. Title Page, ii

TABLE OF CONTENTS

xxiii, xxiv. xxiii, xxiv
xxvii, xxviii. xxvii, xxviii

CHECKLIST OF UP-TO-DATE PAGES

[1] – [4]. [1] – [4]

**CHAPTER 2:
ADMINISTRATION**

171, 172. 171, 172

**CHAPTER 6:
BUILDINGS, ELECTRICITY, PLUMBING, AND
MECHANICAL CODE**

447 – 450. 447 – 450
455 – 460. 455 – 460
463. 463, 464

**CHAPTER 10:
CIVIL SERVICE – HUMAN RESOURCES**

795 – 812. 795 – 812

**CHAPTER 10A:
COMMUNITY AFFAIRS**

867, 868. 867, 868

Remove from Code. Add to Code

**CHAPTER 15:
ENVIRONMENTAL SERVICES DEPARTMENT**

1481, 1482. 1481, 1482

**CHAPTER 20:
MOTOR VEHICLES AND TRAFFIC**

1809 – 1812. 1809 – 1812
1817 – 1820. 1817 – 1820

**CHAPTER 22:
PENSIONS, RETIREMENT, GROUP
INSURANCE, LEAVE BENEFITS AND
OTHER INSURANCE BENEFITS**

1961 – 1980.4. 1961 – 1980.6
1989, 1990. 1989, 1990

CODE COMPARATIVE TABLE

3802.25, 3802.26. 3802.25, 3802.26
3802.29, 3802.30. 3802.29 – 3802.32

CODE INDEX

3883, 3884. 3883, 3884

TUCSON CODE

CONTAINING
THE CHARTER AND GENERAL ORDINANCES
CITY OF TUCSON, ARIZONA

Adopted, October 19, 1964
Effective, January 20, 1965

Published by Order of the Mayor and Council

Republished 1987

Contains Supplement No. 121
Current through December 18, 2018

Published by:
AMERICAN LEGAL PUBLISHING CORPORATION
One West Fourth Street ✧ 3rd Floor ✧ Cincinnati, Ohio 45202
1-800-445-5588 ✧ www.amlegal.com

The “Tucson Code” is compiled from public records
in the office of the City Clerk and is not copyrighted.

TABLE OF CONTENTS

Chapter	Page
Art. III. Buildings.	454
Div. 1. Building Code.	454
Div. 2. Existing Building Code.	456
Div. 3. Reserved.	456
Art. IV. Electricity.	456
Div. 1. Electrical Code.	456
Div. 2. Outdoor Lighting Code.	457
Art. V. Plumbing Code.	458
Art. VI. Mechanical Code.	459
Art. VII. Solar System Code.	461
Art. VIII. Rainwater Collection and Distribution Requirements.	461
Art. IX. Swimming Pool and Spa Code.	463
7. Businesses Regulated.	511
Art. I. Auctions and Auctioneers.	519
Art. II. Peddlers.	521
Art. III. Fortunetellers.	524
Art. IV. Going-Out-of-Business, Fire, Etc., Sales.	525
Art. V. Pawnbrokers and Secondhand Dealers.	528
Art. VI. Escorts and Escort Bureaus.	532.3
Art. VII. Massage Establishments.	532.6
Art. VIII. Drive-In Restaurants.	536.1
Art. IX. Swap Meets.	540
Art. X. Adult Entertainment Enterprises and Establishments.	543
Art. XI. Reserved.	550.2
Art. XII. Adult Care Homes and Facilities.	550.2
Art. XIII. Street Fairs.	551
Art. XIV. Vending Machines.	552
Art. XV. Dance Halls.	554
Art. XVI. Community Special Events.	562
Art. XVII. Late Night Retail Establishments.	562.1
Art. XVIII. General Provisions.	564
Art. XIX. Retail Tobacco Sales.	564
Art. XX. Hotels.	568
Art. XXI. Alarm Companies and Users.	570
Div. 1. Alarm Company Licenses.	570
Div. 2. Alarm User Registration and Fees.	579
Art. XXII. Merchants' Disclosure Requirements.	587
Art. XXIII. Ice Cream Truck Vendors.	588
Art. XXIV. Lessors of Commercial Real Property Disclosure Requirements.	590
7A. Cable Communications.	597
7B. Competitive Telecommunications.	651

TUCSON CODE

Chapter	Page
7C. Reserved.	673
7D. Location and Relocation of Facilities in Rights-of-Way.	674.25
8. City Court.	675
Art. I. In General.	677
Art. II. Reserved.	686
9. Public Safety Communications.....	731
10. Civil Service – Human Resources.	783
Art. I. In General.	785
Art. II. Compensation Plan.	795
Art. III. Reserved.	811
10A. Community Affairs.....	845
Art. I. Historical Commission.	851
Art. II. Tucson Youth and Delinquency Prevention Council.....	853
Art. III. Veterans’ Affairs Committee.....	856
Art. IV. Founding Date of City of Tucson.	857
Art. V. Redistricting Advisory Committee.	857
Art. VI. Reserved.	858
Art. VII. Commission on Disability Issues.....	858
Art. VIII. Community Police Advisory Review Board.	860
Art. IX. Commemorations and Observances.....	862.1
Art. X. Reserved.	862.1
Art. XI. Independent Audit and Performance Commission.....	862.1
Art. XII. Tucson-Pima County Bicycle Advisory Committee.	863
Art. XIII. Terms and Conditions of Membership on Boards, Committees and Commissions and Filing of Rules.	864
Art. XIV. Park Tucson Commission.	869
Art. XV. Stormwater Advisory Committee (SAC) and Stormwater Technical Advisory Committee (STAC).	871
Art. XVI. Reserved.	872
Art. XVII. Landscape Advisory Committee.	875
Art. XVIII. Small, Minority and Women-Owned Business Commission.....	875
Art. XIX. Reserved.	877
Art. XX. Commission on Climate, Energy, and Sustainability (CCES).....	879
Art. XXI. Reserved.	879
Art. XXII. Reserved.	879
Art. XXIII. Citizen Transportation Advisory Committee.....	879
Art. XXIV. Commission on Food Security, Heritage, and Economy (CFSHE).	881

TABLE OF CONTENTS

Chapter		Page
	Div. 4. Liquor and Vending Machine License Tax.	1709
	Div. 5. Tax on Hotels Renting to Transients.	1711
	Div. 6. Tax on Secondhand Dealers and Pawnbrokers.	1712.4
Art. II.	Privilege and Excise Taxes.	1713
	Div. 1. General Conditions and Definitions.	1713
	Div. 2. Determination of Gross Income.	1724
	Div. 3. Licensing and Recordkeeping.	1730
	Div. 4. Privilege Taxes.	1732.4
	Div. 5. Administration.	1747
	Div. 6. Use Tax.	1758
	Regulations – Privilege and Excise Taxes.	1763
Art. III.	Public Utility Tax.	1778
	Div. 1. General Conditions and Definitions.	1778
	Div. 2. Determination of Gross Income.	1778.1
	Div. 3. Licensing and Recordkeeping.	1782
	Div. 4. Public Utility Tax.	1785
	Div. 5. Administration.	1786
Art. IV.	Access to Care Program.	1788
20.	Motor Vehicles and Traffic.	1791
Art. I.	In General.	1799
Art. II.	Administration.	1802.8
	Div. 1. Generally.	1802.8
	Div. 2. Violations.	1805
Art. III.	Pedestrians.	1805
Art. IV.	Traffic-Control Devices.	1806
Art. V.	Operation.	1808
Art. VI.	One-Way Streets and Stop Streets.	1816.1
Art. VII.	Stopping, Standing and Parking.	1819
	Div. 1. Generally.	1819
	Div. 2. Administration.	1826
	Div. 3. Parking for Individuals with Physical Disabilities.	1826
	Div. 4. Basic Parking Controls.	1827
	Div. 5. Nuisance Parking Controls.	1831
	Div. 6. Safety Issues.	1835
Art. VIII.	Taxicab Regulations.	1838
Art. IX.	Trolleys.	1841
Art. X.	Soliciting Employment, Business or Contributions From Occupants of Vehicles.	1841
21.	Parks and Recreation.	1877
Art. I.	Operation and Regulation of Parks.	1879
Art. II.	City Municipal Golf Courses.	1896.1
Art. III.	Reserved.	1903
Art. IV.	Gene Reid Park Zoo Admittance Fees.	1903
Art. V.	Gene Reid Park Zoo Improvement Fund.	1903

TUCSON CODE

Chapter	Page
22. Pensions, Retirement, Group Insurance, Leave Benefits and Other Insurance Benefits.	1953
Art. I. In General.	1957
Art. II. Social Security.	1957
Art. III. Tucson Supplemental Retirement System.	1960
Div. 1. Types of Retirement and Benefits.	1960
Div. 2. Administration of the System.	1980.4
Art. IV. Group Insurance and Medical Health Plans.	1984
Art. V. Leave Benefit Plan.	1986
Art. VI. Other Insurance Benefits.	1993
23. Land Use Code.	2025
23A. Development Compliance Code.	2203
Art. I. General Provisions.	2207
Div. 1. Introduction.	2207
Div. 2. Mapping.	2208
Art. II. Review Procedures.	2208
Div. 1. General Zoning Review Procedure.	2208
Div. 2. Special Zoning Review – Limited Notice Procedure.	2220
Div. 3. Special Zoning Review – Full Notice Procedure.	2222
Div. 4. Appeal Procedures.	2228
Art. III. Development Impact Fee Regulations.	2233
Div. 1. Applicability and Intent.	2233
Div. 2. Fee Calculation.	2238
Div. 3. General Provisions.	2249
Div. 4. Development Impact Fee Schedules and Effective Dates.	2249
Art. IV. Definitions.	2254
Div. 1. General Provisions.	2254
Div. 2. (Reserved).	2254
23B. Unified Development Code.	2301
24. Sewerage and Sewage Disposal.	2383
Art. I. General and Administrative.	2384.1
Art. II. Connection Fees.	2386
Art. III. User Fees.	2388
Art. IV. Industrial Waste Control and Industrial Cost Recovery Program.	2393
25. Streets and Sidewalks.	2453
Art. I. Repairs and Improvements in Public Rights-of-Way.	2455
Art. II. Duties and Prohibitions.	2463
Art. III. Address Numbering.	2471
Art. IV. Underground Utility Districts.	2473
Art. V. Temporary Work Zone Traffic Management.	2475

Checklist of Up-to-Date Pages

(This checklist will be updated with the printing of each Supplement)

From our experience in publishing Looseleaf Supplements on a page-for-page substitution basis, it has become evident that through usage and supplementation many pages can be inserted and removed in error.

The following listing is included in this Code as a ready guide for the user to determine whether the Code volume properly reflects the latest printing of each page.

In the first column all page numbers are listed in sequence. The second column reflects the latest printing of the pages as they should appear in an up-to-date volume. The letters "OC" indicate the pages have not been reprinted in the Supplement Service and appear as published for the original Code. When a page has been reprinted or printed in the Supplement Service, this column reflects the identification number or Supplement Number printed on the bottom of the page.

In addition to assisting existing holders of the Code, this list may be used in compiling an up-to-date copy from the original Code and subsequent Supplements.

Page No.	Supp. No.	Page No.	Supp. No.
Title page, ii	121	119, 120	105
iii – xiv	OC	167, 168	118
xv	3	169, 170	116
xvii – xix	30	171, 172	121
xxi, xxii	120	173, 174	92
xxiii, xxiv	121	175, 176	115
xxv, xxvi	118	177 – 180.2	120
xxvii, xxviii	121	181, 182	83
xxix, xxx	112	183, 184	105
1, 2	118	185 – 188	116
3 – 7	25	229, 230	118
8.1, 8.2	18	329, 330	80
9, 10	106	331 – 334	98
11, 12	116	335 – 338.2	105
12.1, 12.2	118	339 – 340.3	71
13 – 26.1	110	341 – 344	109
27, 28	OC	345 – 348	92
29, 30	18	349, 350	111
31, 32	25	395 – 402	120
33, 34	45	447, 448	121
35 – 38.1	18	449, 450	121
39 – 44	OC	450.1 – 450.4	94
45 – 48	110	451, 452	OC
49, 50	OC	453, 454	25
51 – 54	110	455, 456	121
105, 106	118	457, 458	121
115, 116	OC	459, 460	121
117, 118	77	461, 462	81
		463, 464	121

TUCSON CODE

Page No.	Supp. No.	Page No.	Supp. No.
511 – 518	95	875, 876	90
519, 520	24	877 – 882	117
521 – 522.2	69	917, 918	83
523, 524	79	919, 920	105
525, 526	73	967	39
527, 528	90	1063, 1064	115
529, 530	91	1065, 1066	109
531, 532	90	1067, 1068	95
532.1 – 532.8	88	1069, 1070	67
533 – 536.2	66	1071 – 1074.2	90
537 – 540	OC	1074.3, 1074.4	44
541, 542	19	1074.5 – 1074.9	114
543, 544	26	1075, 1076	109
545, 546	90	1077, 1078	111
547, 548	93	1078.1	109
548.1	74	1079 – 1080.4	62
549, 550	26	1081, 1082	110
550.1, 550.2	81	1083 – 1084.2	100
550.3 – 552	88	1085, 1086	80
553 – 562.3	81	1087 – 1090.2	115
563 – 566	37	1091, 1092	21
567, 568	46	1093, 1094	67
569 – 592	95	1095, 1096	86
597 – 618	39	1097, 1098	109
619, 620	99	1145 – 1147	65
621 – 634	39	1167, 1168	83
651	63	1169, 1170	117
653 – 664	31	1189 – 1252	118
665, 666	64	1259 – 1262	118
667 – 672	75	1307, 1308	98
673	42	1309, 1310	119
674.25 – 674.30	40	1311 – 1313	78
675, 676	96	1361 – 1364	115
677, 678	110	1365 – 1368	118
679, 680	101	1369 – 1374	118
681, 682	112	1459 – 1466.2	111
683 – 686	92	1467, 1468	103
731, 732	117	1469 – 1472.2	107
783, 784	108	1473, 1474	118
785 – 790	81	1475 – 1480	111
791 – 794	83	1481, 1482	121
795 – 812	121	1483 – 1486	111
845, 846	119	1527, 1528	102
847, 848	117	1529, 1530	95
851, 852	33	1531, 1532	89
853	8	1533 – 1548.2	102
855 – 862.2	119	1549 – 1552	98
863, 864	117	1553 – 1556.4	114
867, 868	121	1557, 1558	83
869 – 872	112	1559 – 1562	89
		1563 – 1568	95

CHECKLIST OF UP-TO-DATE PAGES

Page No.	Supp. No.	Page No.	Supp. No.
1579, 1580	100	1802.1, 1802.2	115
1581 – 1588.1	77	1802.3 – 1802.8	78
1589 – 1592	46	1803, 1804	22
1593 – 1598	100	1805, 1806	40
1643 – 1648	92	1806.1	63
1691 – 1698	105	1807, 1808	89
1699 – 1702.2	115	1809 – 1812	121
1703, 1704	88	1813, 1814	113
1705 – 1708	79	1815, 1816	118
1708.1, 1708.2	105	1816.1, 1816.2	115
1709, 1710	116	1817, 1818	121
1711, 1712	120	1819, 1820	121
1712.1 – 1712.4	116	1825, 1826	117
1713 – 1724	103	1827 – 1832	112
1725 – 1728	79	1833 – 1834.2	117
1729 – 1732.2	105	1835, 1836	112
1732.3, 1732.4	118	1837, 1838	93
1733, 1734	118	1839, 1840	112
1734.1, 1734.2	117	1841, 1842	80
1735, 1736	93	1877, 1878	118
1737 – 1744.8	118	1879, 1880	109
1744.9 – 1744.14	118	1881, 1882	77
1745, 1746	118	1883, 1884	109
1746.1, 1746.2	118	1885, 1886	113
1747, 1748	103	1886.1 – 1888	109
1749 – 1752.2.4	74	1889 – 1896.2	96
1752.2.5, 1752.2.6	77	1897 – 1900	67
1752.3, 1752.4	87	1901, 1902	87
1752.5, 1752.6	54	1903, 1904	118
1753 – 1756	93	1953, 1954	118
1757 – 1760	118	1955 – 1958	87
1761, 1762	118	1959, 1960	97
1763 – 1766	103	1961 – 1980.6	121
1766.1, 1766.2	105	1981, 1982	109
1766.7 – 1766.10	103	1983, 1984	83
1767, 1768	37	1985 – 1988	116
1769, 1770	36	1989, 1990	121
1771 – 1772.2	103	1991 – 1994	118
1773, 1774	36	2025, 2026	99
1775 – 1778	67	2203 – 2206	118
1778.1, 1778.2	103	2207 – 2208.2	99
1779, 1780	5	2209 – 2212	83
1781 – 1784	79	2213 – 2214.1	86
1785, 1786	111	2215 – 2226	83
1787, 1788	105	2227 – 2232.1	86
1791, 1792	93	2233 – 2248	118
1793, 1794	115	2249 – 2254	119
1795, 1796	117	2301, 2302	99
1799, 1800	99	2383 – 2384.1	43
1801, 1802	112	2385 – 2402	OC

TUCSON CODE

Page No.	Supp. No.	Page No.	Supp. No.
2403, 2404	35	3787, 3788	44
2453, 2454	118	3789, 3790	51
2455, 2456	35	3791, 3792	54
2457 – 2460	69	3793 – 3796	69
2461 – 2464	109	3797, 3798	105
2465 – 2466.2	34	3799, 3800	69
2467, 2468	OC	3801, 3802	70
2469, 2470	26	3802.1, 3802.2	75
2471 – 2472.1	51	3802.3 – 3802.8	81
2473, 2474	27	3802.9, 3802.10	83
2475 – 2477	69	3802.11, 3802.12	116
2525 – 2550.8	112	3802.13, 3802.14	92
2551 – 2558	71	3802.15, 3802.16	103
2615, 2616	96	3802.17, 3802.18	99
2617, 2618	90	3802.19, 3802.20	102
2619, 2620	107	3802.21, 3802.22	103
2621 – 2626	100	3802.23, 3802.24	118
2627 – 2630.6	119	3802.25, 3802.26	121
2631, 2632	103	3802.27, 3802.28	115
2633 – 2640	100	3802.29, 3802.30	121
2640.1, 2640.2	96	3802.31, 3802.32	121
2641, 2642	107	3803, 3804	106
2643 – 2652	92	3805, 3806	45
2652.1, 2652.2	100	3807 – 3808.2	118
2653 – 2658	90	3809, 3810	45
2695 – 2724	108	3811, 3812	110
2725, 2726	110	3813, 3814	45
2727 – 2744	108	3815, 3816	116
2749, 2750	67	3817, 3818	106
2751 – 2754	16	3819 – 3826	118
2755 – 2758	68	3827 – 3834	119
2759 – 2762	103	3835 – 3842	118
2763 – 2767	67	3843, 3844	116
2801, 2802	103	3845 – 3850.2	118
2803, 2804	112	3851, 3852	103
2805 – 2808	103	3853, 3854	105
3699 – 3752	OC	3855, 3856	118
3753 – 3758	4	3857 – 3860	120
3759, 3760	6	3861, 3862	117
3761, 3762	9	3863, 3864	118
3763, 3764	11	3864.1, 3864.2	118
3765, 3766	14	3865 – 3870	118
3767, 3768	18	3871, 3872	119
3769, 3770	16	3873, 3874	118
3771, 3772	18	3875 – 3880	118
3773, 3774	19	3880.1, 3880.2	112
3775, 3776	23	3881, 3882	92
3777 – 3780	27	3883, 3884	121
3781, 3782	31	3885 – 3888	118
3783, 3784	36	3889, 3890	103
3785, 3786	39	3891, 3892	118

ARTICLE I. IN GENERAL

Sec. 2-1. City office hours.

(a) Except on holidays and other days specifically designated by the mayor and council, and except on days or during hours as provided in subsection (b) below, the city manager and the various city departments shall keep their offices open for the transaction of business from 8:00 a.m. until 5:00 p.m. each day on Monday through Friday.

(b) The city manager may, by administrative order, require or authorize any of the offices of the city to be open or closed at a different or for an additional time than provided in subsection (a) above.

(c) Except where otherwise specifically provided in this Code, when a holiday that is enumerated as a fixed date in Tucson Code Section 22-91(a)(6):

(1) falls on a Sunday, the following Monday shall be observed as a holiday;

(2) falls on a Saturday, the previous Friday shall be observed as a holiday.

(1953 Code, ch. 2, § 9; Ord. No. 3280, § 1, 6-23-69; Ord. No. 10691, § 1, 7-7-09, eff. 8-9-09; Ord. No. 10758, § 1, 2-9-10; Ord. No. 11598, § 1, 11-14-18)

Charter reference— Authority to fix office hours, see ch. VII, § 1(35).

Sec. 2-2. Absences of appointive officers and heads of office and vacancies in appointive officers and heads of office positions.

Sec. 2-2(1). During the absence of an appointive officer or head of an office, with or without leave, or for any cause whatsoever, the senior officer or employee of the department or office, unless another officer or employee is specifically designated to so act by the appointive officer, shall immediately assume charge and direct the functioning of the office or department. The duty to act includes the necessary signature authority to carry on and perform the duties of the position until the appointive officer's return.

Sec. 2-2(2). Pending the filling of a vacancy of an appointive officer or head of an office position, the senior officer or employee of the department or office,

unless another officer or employee is specifically designated to so act by the appointing officer, shall immediately assume charge and direct the functioning of the office or department. The duty to act includes the necessary signature authority to carry on and perform the duties of the position until the vacancy is filled. (1953 Code, ch. 2, § 12; Ord. No. 9811, § 1, 2-10-03)

Sec. 2-3. Compensation of senior officers acting as department heads.

During the period in which any senior officer or employee of any department performs the duties of the head or chief thereof as provided in section 2-2 such officer or employee shall be paid during such period, in the discretion of the city manager, the same rate of pay as is regularly paid to the department head or chief for performing such duties.

(1953 Code, ch. 2, § 13)

Sec. 2-4. Residency requirement for specified city officers and employees.

(a) Except as provided in subsection (c), any person hired or appointed on or after May 13, 2008 as an officer or employee specified in subsection (b) shall, as a condition of employment, establish residency in the city limits within six (6) months of appointment to that position, and shall maintain residency in the city limits while serving in that position. All notices of recruitment for the hiring of any of the officers or employees specified in subsection (b) shall include notice of this requirement.

(b) Except as provided in subsection (c), the officers and employees subject to the requirements of subsection (a) are: city manager, deputy and assistant city manager, city attorney, city clerk, chief of the Tucson police department, chief of the Tucson fire department, presiding city magistrate, public defender, and the directors of the following departments: housing and community development, planning and development services, environmental services, finance, general services, human resources, information technology, parks and recreation, procurement, transportation, Tucson convention center, and water; and any director whose position is hereafter created by ordinance of the mayor and council pursuant to chapter V, section 2(14) of the Charter.

(c) The residency requirements of this section shall not apply to any persons who were employed by the city, either in the positions listed in subsection (b) or in another position, on May 13, 2008, even in the event that such persons subsequently become employed in a position listed in subsection (b).
(Ord. No. 10536, § 1, 5-20-08, eff. 6-28-08; Ord. No. 10757, § 1, 2-9-10; Ord. No. 10874, § 1, 1-25-11)

Sec. 2-5. Building safety division; chief inspector.

There shall be a building safety division. There shall be chief inspector who shall have supervisory administrative control over the building safety division and all the functions thereof, and over the inspectors and other personnel therein.
(1953 Code, ch. 2, §§ 17a, 17c; Ord. No. 4871, § 1, 9-5-78)

Cross reference – Building, electricity, plumbing, gas, and mechanical regulations, ch. 6.

Sec. 2-6. Sale of property for nonpayment of district assessments.

Whenever the superintendent of streets of the city shall hold a sale of property for nonpayment of assessments under the provisions of A.R.S. section 9-700, as amended, and there is no purchaser other than the municipality who will pay the entire amount of the assessment, penalty and costs, including fifty cents (\$0.50) to the superintendent of streets for a certificate of sale, the superintendent of streets shall sell the lot or portion thereof to the person who will take the least quantity of land and then and there pay the amount of the assessment then delinquent including interest, penalty and costs due, and fifty cents (\$0.50) to the superintendent of streets for a certificate of sale, and deed shall issue to such purchaser subject to redemption as provided in A.R.S. section 48-605, as amended.

The lien on the entire lot, piece or parcel of land assessed, provided for in A.R.S. chapter 4, article 2, title 48, as amended, shall continue to be in effect for the amount of the assessment or portion thereof, including interest, penalties and costs thereafter to become due, and the land may again be sold should the assessment again become delinquent.
(1953 Code, ch. 2, § 17d)

State law reference – Authority, A.R.S. § 9-700.B.

Sec. 2-7. Statute of limitations on unpaid warrants.

No warrant to the director of finance for payment shall be paid from any fund, deposit or account, nor shall any legal action be brought on said warrant, unless it has been presented to said director of finance for payment before the close of the second fiscal year next after the fiscal year in which it shall have been issued.

(1953 Code, ch. 2, § 17e)

Sec. 2-8. Mayor's expense account.

Beginning July 1, 1955, and each year thereafter, the mayor of the city shall have an annual two thousand dollar (\$2,000.00) expense account which may be drawn upon and spent for any public purpose; a public purpose shall include entertainment of public guests, commemorating events of a public interest and advertising the advantages and resources of the city. All demands from this fund shall be accompanied by a statement from the mayor of the purpose for which the money has been or is to be used and that the expenditure was or is for a public purpose.

(1953 Code, ch. 2, § 17f; Ord. No. 3759, § 1, 12-13-71)

Editor's note – Ord. No. 3759, § 1, reenacted the provisions codified as § 2-8. The title of the ordinance provided for the elimination of provisions for entrance passes to Tucson Community Center events for present and former mayors and city councilmen.

Sec. 2-9. Reserved.

Editor's note – Section 2-9, requiring the filing of rules and regulations of commissions, boards and departments, derived from 1953 Code, ch. 2, § 17g, was repealed by § 1 of Ord. No. 7018, adopted Sept. 6, 1988. See § Supp. No. 8910A-136 et seq.

Sec. 2-9.1. Reserved.

Editor's note – Section 2-9.1, specifying that nonattendance by numbers of governmental bodies be grounds for removal, derived from Ord. No. 3570, § 1, adopted Dec. 14, 1970, was repealed by § 1 of Ord. No. 7018, adopted Sept. 6, 1988. See § Supp. No. 8910A-134 et seq.

Chapter 6

BUILDINGS, ELECTRICITY, PLUMBING, AND MECHANICAL CODE*

Art. I.	In General, §§ 6-1 – 6-9
Art. II.	Tucson-Pima County Joint Consolidated Code Committee, §§ 6-10 – 6-30
Art. III.	Buildings, §§ 6-31 – 6-80
	Div. 1. Building Code, §§ 6-31 – 6-65
	Div. 2. Existing Building Code, §§ 6-66 – 6-70
	Div. 3. Reserved, §§ 6-71 – 6-80
Art. IV.	Electricity, §§ 6-81 – 6-120
	Div. 1. Electrical Code, §§ 6-81 – 6-100
	Div. 2. Outdoor Lighting Code, §§ 6-101 – 6-120
Art. V.	Plumbing Code, §§ 6-121 – 6-159
Art. VI.	Mechanical Code, §§ 6-160 – 6-170
Art. VII.	Solar System Code, §§ 6-171 – 6-180
Art. VIII.	Rainwater Collection and Distribution Requirements, §§ 6-181 – 6-190
Art. IX.	Swimming Pool and Spa Code, §§ 6-191 – 6-193

Article I. In General

Sec. 6-1.	Reserved.
Sec. 6-2.	Clerk to keep copies of Administrative Code.
Sec. 6-3.	Amendments of Administrative Code.
Sec. 6-4.	Reserved.
Sec. 6-5.	Violation.
Sec. 6-6.	Records of applications, permits, inspections required.
Secs. 6-7 – 6-9.	Reserved.

Article II. Tucson-Pima County Joint Consolidated Code Committee

Sec. 6-10.	Created; qualifications; appointment, term of members.
Sec. 6-11.	Purpose and functions.
Sec. 6-12.	Purposes; created; qualifications; appointment, term of members.
Sec. 6-13.	Authority to regulate hearings and investigations; regulations to be filed; distribution of decisions.
Sec. 6-14.	Vote required for decisions; quorum.
Sec. 6-15.	Provision for building innovations.
Sec. 6-16.	Appointment, powers, duties of secretary to board.
Sec. 6-17.	Procedure for appeals to board; meetings; effect of decisions.
Sec. 6-18.	Reference to “board of examiners and appeals” to mean “board of appeals.”
Secs. 6-19 – 6-30.	Reserved.

***Charter reference** – General authority over buildings, plumbing and electricity, ch. VII, § 1(12).

Cross references – Building safety division created under administration of chief inspector, § 2-5; advertising and outdoor signs generally, ch. 3; fire protection and prevention, ch. 13; privilege tax on construction contracting, §§ 19-415 – 19-418; planning and zoning, ch. 23; sewerage and sewage disposal, ch. 24.

TUCSON CODE

Article III. Buildings

Division 1. Building Code

- Sec. 6-31. Office of building inspection supervisor established.
- Sec. 6-32. Qualifications; assistants.
- Sec. 6-33. General duties.
- Sec. 6-34. Building code adopted.
- Sec. 6-35. Clerk to keep copies of building code.
- Sec. 6-36. Amendments to building code.
- Sec. 6-37. Applicability of administrative and building codes.
- Sec. 6-38. Residential code adopted.
- Sec. 6-39. Reserved.
- Sec. 6-40. Energy conservation code adopted.
- Secs. 6-41 – 6-65. Reserved.

Division 2. Existing Building Code

- Sec. 6-66. Existing building code adopted.
- Secs. 6-67 – 6-70. Reserved.

Division 3. Reserved

- Secs. 6-71 – 6-80. Reserved.

Article IV. Electricity

Division 1. Electrical Code

- Sec. 6-81. Electrical inspection supervisor – Office created.
- Sec. 6-82. Same – Qualifications; assistants.
- Sec. 6-83. Same – General duties.
- Sec. 6-84. Electrical code adopted.
- Sec. 6-85. Clerk to keep copies of electrical code.
- Sec. 6-86. Amendments to the electrical code.
- Sec. 6-87. Reserved.
- Secs. 6-88 – 6-100. Reserved.

Division 2. Outdoor Lighting Code

- Sec. 6-101. Outdoor lighting code adopted.
- Sec. 6-102. Clerk to keep copies of outdoor lighting code.
- Sec. 6-103. Amendments to outdoor lighting code.
- Sec. 6-104. Penalty.
- Secs. 6-105 – 6-120. Reserved.

Article V. Plumbing Code

- Sec. 6-121. Office of plumbing inspector established.
- Sec. 6-122. Qualifications of inspectors.
- Sec. 6-123. General duties of inspectors.
- Sec. 6-124. Plumbing code adopted.
- Sec. 6-125. Clerk to keep copies of plumbing code.
- Sec. 6-126. Amendments of plumbing code.
- Secs. 6-127 – 6-159. Reserved.

BUILDINGS, ELECTRICITY, PLUMBING, AND MECHANICAL CODE

Article VI. Mechanical Code

- Sec. 6-160. Reserved.
- Sec. 6-161. Office of mechanical inspection supervisor established.
- Sec. 6-162. Qualifications; assistants.
- Sec. 6-163. General duties.
- Sec. 6-164. Mechanical code adopted.
- Sec. 6-165. Clerk to keep copies of mechanical code.
- Sec. 6-166. Amendments of the mechanical code.
- Sec. 6-167. Fuel gas code adopted.
- Secs. 6-168 – 6-170. Reserved.

Article VII. Solar System Code

- Sec. 6-171. Solar system code adopted.
- Sec. 6-172. Clerk to keep copies of the solar system code.
- Sec. 6-173. Amendments to the solar system code.
- Sec. 6-174. Reserved.
- Secs. 6-175 – 6-180. Reserved.

Article VIII. Rainwater Collection and Distribution Requirements

- Sec. 6-181. Definitions.
- Sec. 6-182. Rainwater harvesting plan.
- Sec. 6-183. Construction of rainwater harvesting system; minimum landscape budget requirements; request for rainwater harvesting plan revision.
- Sec. 6-184. Restrictions on installation of rainwater harvesting system invalid.
- Sec. 6-185. Exceptions.
- Sec. 6-186. Annual report.
- Sec. 6-187. Violation.
- Sec. 6-188. Applicability.
- Secs. 6-189 – 6-190. Reserved.

Article IX. Swimming Pool and Spa Code

- Sec. 6-191. Swimming pool and spa code adopted.
- Sec. 6-192. Clerk to keep copies of the swimming pool and spa code.
- Sec. 6-193. Amendments to the swimming pool and spa code.

TUCSON CODE

tion of and approve or condemn all buildings or structures within the jurisdiction of the city, control types and classes of material and the method, manner and workmanship for the construction and repair of buildings and structures, approve or disapprove the use of building materials or devices, inspect public and private premises for violations of the provisions of this chapter 6 and of such other portions of the Tucson Code as the building safety administrator may direct, give notice of defects in construction and repair, alterations or changes of buildings and structures, receive applications for issuing permits or building construction repairs, alterations or changes, collect and account for fees, examine and approve plans and specifications for proposed building construction, repairs, alterations or changes and advise on necessary changes in such plans and specifications, certify to compliance with plans and specifications on building work, make such reports as shall be required from time to time by the building safety administrator, and make any recommendations to the building safety administrator which the building inspection supervisor may deem practical and desirable.
(Ord. No. 5531, § 2, 3-22-82)

Sec. 6-34. Building code adopted.

The document entitled “International Building Code, 2018 Edition” published by the International Code Council, with local amendments, a copy of which amendments are attached to Ordinance No. 11590 as Exhibit “A” are hereby adopted.

(Ord. No. 5331, § 2, 3-22-82; Ord. No. 5771, § 1, 5-23-83; Ord. No. 6567, § 1, 11-10-86; Ord. No. 7179, § 1, 4-24-89; Ord. No. 7792, § 1, 4-13-92; Ord. No. 8607, § 1, 1-2-96; Ord. No. 9155, § 1, 11-2-98; Ord. No. 9491, § 1, 11-20-00; Ord. No. 9526, § 4, 3-19-01; Ord. No. 10035, § 1, 9-7-04; Ord. No. 10142, § 2, 4-12-05; Ord. No. 10417, § 2, 6-12-07; Ord. No. 10625, § 1, 1-13-09; Ord. No. 11042, § 1, 12-18-12, eff. 1-2-13; Ord. No. 11478, § 1, 8-8-17, eff. 9-7-17; Ord. No. 11590, § 1, 10-9-18, eff. 1-1-19)

Editor’s note – Exhibit A is not printed herein but is on file in the office of the city clerk and available for public inspection during regular business hours.

Sec. 6-35. Clerk to keep copies of building code.

Three (3) copies of the building code adopted in section 6-34 shall be filed in the office of the city clerk and are made public records and shall be available for public use and inspection during regular office hours.
(Ord. No. 5531, § 2, 3-22-82)

Sec. 6-36. Amendments to building code.

The building code adopted in section 6-34 may be amended from time to time by the mayor and council. Three (3) copies of current ordinances amending the building code shall be kept on file by the city clerk as public records and shall be kept available for public use and inspection during regular office hours.

(Ord. No. 5531, § 2, 3-22-82; Ord. No. 10035, § 3, 9-7-04)

Sec. 6-37. Applicability of administrative and building codes.

Every new building and structure erected in or moved into the jurisdiction of the city after June 30, 1992, shall conform to the applicable requirements of the Building Safety Administrative Code adopted in section 6-1 and as amended, and to the requirements of the building code adopted in section 6-34 and as amended. All additions, alterations, repairs, changes of use or occupancy in all buildings or structures within the jurisdiction of the city shall conform to the applicable requirements of the Building Safety Administrative Code adopted in section 6-1 and as amended, and to the requirements of the building code adopted in section 6-34 and as amended, applicable to new buildings, except as specifically provided for therein. Every building and structure existing in the city after June 30, 1992, shall conform to the requirements of the building code adopted in section 6-34 and as amended, which expressly or necessarily require that they apply to such existing buildings and structures, and to the requirements of the Building Safety Administrative Code of the city, adopted in section 6-1 and as amended, applicable to existing buildings.

(Ord. No. 5531, § 2, 5-23-83; Ord. No. 5771, § 2, 5-23-83; Ord. No. 6000, § 1, 4-23-84; Ord. No. 6567, § 2, 11-10-86; Ord. No. 7179, § 2, 4-24-89; Ord. No. 7792, § 2, 4-13-92)

Sec. 6-38. Residential code adopted.

The documents entitled “International Residential Code, 2018 Edition” published by the International Code Council, with local amendments, a copy of which amendments are attached to Ordinance No. 11590 as Exhibit “B” are hereby adopted.

(Ord. No. 9491, § 2, 11-20-00; Ord. No. 9526, § 5, 3-19-01; Ord. No. 9813, § 2, 2-10-03; Ord. No. 10035, § 2, 9-7-04; Ord. No. 10142, § 1, 4-12-05; Ord. No.

10417, § 3, 6-12-07; Ord. No. 10579, § 2, 9-23-08; Ord. No. 10605, § 1 (Exh. A), 11-25-08; Ord. No. 11042, § 2, 12-18-12, eff. 1-2-13; Ord. No. 11089, § 1 (Exh. A), 7-9-13; Ord. No. 11590, § 2, 10-9-18, eff. 1-1-19)

Editor's note – Exhibit B is not printed herein but is on file in the office of the city clerk and available for public inspection during regular business hours.

Sec. 6-39. Reserved.

Sec. 6-40. Energy conservation code adopted.

The document entitled the "International Energy Conservation Code, 2018 Edition" published by the International Code Council, with local amendments, a copy of which amendments are attached to Ordinance No. 11590 as Exhibit "C" are hereby adopted.

(Ord. No. 9491, § 3, 11-20-00; Ord. No. 9813, § 4, 2-10-03; Ord. No. 10178, § 1, 7-6-05; Ord. No. 10417, § 4, 6-12-07; Ord. No. 11042, § 3, 12-18-12, eff. 1-2-13; Ord. No. 11590, § 3, 10-9-18, eff. 1-1-19)

Editor's note – Exhibit C is not printed herein but is on file in the office of the city clerk and available for public inspection during regular business hours.

Secs. 6-41 – 6-65. Reserved.

DIVISION 2. EXISTING BUILDING CODE*

Sec. 6-66. Existing building code adopted.

The documents entitled "International Existing Building Code, 2018 Edition" published by the International Code Council, with local amendments, a copy of which amendments are attached to Ordinance No. 11590 as Exhibit "D" are hereby adopted.

(Ord. No. 10436, § 2, 7-10-07; Ord. No. 11042, § 4, 12-18-12, eff. 1-2-13; Ord. No. 11590, § 4, 10-9-18, eff. 1-1-19)

Editor's note – Exhibit D is not printed herein but is on file in the office of the city clerk and available for public inspection during regular business hours.

Secs. 6-67 – 6-70. Reserved.

***Editor's note** – Prior to the reenactment of Div. 2 by Ord. No. 10436, Ord. No. 9816, § 1, adopted February 24, 2003, repealed Div. 2, §§ 6-66 – 6-68, and enacted similar provisions set out in §§ 16-12, 16-14 and 16-20 – 16-28. Former Div. 2 pertained to the dangerous buildings code. See the Code Comparative Table.

DIVISION 3. RESERVED†

Secs. 6-71 – 6-80. Reserved.

ARTICLE IV. ELECTRICITY‡

DIVISION 1. ELECTRICAL CODE**

Sec. 6-81. Electrical inspection supervisor – Office created.

The office of electrical inspection supervisor is established. The electrical inspection supervisor shall be responsible to an under the authority of the building safety administrator.

(Ord. No. 5442, § 2, 9-28-81)

Sec. 6-82. Same – Qualifications; assistants.

No person shall be appointed electrical inspection supervisor who shall not possess the required minimum qualifications for that position as expressed in the position classification plan of the city. The electrical inspection supervisor shall be assisted by electrical inspectors who possess the required minimum qualifications for their respective positions as are expressed in the position classification plan of the city. The electrical inspection supervisor may from time to time delegate to his assistants such of his authority as is necessary or desirable.

(Ord. No. 5442, § 2, 9-28-81)

†**Editor's note** – Ord. No. 9816, § 2, adopted February 24, 2003, repealed Div. 3, §§ 6-71 – 6-73, and enacted similar provisions set out in new §§ 16-11 and 16-12. Former Div. 3 pertained to the housing safety code. See the Code Comparative Table.

‡**Editor's note** – Ord. No. 5155, § 1, adopted May 27, 1980, repealed ch. 6, art. IV, §§ 6-82 – 6-111, derived from Ord. No. 4688, § 2, adopted August 1, 1977; Ord. No. 4836, § 3, adopted June 26, 1978; § 2 enacted a new art. IV, §§ 6-81 – 6-98. Subsequently, § 2 of Ord. No. 5338, adopted April 6, 1981, designated §§ 6-81 – 6-100 as "Division 1. Electrical Code" of art. VI. Section 3 added new §§ 6-101 – 6-113 as div. 2. Subsequently, § 1 of Ord. No. 5442, adopted September 28, 1981, repealed div. 1, §§ 6-81 – 6-98; and § 2 added a new div. 1, §§ 6-81 – 6-87.

****Cross reference** – Technical division of administrative hearing office to have exclusive jurisdiction over alleged violations of electrical code, § 28-4(1).

Sec. 6-83. Same – General duties.

The duties of the electrical inspection supervisor shall be to inspect the installation of, and approve or condemn, all electrical wiring, fixtures, apparatus, appliances, devices or equipment; enforce any and all regulations, control types and classes of material and method, manner and workmanship for the installation of wiring apparatus and other electrical equipment; approve or disapprove the use of electrical materials or devices; inspect public and private premises for electrical wiring, fixtures or other electrical apparatus; give notice of defects in wiring, fixtures, appliances or equipment; receive applications for issuing permits for electrical installations and repairs; examine and approve plans and specifications for proposed electrical installations or alterations, and confer and advise on necessary changes; certify to compliance with plans and specifications on electrical work; make such reports as shall be required from time to time and make any recommendations to the building safety administrator which he may deem practical in connection with this article or its enforcement. (Ord. No. 5442, § 2, 9-28-81)

Sec. 6-84. Electrical code adopted.

The document entitled "National Electrical Code, 2017 Edition" published by the National Fire Protection Association, with local amendments, a copy of which amendments are attached to Ordinance No. 11590 as Exhibit "E" are hereby adopted. (Ord. No. 5442, § 2, 9-28-81; Ord. No. 6106, § 1, 10-15-84; Ord. No. 6787, § 1, 9-14-87; Ord. No. 7504, § 1, 9-24-90; Ord. No. 8043, § 1, 5-10-93; Ord. No. 8750, § 1, 8-5-96; Ord. No. 9287, § 1, 9-27-99; Ord. No. 9812, § 1, 2-10-03; Ord. No. 10417, § 5, 6-12-07; Ord. No. 11042, § 5, 12-18-12, eff. 1-2-13; Ord. No. 11590, § 5, 10-9-18, eff. 1-1-19)

Editor's note – Exhibit E is not printed herein but is on file in the office of the city clerk and available for public inspection during regular business hours.

Sec. 6-85. Clerk to keep copies of electrical code.

Three (3) copies of the electrical code adopted in section 6-84 shall be filed in the office of the city clerk and are made public records and shall be available for public use and inspection during regular office hours. (Ord. No. 5442, § 2, 9-28-81)

Sec. 6-86. Amendments to the electrical code.

The electrical code adopted in section 6-84 may be amended from time to time by the mayor and council. Three (3) copies of current ordinances amending the electrical code shall be kept available for public use and inspection during regular office hours. (Ord. No. 5442, § 2, 9-28-81)

Sec. 6-87. Reserved.

Editor's note – Section 6-87, declaring violation of this article unlawful, derived from Ord. No. 5442, § 2, adopted September 28, 1981, was repealed by § 1 of Ord. No. 5717, adopted February 28, 1983. Penalty for violation of this ch. 6 is now given in § 6.5.

Secs. 6-88 – 6-100. Reserved.**DIVISION 2. OUTDOOR LIGHTING CODE*****Sec. 6-101. Outdoor lighting code adopted.**

The document entitled "City of Tucson/Pima County Outdoor Lighting Code", a copy of which is attached to Ordinance No. 10963 as Exhibit A is adopted as the Outdoor Lighting Code for the City of Tucson, except for those provisions which are designed for use by Pima County. (Ord. No. 6344, § 2, 12-2-85; Ord. No. 6786, § 1, 9-14-87; Ord. No. 8210, § 1, 3-21-94; Ord. No. 10135, § 2, 3-22-05; Ord. No. 10963, § 2, 2-7-12)

Sec. 6-102. Clerk to keep copies of outdoor lighting code.

Three (3) copies of the outdoor lighting code adopted in section 6-101 shall be filed in the office of the county clerk and are made public records and shall be available for public use and inspection during regular office hours. (Ord. No. 6344, § 2, 12-2-85)

***Editor's note** – Section 1 of Ord. No. 6344, adopted December 2, 1985, repealed div. 1, §§ 6-101 – 6-120, derived from § 3 of Ord. No. 5338, adopted April 6, 1981, entitled "Light Pollution Code." Section 2 of Ord. No. 6344 added a new div. 2, entitled "Outdoor lighting code," §§ 6-101 – 6-120. Section 4 adopts "The Tucson/Pima County Outdoor Lighting Code," exhibit A to the ordinance, by reference. The complete text is not set out.

Cross reference – Technical division of administrative hearing office to have exclusive jurisdiction over alleged violations of outdoor lighting code, § 28-4(1).

Sec. 6-103. Amendments to outdoor lighting code.

The outdoor lighting code adopted in section 6-101 may be amended from time to time by the mayor and council. Three (3) copies of current ordinances amending the outdoor lighting code shall be kept on file by the city clerk as public records and shall be available for public use and inspection during regular office hours.

(Ord. No. 6344, § 2, 12-2-85)

Sec. 6-104. Penalty.

It shall be a civil infraction for any person, firm or corporation to violate any of the provisions of the Outdoor Lighting Code adopted in section 6-101. Each and every day during which any violation continues shall constitute a separate offense. When a violation of this Code is determined, the following penalty shall be imposed:

- (1) A fine of not less than fifty dollars (\$50.00) nor more than one thousand dollars (\$1,000.00) per violation. The imposition of a fine under this Code shall not be suspended.
- (2) Any other order deemed necessary in the discretion of the judge, including correction or abatement of the violation.

(Ord. No. 10135, § 3, 3-22-05)

Secs. 6-105 – 6-120. Reserved.**ARTICLE V. PLUMBING CODE***

***Editor's note** – Ord. No. 5331, § 1, adopted May 11, 1981, repealed art. V, §§ 6-123 – 6-150; and § 2 enacted a new art. V, §§ 6-121 – 6-126. Formerly, art. V was derived from the 1953 Code, ch. 9, §§ 52, 53, 55 – 59, 61 – 65, 67 – 70, and the following ordinances:

Ord. No.	Date	Section
2127	3-20-60	1, 2
2356	10-15-62	1
2770	5-10-65	1, 2
3609	2-16-71	1, 2
3634	4-12-71	1
4253	10-14-74	1
4830	6-12-78	2, 3, 5
4836	6-26-78	4

Sec. 6-121. Office of plumbing inspector established.

The office of plumbing inspector is established. The plumbing inspector shall be responsible to, and under authority of, the building safety administrator. (Ord. No. 5331, § 2, 5-11-81; Ord. No. 5775, § 2, 5-23-83)

Sec. 6-122. Qualifications of inspectors.

No person shall be appointed a plumbing inspector for the city who shall not have had a minimum of five (5) years' practical experience. He shall also possess the required minimum qualifications for such a position, as expressed in the position classification plan of the city, as promulgated by the personnel department of the city. He shall be familiar with the codes and ordinances of the city relating to plumbing piping, fixtures and appliances.

(Ord. No. 5331, § 2, 5-11-81; Ord. No. 5775, § 2, 5-23-83)

Sec. 6-123. General duties of inspectors.

The duties of each plumbing inspector are to inspect all plumbing construction work, plumbing installations, and renewals thereof in the city; to enforce rules and regulations concerning plumbing installations of all kinds; and to perform related duties as required by this article and the code adopted herein. The plumbing inspector under the code or this article shall perform the following duties: Inspect the installation of and approve or condemn all plumbing piping, fixtures, apparatus, appliances, devices, equipment and drainage work, for any and all purposes within the jurisdiction of the city; enforce rules and regulations, control types and classes of material and the method, manner and workmanship for the installation of plumbing equipment; approve or disapprove the use of plumbing materials or devices; inspect public and private premises for plumbing fixtures, or other apparatus; give notice of defects in plumbing fixtures, appliances or equipment; receive applications for issuing permits for plumbing installations and repairs; collect and account for fees; examine and approve plans and specifications for

Cross references – Housing regulations, ch. 16; sewage and sewage disposal, ch. 24; water, ch. 27; technical division of administrative hearing office to have exclusive jurisdiction over alleged violations of plumbing code, § 28-4(1).

proposed plumbing installations or alterations, and confer and advise on necessary changes thereto; certify to compliance with plans and specifications on plumbing work; keep a complete record of all applications for permits, of all permits so issued, and of all inspections made under each permit; make such reports as shall be required from time to time and make any recommendations to the building safety administrator which he may deem practical in connection with this article and the code adopted in section 6-124, and the enforcement thereof.

(Ord. No. 5331, § 2, 5-11-81; Ord. No. 5775, § 2, 5-23-83)

Sec. 6-124. Plumbing code adopted.

The document entitled "International Plumbing Code, 2018 Edition" published by the International Code Council, with local amendments, a copy of which amendments are attached to Ordinance No. 11590 as Exhibit "F" are hereby adopted.

(Ord. No. 5331, § 2, 5-11-81; Ord. No. 5775, § 2, 5-23-83; Ord. No. 6571, § 1, 11-10-86; Ord. No. 7178, § 1, 4-24-89; Ord. No. 7796, § 1, 4-13-92; Ord. No. 8604, § 1, 11-20-95; Ord. No. 9491, § 4, 11-20-00; Ord. No. 9526, § 1, 3-19-01; Ord. No. 10184, § 1, 9-7-05; Ord. No. 10436, § 1, 7-10-07; Ord. No. 11042, § 6, 12-18-12, eff. 1-2-13; Ord. No. 11590, § 6, 10-9-18, eff. 1-1-19)

Editor's note – Exhibit F is not printed herein but is on file in the office of the city clerk and available for public inspection during regular business hours.

Sec. 6-125. Clerk to keep copies of plumbing code.

Three (3) copies of the plumbing code adopted in section 6-124 and three (3) copies of the "Manual of Backflow and Cross-Connection Control," which is in part incorporated by reference in section 1003(q) of the plumbing code, shall be filed in the office of the city clerk and are made public records and shall be available for public use and inspection during regular office hours.

(Ord. No. 5331, § 2, 5-11-81; Ord. No. 5775, § 2, 5-23-83)

Sec. 6-126. Amendments of plumbing code.

The plumbing code adopted in section 6-124 may be amended from time to time by the mayor and council. Three (3) copies of current ordinances

amending the plumbing code shall be kept on file by the city clerk as public records and shall be kept available for public use and inspection during regular office hours.

(Ord. No. 5331, § 2, 5-11-81; Ord. No. 5775, § 2, 5-23-83)

Secs. 6-127 – 6-159. Reserved.

ARTICLE VI. MECHANICAL CODE*

Sec. 6-160. Reserved.

Sec. 6-161. Office of mechanical inspection supervisor established.

The office of mechanical inspection supervisor is established. The mechanical inspection supervisor shall be responsible to and under the authority of the building safety administrator.

(Ord. No. 5467, § 2, 11-16-81)

Sec. 6-162. Qualifications; assistants.

No person shall be appointed mechanical inspection supervisor who shall not possess the required minimum qualifications for that position as expressed in the position classification plan of the city. The mechanical inspection supervisor shall be assisted by mechanical inspectors who possess the required minimum qualifications for their respective positions as are expressed in the position classification plan of the city. The mechanical inspection supervisor may from time to time delegate to his assistants such of his authority as is necessary or desirable.

(Ord. No. 5467, § 2, 11-16-81)

***Editor's note** – Section 1 of Ord. No. 5467, adopted November 16, 1981, repealed former art. VI, §§ 6-160 – 6-169, derived from 1953 Code, Ch. 9, §§ 71 – 77; Ord. No. 2353, § 2, adopted October 15, 1962; and Ord. No. 4777, §§ 2 – 4, adopted March 27, 1978. Section 2 adopted a new art. VI, §§ 6-161 – 6-167.

Section 3, not specifically amendatory of the Code, prescribes a penalty of \$1,000.00 or 90 days' imprisonment, or both. This section was subsequently repealed by § 1 of Ord. No. 5718. See the editor's note to § 6-167.

Cross reference – Technical division of administrative hearing office to have exclusive jurisdiction over alleged violations of mechanical code, § 28-4(1).

Sec. 6-163. General duties.

The duties of the mechanical inspection supervisor shall be to inspect the installation of, and approve or condemn all mechanical equipment regulated by the adopted City of Tucson Mechanical Code; examine and approve plans and specifications for proposed installations or alterations, and confer and advise on necessary changes; certify to compliance with plans and specifications on mechanical work; make such reports as shall be required from time to time and make any recommendations to the building safety administrator which he may deem practical in connection with this article or its enforcement. (Ord. No. 5467, § 2, 11-16-81)

Sec. 6-164. Mechanical code adopted.

The documents entitled "International Mechanical Code, 2018 Edition" published by the International Code Council, with local amendments, a copy of which amendments are attached to Ordinance No. 11590 as Exhibit "G" are hereby adopted.

(Ord. No. 5467, § 2, 11-16-81; Ord. No. 5774, § 1, 5-23-83; Ord. No. 5825, § 1, 8-1-83; Ord. No. 6570, § 1, 11-10-86; Ord. No. 7183, § 1, 4-24-89; Ord. No. 7795, § 1, 4-13-92; Ord. No. 8605, § 1, 11-20-95; Ord. No. 9491, § 5, 11-20-00; Ord. No. 9526, § 2, 3-19-01; Ord. No. 10182, § 1, 9-7-05; Ord. No. 10436, § 3, 7-10-07; Ord. No. 11042, § 7, 12-18-12, eff. 1-2-13; Ord. No. 11590, § 7, 10-9-18, eff. 1-1-19)

Editor's note – Exhibit G is not printed herein but is on file in the office of the city clerk and available for public inspection during regular business hours.

Sec. 6-165. Clerk to keep copies of mechanical code.

Three (3) copies of the mechanical code adopted in section 6-164 shall be filed in the office of the city clerk and are made public records and shall be available for public use and inspection during regular office hours.

(Ord. No. 5467, § 2, 11-16-81)

Sec. 6-166. Amendments of the mechanical code.

The mechanical code adopted in section 6-164 may be amended from time to time by the mayor and council. Three (3) copies of current ordinances amending the mechanical code shall be kept on file by the city clerk as public records and shall be kept available for public use and inspection during regular office hours.

(Ord. No. 5467, § 2, 11-16-81)

Sec. 6-167. Fuel gas code adopted.

The document entitled "International Fuel Gas Code, 2018 Edition" published by the International Code Council, with local amendments, a copy of which amendments are attached to Ordinance No. 11590 as Exhibit "H" is hereby adopted.

(Ord. No. 10183, § 1, 9-7-05; Ord. No. 10417, § 6, 6-12-07; Ord. No. 11042, § 8, 12-18-12, eff. 1-2-13; Ord. No. 11590, § 8, 10-9-18, eff. 1-1-19)

Editor's note – Exhibit H is not printed herein but is on file in the office of the city clerk and available for public inspection during regular business hours.

Secs. 6-168 – 6-170. Reserved.

B. The director of development services or the Director of Tucson Water may require that any development not meeting the landscape budget requirements conduct and submit a landscape irrigation audit and report the results with the audit and reporting performed by a third party auditor and paid for by the property owner.

C. The imposition of civil liability shall not preclude the city from taking any other enforcement actions permitted under the code.
(Ord. No. 10597, § 1, 10-14-08)

Sec. 6-188. Applicability.

The provisions of this article shall apply to construction built pursuant to permits issued after June 1, 2010.
(Ord. No. 10597, § 1, 10-14-08)

Secs. 6-189, 6-190. Reserved.

ARTICLE IX. SWIMMING POOL AND SPA CODE

Sec. 6-191. Swimming pool and spa code adopted.

The document entitled "International Swimming Pool and Spa Code, 2018 Edition" published by the International Code Council, with local amendments, a copy of which amendments are attached to Ordinance No. 11590 as Exhibit "I" is hereby adopted.
(Ord. No. 11590, § 9, 10-9-18, eff. 1-1-19)

Editor's note – Exhibit I is not printed herein but is on file in the office of the city clerk and available for public inspection during regular business hours.

Sec. 6-192. Clerk to keep copies of the swimming pool and spa code.

Three (3) copies of the swimming pool and spa code adopted in section 6-191 shall be filed in the office of the city clerk and hereby are made public records and shall be available for public use and inspection during regular office hours.
(Ord. No. 11590, § 10, 10-9-18, eff. 1-1-19)

Sec. 6-193. Amendments to the swimming pool and spa code.

The swimming pool and spa code adopted in section 6-191 may be amended from time to time by the mayor and council. Three (3) copies of the current ordinances amending the swimming pool and spa code shall be kept on file by the city clerk as public records.
(Ord. No. 11590, § 11, 10-9-18, eff. 1-1-19)

TUCSON CODE

chapter. Such subpoenas may be personally served by the human resources department or by any process server recognized in the state.

(1953 Code, ch. 10, § 19; Ord. No. 7369, § 16, 3-12-90; Ord. No. 9675, § 2, 2-25-02, eff. 6-30-02)

Sec. 10-22. Salaries of civil service commissioners.

Commissioners shall receive a salary of twenty-four hundred dollars (\$2,400.00) per annum. The chairperson of the commission shall, for the performance of those additional duties required of the position, receive an additional six hundred dollars (\$600.00) per annum.

(Ord. No. 6839, § 1, 11-23-87; Ord. No. 9675, § 2, 2-25-02, eff. 6-30-02)

Secs. 10-23 – 10-30. Reserved.

ARTICLE II. COMPENSATION PLAN*

Sec. 10-31. Establishment and adoption of compensation plan; payment of employees.

Sec. 10-31(1). Compensation policy. The city's compensation system provides equitable and consistent treatment of employees commensurate with internal and external values of classifications and the objective of attracting, retaining and motivating employees. Key measures of employee compensation shall be labor market information and job performance. In addition, for classifications subject to Tucson Code section 10-7, a key measure will be job evaluation grades assigned to classifications based on compensable factors. Job evaluation grades shall be correlated with compensation ranges set forth in salary schedules. Classifications not subject to Tucson Code section 10-7 shall be assigned a range or rate set forth in a salary schedule. Other pay provisions such as commission, shift differential, overtime, standby, weekend premium pay for regularly schedule hours, incentive, special

skills, education, and other certification and special duty pays for designated employee groups may be provided for when adopted and/or reenacted by the mayor and council as part of the annual compensation plan.

(Ord. No. 9675, § 3, 2-25-02; Ord. No. 10003, § 3, 6-28-04)

Sec. 10-31(2). Formulation. Subject to the prior approval of the city manager, the human resources director shall, as part of the budget process, annually recommend a compensation plan for adoption by the mayor and council. The recommended compensation schedules of the compensation plan will retain a competitive posture in the relevant labor markets subject to available funding and current economic trends. Under the direction of the city manager, the human resources director shall annually conduct, or cause to be conducted a labor market survey which, subject to available funding and current economic trends, shall be the basis for the annual compensation schedules recommendation. Such schedules shall provide for the compensation of all persons employed by the city whether classified or unclassified, except the mayor and council and those charter officers appointed directly by the mayor and council (city manager, city attorney, city clerk and city magistrates). (Ord. No. 9675, § 3, 2-25-02)

Sec. 10-31(3). Amendments. Subject to the prior approval of the city manager, amendments to the annual compensation plan may from time to time be initiated, formulated and recommended to the mayor and council.

(Ord. No. 4411, § 1, 11-17-75; Ord. No. 4418, § 1, 12-8-75; Ord. No. 9675, § 3, 2-25-02)

Sec. 10-31(4). Adoption and filing. Prior to the beginning of each fiscal year, subject to Tucson Charter Chapter VII, Sec. 2, the mayor and council shall adopt a compensation plan. Three (3) copies of the compensation plan and all current amendments thereto, shall be kept on file in the office of the city clerk. (Ord. No. 9675, § 3, 2-25-02)

Sec. 10-31(5). Applications. Each person employed by the city, except the mayor and council and those charter officers appointed directly by the mayor and council, (city manager, city attorney, city clerk and city magistrates), shall be paid within a designated range or rate of the compensation schedules. For

***Cross references** – Compensation of senior officers acting as department heads, § 2-3; salary of employees during injury or sickness, § 2-13.

classifications subject to Tucson Code section 10-7, the range shall correlate to the job evaluation grade assigned to the class in which employed. Each person, whether subject to Tucson Code section 10-7 and within a salary range or rate of the compensation schedules, subject to the approval of the city manager shall be placed within a range or at a rate by the human resources director on implementation of the annual compensation plan and as provided by city administrative directive for compensation administration. Changes in rates within the hourly range schedule may be made by the appointing authority in accordance with established criteria. (Ord. No. 7653, § 3, 6-24-91; Ord. No. 8206, § 2, 2-7-94; Ord. No. 8519, § 3, 6-12-95; Ord. No. 9675, § 3, 2-25-02; Ord. No. 10003, § 3, 6-28-04)

Sec. 10-31(6). Implementation. Effective retroactive to June 27, 2004, the position compensation schedules for the Annual Compensation Plan provided for in section 10-31(6) of the Tucson Code for the classified and unclassified employees of the city are amended by adding new rates to special rate schedule, Exhibit J to Appendix A, for weekend premium pay and shift differential pay for that employee group eligible for representation by the American Federation of State County and Municipal Employees to read as set forth in amended attached schedule. (Ord. No. 7780, § 1, 3-16-92; Ord. No. 8316, § 1, 7-5-94; Ord. No. 8712, § 1, 6-10-96; Ord. No. 9675, § 3, 2-25-02; Ord. No. 9866, § 1, 6-23-03; Ord. No. 10003, § 1, 6-28-04; Ord. No. 10021, § 1, 8-2-04)

Sec. 10-31(7). Providing percentages for calculation of compensation from salary schedules for employees in specified assignment positions.

a. Notwithstanding any other provision of section 10-31 of the compensation plan, the assignment positions of chief deputy city attorney; deputy city attorney; fire fighter, trainee; water treatment plant operator, trainee; and utility service worker, trainee, shall be compensated as follows:

- (1) Chief deputy city attorney, one hundred ten (110) percent of the range (from minimum to maximum) for principle assistant city attorney.
- (2) Deputy city attorney, one hundred five (105) percent of the range (from minimum to maximum) for principle assistant city attorney.

- (3) Fire fighter, trainee, eighty-five (85) percent of range 401, step 1.
- (4) Water treatment plant operator, trainee, ninety (90) percent of range 916, step 1.
- (5) Utility service worker, trainee, ninety (90) percent of range 915, step 1.
- (6) Code inspector trainee, ninety-five (95) percent of range 918, step 1.
- (7) Emergency 911 operator, police service operator and public safety dispatcher will receive temporary assignment pay for five (5) percent of the employees base hourly rate for all hours when employee is assigned to train and evaluate an operator-trainee or dispatcher-trainee as part of the departments formal training program.

b. This section is subject to yearly readoption and reenactment by the mayor and council as part of the annual compensation plan.

(Ord. No. 9724, § 2, 6-17-02; Ord. No. 9727, § 2, 6-24-02; Ord. No. 10165, § 2, 6-14-05; Ord. No. 10365, § 1, 12-19-06; Ord. No. 10426, § 2, 6-19-07; Ord. No. 10550, § 2, 6-17-08; Ord. No. 10558, § 1, 6-25-08; Ord. No. 10675, § 2, 6-2-09, eff. 7-1-09; Ord. No. 10806, § 2, 6-15-10, eff. 7-1-10; Ord. No. 10900, § 2, 6-28-11, eff. 7-1-11; Ord. No. 10989, § 3, 6-5-12, eff. 7-1-12; Ord. No. 11075, § 5, 5-21-13, eff. 7-1-13; Ord. No. 11134, § 2, 12-17-13; Ord. No. 11180, § 2, 6-3-14, eff. 6-29-14; Ord. No. 11273, § 2, 6-9-15, eff. 6-28-15; Ord. No. 11373, § 2, 6-7-16, eff. 6-26-16; Ord. No. 11429, eff. 12-25-16; Ord. No. 11558, § 2, 6-5-18, eff. 6-24-18; Ord. No. 11611, § 1, 12-18-18)

Editor's note – Ord. No. 11180, § 2, adopted June 3, 2014, ratified, reaffirmed, and reenacted this section for Fiscal Year 2015. Appendix A and accompanying schedules are implemented for all classified and unclassified employees, effective June 29, 2014. Ord. No. 11273, § 2, adopted June 9, 2015, ratified, reaffirmed, and reenacted this section for Fiscal Year 2016. Appendix A and accompanying schedules are implemented for all classified and unclassified employees, effective June 28, 2015. Ord. No. 11373, § 2, adopted June 7, 2016, ratified, reaffirmed, and reenacted this section for Fiscal Year 2017. Appendix A and accompanying schedules are implemented for all classified and unclassified employees, effective June 26, 2016. Ord. No. 11464, § 2, adopted June 6, 2017, ratified, reaffirmed, and reenacted this section for Fiscal Year 2018. Appendix A and accompanying schedules are implemented for all classified and unclassified employees, effective June 25, 2017.

Sec. 10-31(8). Payment for uniform maintenance.

Subject to the prior approval of the city manager, the human resources director shall, as part of the budget process, annually recommend payment for uniform maintenance.

(Ord. No. 10426, § 4, 6-19-07, eff. 6-24-07; Ord. No. 10806, § 2, 6-15-10, eff. 7-1-10; Ord. No. 10900, § 2, 6-28-11, eff. 7-1-11; Ord. No. 10989, § 3, 6-5-12, eff. 7-1-12; Ord. No. 11075, § 5, 5-21-13, eff. 7-1-13; Ord. No. 11134, § 2, 12-17-13; Ord. No. 11180, § 2, 6-3-14, eff. 6-29-14; Ord. No. 11273, § 2, 6-9-15, eff. 6-28-15; Ord. No. 11291, § 3, 8-5-15; Ord. No. 11373, § 2, 6-7-16, eff. 6-26-16; Ord. No. 11558, § 2, 6-5-18, eff. 6-24-18; Ord. No. 11611, § 1, 12-18-18)

Editor's note – Ord. No. 11180, § 2, adopted June 3, 2014, ratified, reaffirmed, and reenacted this section for Fiscal Year 2015. Appendix A and accompanying schedules are implemented for all classified and unclassified employees, effective June 29, 2014. Ord. No. 11273, § 2, adopted June 9, 2015, and Ord. No. 11291, § 5, adopted August 5, 2015, ratified, reaffirmed, and reenacted this section for Fiscal Year 2016. Appendix A and accompanying schedules are implemented for all classified and unclassified employees, effective June 28, 2015. Ord. No. 11373, § 2, adopted June 7, 2016, ratified, reaffirmed, and reenacted this section for Fiscal Year 2017. Appendix A and accompanying schedules are implemented for all classified and unclassified employees, effective June 26, 2016. Ord. No. 11464, § 2, adopted June 6, 2017, ratified, reaffirmed, and reenacted this section for Fiscal Year 2018. Appendix A and accompanying schedules are implemented for all classified and unclassified employees, effective June 25, 2017.

(1953 Code, ch. 10, § 10; Ord. No. 7369, § 17, 3-12-90; Ord. No. 9675, § 3, 2-25-02, eff. 6-30-02)

Editor's note – Listed below are the ordinances constituting and amending the compensation plan:

1957 Supp. to 1953 Code, Ch. 10, § 36 – Amended by:

Ord. No. 1826, § 2, 5-5-58
 Ord. No. 1853, § 1, 8-18-58
 Ord. No. 1855, § 2, 9-2-58
 Ord. No. 1870, § 1, 12-8-58
 Ord. No. 1899, § 1, 4-20-59
 Ord. No. 1960, §§ 1, 2, 9-28-59
 Ord. No. 1980, § 6, 11-16-59
 Ord. No. 1981, § 1, 11-16-59
 Ord. No. 2004, § 1, 2-3-60
 Ord. No. 2030, § 1, 5-2-60
 Ord. No. 2129, § 1, 1-3-61
 Ord. No. 2187, § 1, 6-19-61
 Ord. No. 2212, § 3, 9-18-61
 Ord. No. 2329, § 1, 8-13-62
 Ord. No. 2390, § 3, 12-17-62
 Ord. No. 2496, § 1, 7-22-63
 Ord. No. 2574, § 1, 1-20-64
 Ord. No. 2651, § 1, 8-13-64
 Ord. No. 2658, § 1, 9-8-64
 Ord. No. 2693, § 1, 11-2-64

Ch. 10, § 36a of the 1953 Code as added by Ord. No. 1980, § 7, 11-16-59 – Amended by:
 Ord. No. 2004, § 2, 2-3-60

Ord. No. 2105, § 1, 11-7-60
 Ord. No. 2129, § 2, 1-3-61
 Ord. No. 2212, § 4, 9-18-61
 Ord. No. 2390, § 4, 12-17-62
 Ord. No. 2608, § 1, 5-4-64
 Ord. No. 2709, § 1, 12-7-64

Ch. 10, § 36b of the 1953 Code as added by Ord. No. 1980, § 7, 11-16-59 – Amended by:
 Ord. No. 2004, § 3, 2-3-60
 Ord. No. 2212, § 5, 9-18-61
 Ord. No. 2390, § 5, 12-17-62
 Ord. No. 2651, § 2, 8-13-64
 Ord. No. 2659, § 1, 9-8-64

Ch. 10, § 36c of the 1953 Code as added by Ord. No. 1980, § 7, 11-16-59 – Amended by:
 Ord. No. 2004, § 4, 2-3-60
 Ord. No. 2074, § 1, 8-1-60
 Ord. No. 2212, § 6, 9-18-61
 Ord. No. 2329, § 2, 8-13-62
 Ord. No. 2574, § 2, 1-20-64

Ch. 10, § 36d of the 1953 Code as added by Ord. No. 1980, § 7, 11-16-59 – Amended by:
 Ord. No. 1971, § 2, 11-16-59
 Ord. No. 2004, § 5, 2-3-60
 Ord. No. 2032, § 1, 5-16-60
 Ord. No. 2212, § 7, 9-18-61
 Ord. No. 2390, § 7, 12-17-62
 Ord. No. 2496, § 2, 7-22-63

Ch. 10, § 36e of the 1953 Code as added by Ord. No. 1980, § 7, 11-16-59 – Amended by:
 Ord. No. 2004, § 6, 2-3-60
 Ord. No. 2212, § 8, 9-18-61
 Ord. No. 2329, § 3, 8-13-62
 Ord. No. 2390, § 8, 12-17-62
 Ord. No. 2460, § 2, 5-6-63
 Ord. No. 2574, § 3, 1-20-64
 Ord. No. 2608, § 2, 5-4-64
 Ord. No. 2695, § 1, 11-9-64

Ch. 10, § 36f of the 1953 Code as added by Ord. No. 1980, § 7, 11-16-59 – Amended by:
 Ord. No. 2004, § 7, 2-3-60
 Ord. No. 2105, § 2, 11-7-60
 Ord. No. 2212, § 9, 9-18-61
 Ord. No. 2213, § 1, 9-25-61
 Ord. No. 2390, § 9, 12-17-62
 Ord. No. 2460, § 3, 5-6-63
 Ord. No. 2490, § 3, 7-22-63
 Ord. No. 2574, § 4, 1-20-64
 Ord. No. 2693, § 2, 11-2-64

Ch. 10, § 36g of the 1953 Code as added by Ord. No. 1980, § 7, 11-16-59 – Amended by:
 Ord. No. 2004, § 8, 2-3-60
 Ord. No. 2063, § 1, 7-5-60
 Ord. No. 2105, § 3, 11-7-60
 Ord. No. 2212, § 10, 9-10-61
 Ord. No. 2216, § 1, 10-19-61
 Ord. No. 2390, § 10, 12-17-62
 Ord. No. 2496, § 4, 7-22-63
 Ord. No. 2574, § 5, 1-20-64

Ch. 10, § 36 of the 1953 Code as added by Ord. No. 2638,
§ 1, 7-6-64.

Section 10-31 has been amended by the following ordinances:

Ord. No. 2754, § 3, 4-5-65
Ord. No. 2845, § 4, 2-7-66
Ord. No. 2874, § 1, 5-16-66
Ord. No. 2908, §§ 1, 2, 8-1-66
Ord. No. 2930, §§ 1, 2, 10-24-66
Ord. No. 2940, § 3, 11-28-66
Ord. No. 2973, § 1, 2-6-67
Ord. No. 2974, § 1, 2-6-67
Ord. No. 2986, § 2, 3-20-67
Ord. No. 3009, §§ 1, 2, 6-5-67
Ord. No. 3061, § 1, 12-4-67
Ord. No. 3079, § 1, 1-15-68
Ord. No. 3123, § 1, 5-20-68
Ord. No. 3126, § 2, 5-27-68
Ord. No. 3127, § 1, 6-3-68
Ord. No. 3137, § 1, 7-1-68
Ord. No. 3163, §§ 1, 2, 9-9-68
Ord. No. 3179, § 1, 11-12-68
Ord. No. 3199, § 1, 12-2-68
Ord. No. 3208, § 1, 1-13-69
Ord. No. 3209, §§ 1, 2, 1-13-69
Ord. No. 3214, § 1, 2-3-69
Ord. No. 3215, §§ 1, 2, 2-24-69
Ord. No. 3251, §§ 1, 2, 5-5-69
Ord. No. 3266, § 1, 6-2-69
Ord. No. 3279, § 1, 6-23-69
Ord. No. 3298, § 1, 7-21-69
Ord. No. 3344, § 2, 10-16-69
Ord. No. 3405, § 1, 2-2-70
Ord. No. 3428, § 1, 3-23-70
Ord. No. 3429, § 1, 3-23-70
Ord. No. 3444, § 1, 5-18-70
Ord. No. 3512, § 1, 8-31-70
Ord. No. 3534, § 1, 10-12-70
Ord. No. 3581, § 1, 1-4-71
Ord. No. 3582, § 1, 1-4-71
Ord. No. 3635, §§ 1, 2, 5-12-71
Ord. No. 3648, §§ 1 – 4, 5-10-71
Ord. No. 3710, §§ 1, 2, 9-7-71
Ord. No. 3768, § 1, 12-20-71
Ord. No. 3838, §§ 1 – 4, 5-1-72
Ord. No. 3863, §§ 1 – 4, 6-12-73
Ord. No. 3914, §§ 1, 2, 9-5-72
Ord. No. 3968, § 1, 1-22-73
Ord. No. 4014, § 1, 4-23-73
Ord. No. 4025, § 1, 5-21-73
Ord. No. 4027, § 1, 5-29-73
Ord. No. 4038, § 2, 6-25-73
Ord. No. 4065, § 1, 7-16-73
Ord. No. 4075, § 1, 8-6-73
Ord. No. 4105, § 1, 11-5-73
Ord. No. 4119, § 2, 12-11-73
Ord. No. 4142, § 1, 2-25-74
Ord. No. 4182, § 1, 5-28-74
Ord. No. 4194, § 1, 6-3-74
Ord. No. 4198, § 2, 6-17-74
Ord. No. 4203, § 2, 7-1-74
Ord. No. 4218, § 1, 7-22-74
Ord. No. 4239, § 1, 9-9-74

Ord. No. 4241, § 1, 9-9-74
Ord. No. 4306, § 1, 1-13-75
Ord. No. 4371, § 1, 6-30-75
Ord. No. 4381, § 1, 8-4-75
Ord. No. 4425, § 2, 12-30-75
Ord. No. 4445, § 1, 2-17-76
Ord. No. 4523, § 2, 6-21-76
Ord. No. 4528, § 1, 6-28-76
Ord. No. 4643, § 1, 5-23-77
Ord. No. 4682, § 2, 7-5-77
Ord. No. 4735, § 2, 12-19-77
Ord. No. 4849, §§ 2, 3, 7-3-78
Ord. No. 4859, § 1, 8-7-78
Ord. No. 4872, § 1, 9-5-78
Ord. No. 4896, § 1, 10-23-78
Ord. No. 4905, §§ 1, 2, 11-13-78
Ord. No. 4939, §§ 1, 2, 2-12-79
Ord. No. 4984, § 2, 6-4-79
Ord. No. 5007, §§ 1, 2, 7-2-79
Ord. No. 5032, § 1, 9-4-79
Ord. No. 5061, §§ 1, 2, 11-13-79
Ord. No. 5085, § 1, 1-7-79
Ord. No. 5146, §§ 1, 2, 5-5-80
Ord. No. 5164, § 2, 5-27-80
Ord. No. 5199, § 1, 8-4-80
Ord. No. 5305, §§ 1, 2, 2-9-81
Ord. No. 5365, § 1, 6-8-81
Ord. No. 5399, §§ 2, 3, 7, 6-29-81
Ord. No. 5413, § 1, 8-3-81
Ord. No. 5599, §§ 1, 3 – 5, 9, 6-28-82
Ord. No. 5624, § 1, 8-3-82
Ord. No. 5677, § 1, 11-8-82
Ord. No. 5798, §§ 1, 3, 8, 7-5-83
Ord. No. 5832, § 1, 8-1-83
Ord. No. 5850, §§ 1 – 3, 9-6-83
Ord. No. 5901, § 1, 11-21-83
Ord. No. 5903, § 1, 11-21-83
Ord. No. 5951, § 1, 2-13-84
Ord. No. 6007, § 1, 4-30-84
Ord. No. 6040, §§ 1, 3, 8, 6-25-84
Ord. No. 6071, § 1, 8-6-84
Ord. No. 6114, §§ 1 – 3, 11-5-84
Ord. No. 6169, § 1, 2-11-85
Ord. No. 6264, §§ 1, 3, 8, 6-24-85
Ord. No. 6302, §§ 1, 2, 9-3-85
Ord. No. 6329, § 1, 11-18-85
Ord. No. 6332, § 1, 11-25-85
Ord. No. 6338, § 1, 11-25-85
Ord. No. 6452, § 1, 3, 6-16-86
Ord. No. 6506, § 1, 9-2-86
Ord. No. 6613, § 1, 1-12-87
Ord. No. 6643, § 1, 3-16-87
Ord. No. 6735, §§ 1, 5, 10, 7-6-87
Ord. No. 6772, §§ 1, 2, 9-14-87
Ord. No. 6840, § 1, 11-16-87
Ord. No. 6913, § 1, 3-28-88
Ord. No. 6921, § 1, 4-4-88
Ord. No. 6945, § 1, 5-9-88
Ord. No. 6960, §§ 1, 2, 6-6-88
Ord. No. 7004, §§ 1, 4, 9 – 11, 14, 7-5-88
Ord. No. 7024, § 1, 9-6-88
Ord. No. 7097, § 1, 11-28-88

Ord. No. 7151, §§ 1, 2, 3-6-89
 Ord. No. 7196, §§ 1, 2, 5-15-89
 Ord. No. 7243, §§ 7, 9, 12, 7-3-89
 Ord. No. 7275, §§ 1 – 3, 9-11-89
 Ord. No. 7312, §§ 1, 2, 11-13-89
 Ord. No. 7350 § 1, 2-5-90
 Ord. No. 7383, § 2, 3-19-90
 Ord. No. 7439, § 1, 6-25-90
 Ord. No. 7466, § 1, 8-6-90
 Ord. No. 7497, § 1, 9-17-90
 Ord. No. 7518, § 1, 11-19-90
 Ord. No. 7549, § 1, 1-14-91
 Ord. No. 7566, § 1, 2-25-91
 Ord. No. 7599, §§ 1, 2, 4-1-91
 Ord. No. 7605, §§ 1, 2, 4-15-91
 Ord. No. 7653, §§ 1, 2, 6-24-91
 Ord. No. 7691, §§ 1, 2, 9-16-91
 Ord. No. 7780, §§ 1, 2, 3-16-92
 Ord. No. 7906, § 1, 9-14-92
 Ord. No. 7917, §§ 1, 2, 10-5-92
 Ord. No. 7970, § 1, 1-4-93
 Ord. No. 8022, § 1, 4-12-93
 Ord. No. 8067, §§ 1, 2, 6-21-93
 Ord. No. 8090, § 1, 7-6-93
 Ord. No. 8092, § 1, 8-2-93
 Ord. No. 8149, § 1, 11-1-93
 Ord. No. 8166, § 1, 11-22-93
 Ord. No. 8206, § 1, 2-7-94
 Ord. No. 8316, § 1, 7-5-94
 Ord. No. 8367, § 1, 9-12-94
 Ord. No. 8378, § 1, 10-17-94
 Ord. No. 8439, § 2, 1-23-95
 Ord. No. 8444, § 1, 2-6-95
 Ord. No. 8519, §§ 1, 2, 6-12-95
 Ord. No. 8619, § 1, 1-2-96
 Ord. No. 8712, § 2, 6-10-96
 Ord. No. 8753, § 2, 8-5-96
 Ord. No. 8791, § 1, 1-6-97
 Ord. No. 8842, § 1, 3-17-97
 Ord. No. 8844, § 1, 3-24-97
 Ord. No. 8878, § 1, 6-9-97
 Ord. No. 8975, § 1, 11-3-97
 Ord. No. 9008, § 1, 2-2-98
 Ord. No. 9055, § 1, 5-18-98
 Ord. No. 9068, § 1, 6-8-98
 Ord. No. 9093, § 1, 8-3-98
 Ord. No. 9151, § 1, 11-2-98
 Ord. No. 9191, § 1, 1-11-99
 Ord. No. 9237, § 1, 6-14-99
 Ord. No. 9347, § 1, 2-7-00
 Ord. No. 9352, § 1, 2-28-00
 Ord. No. 9399, § 1, 6-12-00
 Ord. No. 9465, § 1, 9-25-00
 Ord. No. 9475, § 1, 10-16-00
 Ord. No. 9575, § 1, 6-25-01
 Ord. No. 9588, § 1, 8-6-01
 Ord. No. 9677, § 1, 2-25-02 (effective June 30, 2002)
 Ord. No. 9724, §§ 1, 2, 6-17-02
 Ord. No. 9727, §§ 1, 2, 6-24-02
 Ord. No. 9742, § 2, 8-5-02 (retroactive to June 30, 2002)
 Ord. No. 10003, § 1, 6-28-04 (effective June 27, 2004)
 Ord. No. 10165, § 1, 6-14-05 (effective June 26, 2005)
 Ord. No. 10289, §§ 1 – 3, 6-27-06 (effective July 9, 2006)
 Ord. No. 10293, §§ 1, 2, 6-27-06 (retroactive to June 25, 2006)

Ord. No. 10364, § 1, 12-19-06 (amending Ord. No. 10289)
 Ord. No. 10426, § 1, 6-19-07 (effective June 24, 2007)
 Ord. No. 10491, §§ 1, 2, 1-8-08
 Ord. No. 10550, § 1, 6-17-08 (effective July 1, 2008)
 Ord. No. 10619, §§ 1, 2 (Exh. A), 1-6-09 (effective January 1, 2009)
 Ord. No. 10675, § 1, 6-2-09 (effective July 1, 2009)
 Ord. No. 10806, § 1, 6-15-10 (effective July 1, 2010)
 Ord. No. 10900, § 1, 6-28-11 (effective July 1, 2011)
 Ord. No. 10989, § 2, 6-5-12 (effective July 1, 2012)
 Ord. No. 11075, § 5, 5-21-13 (effective July 1, 2013)
 Ord. No. 11134, § 2, 12-17-13
 Ord. No. 11180, § 1, 6-3-14 (effective June 29, 2014)
 Ord. No. 11233, § 1, 12-16-14
 Ord. No. 11273, § 1, 6-9-15 (effective June 28, 2015)
 Ord. No. 11291, § 3, 8-5-15
 Ord. No. 11373, § 1, 6-7-16 (effective June 26, 2016)
 Ord. No. 11407, § 1, 11-9-16 (effective November 27, 2016)
 Ord. No. 11429, § 1, 1-24-17 (effective December 25, 2016)
 Ord. No. 11464, § 1, 6-6-17 (effective June 25, 2017)
 Ord. No. 11511, § 1, 12-19-17 (effective December 24, 2017)
 Ord. No. 11535, § 1, 3-20-18
 Ord. No. 11542, § 1, 4-17-18
 Ord. No. 11558, § 1, 6-5-18 (effective June 24, 2018)
 Ord. No. 11611, § 1, 12-18-18

Sec. 10-32. Administration of plan.

(a) Under the direction and supervision of the city manager, the human resources director shall administer the annual position-compensation plan which is predicated on performance and skill based components and principles. A skill based pay component of the position-compensation for any department will not be implemented or administered without prior approval of a department proposal by the human resource director. Consideration and implementation of a proposal for a skill based component requires:

- (1) That a comprehensive review of departmental work practices has been undertaken. This review shall include the evaluation of work practices, the identification of potential improvements that integrate organization change, new work practices and use of new technologies and,
- (2) That benefits and cost savings which will result from the utilization of a skill based pay component for the department have been identified and quantified.
- (3) That there has been a job analysis identifying skill, job description, skill objectives, training program supporting the acquisition of identified skills, and skill based compensation structure.

- (4) That the human resources is satisfied with and approves the proposed skill based component to be appropriate for the classification involved.

(b) In no event shall a skill based pay component for a department be approved if the proposal results in the compensation of positions in a city classification both under the performance and skill based component of the compensation plan.

(1953 Code, ch. 10, § 21; Ord. No. 7369, § 18, 3-12-90; Ord. No. 10003, § 3, 6-28-04)

Cross references – Duties of director of personnel pertaining to pensions, § 22-23; duties pertaining to group insurance, § 22-84.

Sec. 10-33. Language communication compensation.

(a) In addition to the compensation authorized by section 10-31, employees who use a language other than English, with proficiency at a conversational level as verified by the director of the department of human resources, a minimum of five (5) percent of the work week, or occupy a position designated by an appointing authority and approved by the city manager as a “language communication” position, shall receive extra compensation in the amount of thirty dollars (\$30.00) per pay period.

(b) Designation of a “language communication” position by the appointing authority and its authorization by the city manager shall be pursuant to procedures to be set forth in city administrative directives.

(c) The director of the department of human resources is responsible for the administration of the language communication compensation program, including, but not limited to, fixing: competency standards; verification procedures for confirming five (5) percent language usage; and criteria to be utilized by appointing authorities when designating “language communications” positions.

(Ord. No. 7937, § 1, 10-26-92; Ord. No. 9540, § 1, 4-16-01; Ord. No. 9562, § 1, 6-11-01; Ord. No. 9727, § 2, 6-24-02; Ord. No. 10165, § 3, 6-14-05; Ord. No. 10426, § 2, 6-19-07; Ord. No. 10550, § 3, 6-17-08, eff. 7-1-08; Ord. No. 10675, § 2, 6-2-09, eff. 7-1-09; Ord. No. 10806, § 2, 6-15-10, eff. 7-1-10; Ord. No. 10900, § 2, 6-28-11, eff. 7-1-11; Ord. No. 10989, § 3, 6-5-12, eff. 7-1-12; Ord. No. 11075, § 5, 5-21-13, eff. 7-1-13;

Ord. No. 11134, § 2, 12-17-13; Ord. No. 11180, § 2, 6-3-14, eff. 6-29-14; Ord. No. 11273, § 2, 6-9-15, eff. 6-28-15; Ord. No. 11373, § 2, 6-7-16, eff. 6-26-16; Ord. No. 11558, § 2, 6-5-18, eff. 6-24-18; Ord. No. 11611, § 3, 12-18-18)

Editor’s note – Ord. No. 11180, § 2, adopted June 3, 2014, ratified, reaffirmed, and reenacted this section for Fiscal Year 2015. Appendix A and accompanying schedules are implemented for all classified and unclassified employees, effective June 29, 2014. Ord. No. 11273, § 2, adopted June 9, 2015, ratified, reaffirmed, and reenacted this section for Fiscal Year 2016. Appendix A and accompanying schedules are implemented for all classified and unclassified employees, effective June 28, 2015. Ord. No. 11373, § 2, adopted June 7, 2016, ratified, reaffirmed, and reenacted this section for Fiscal Year 2017. Appendix A and accompanying schedules are implemented for all classified and unclassified employees, effective June 26, 2016. Ord. No. 11464, § 2, adopted June 6, 2017, ratified, reaffirmed, and reenacted this section for Fiscal Year 2018. Appendix A and accompanying schedules are implemented for all classified and unclassified employees, effective June 25, 2017.

Sec. 10-33.1. Proficiency pay for commissioned police personnel certified as bilingual users of American Sign Language (ASL) or Spanish.

(a) Effective July 1, 2011, commissioned police personnel who are certified as bilingual users of ASL or Spanish, who use ASL or Spanish a minimum of five (5) percent of the work week, or who occupy a position designated by the police chief and approved by the city manager as regularly requiring a certified bilingual user of ASL or Spanish, will receive eighty-five dollars (\$85.00) per pay period.

(b) Designation of a position as regularly requiring the use of a certified bilingual user of ASL or Spanish by the appointing authority and if authorized by the city manager, shall be pursuant to procedures to be set forth in city administrative directives.

(c) Certified bilingual officers who are receiving compensation under this section are not eligible for language communication compensation under section 10-33.

(d) The director of the department of human resources is responsible for establishing and/or adopting certification standards to ensure that bilingual ASL or Spanish proficiency is at a speed and technical level necessary to accomplish all critical aspects of a commissioned law enforcement officer’s duties in those languages. The department of human resources is also responsible for the administration of the certified ASL

or Spanish proficiency program including but not limited to verification procedures for confirming five (5) percent usage and criteria to be utilized by appointing authorities when designating a position as requiring certified bilingual user proficiency in ASL or Spanish language.

(Ord. No. 10165, § 4, 6-14-05; Ord. No. 10426, § 2, 6-19-07; Ord. No. 10550, § 2, 6-17-08; Ord. No. 10675, § 2, 6-2-09, eff. 7-1-09; Ord. No. 10806, § 2, 6-15-10, eff. 7-1-10; Ord. No. 10900, § 2, 6-28-11, eff. 7-1-11; Ord. No. 10989, § 3, 6-5-12, eff. 7-1-12; Ord. No. 11075, § 5, 5-21-13, eff. 7-1-13; Ord. No. 11134, § 2, 12-17-13; Ord. No. 11180, § 2, 6-3-14, eff. 6-29-14; Ord. No. 11273, § 2, 6-9-15, eff. 6-28-15; Ord. No. 11373, § 2, 6-7-16, eff. 6-26-16; Ord. No. 11558, § 2, 6-5-18, eff. 6-24-18; Ord. No. 11611, § 3, 12-18-18)

Editor's note – Ord. No. 11180, § 2, adopted June 3, 2014, ratified, reaffirmed, and reenacted this section for Fiscal Year 2015. Appendix A and accompanying schedules are implemented for all classified and unclassified employees, effective June 29, 2014. Ord. No. 11273, § 2, adopted June 9, 2015, ratified, reaffirmed, and reenacted this section for Fiscal Year 2016. Appendix A and accompanying schedules are implemented for all classified and unclassified employees, effective June 28, 2015. Ord. No. 11373, § 2, adopted June 7, 2016, ratified, reaffirmed, and reenacted this section for Fiscal Year 2017. Appendix A and accompanying schedules are implemented for all classified and unclassified employees, effective June 26, 2016. Ord. No. 11464, § 2, adopted June 6, 2017, ratified, reaffirmed, and reenacted this section for Fiscal Year 2018. Appendix A and accompanying schedules are implemented for all classified and unclassified employees, effective June 25, 2017.

Sec. 10-34. Incentive pay for fire prevention inspectors.

In addition to the compensation authorized by Tucson Code section 10-31, compensation in the amount of ninety-two dollars and thirty-one cents (\$92.31) per pay period shall be paid to full time employees holding positions in the Fire Prevention Inspector Classification, Class Code 6412, who achieve and maintain any of the following designations:

International Certified Fire Investigator, certified by the International Association of Arson Investigators;

Fire Inspector II Certification, certified by the State Fire Marshal;

Public Education Specialist II, certified by the State Fire Marshal;

Uniform Fire Code Proficiency Certification, certified by the International Fire Code Institute;

Canine Handler Proficiency for Canine Odor Recognition and Detection of Accelerants, certified by Bureau of Alcohol, Tobacco and Firearms of the United States Treasury Department.

Compensation under this section will be awarded for only one certified designation regardless of the number of certified designations held.

(Ord. No. 8957, § 1, 9-22-97; Ord. No. 9563, § 1, 6-11-01; Ord. No. 9727, § 2, 6-24-02; Ord. No. 10165, § 2, 6-14-05; Ord. No. 10426, § 2, 6-19-07; Ord. No. 10550, § 2, 6-17-08; Ord. No. 10675, § 2, 6-2-09, eff. 7-1-09; Ord. No. 10806, § 2, 6-15-10, eff. 7-1-10; Ord. No. 10900, § 2, 6-28-11, eff. 7-1-11; Ord. No. 10989, § 3, 6-5-12, eff. 7-1-12; Ord. No. 11075, § 5, 5-21-13, eff. 7-1-13; Ord. No. 11134, § 2, 12-17-13; Ord. No. 11180, § 2, 6-3-14, eff. 6-29-14; Ord. No. 11273, § 2, 6-9-15, eff. 6-28-15; Ord. No. 11373, §§ 2, 3, 6-7-16, eff. 6-26-16; Ord. No. 11558, § 2, 6-5-18, eff. 6-24-18; Ord. No. 11611, § 3, 12-18-18)

Editor's note – Ord. No. 3965, § 5, adopted Dec. 18, 1972, amended this Code by repealing former § 10-34, relative to the conversion of the salary range schedule to hourly, biweekly and approximate annual rates. The section was derived from the following: 1953 Code, ch. 10, § 35a; Ord. No. 2031, § 1, adopted May 16, 1960, and Ord. No. 2401, § 2, adopted Jan. 7, 1963. Subsequently, Ord. No. 8957 added a new § 10-34.

Ord. No. 11180, § 2, adopted June 3, 2014, ratified, reaffirmed, and reenacted this section for Fiscal Year 2015. Appendix A and accompanying schedules are implemented for all classified and unclassified employees, effective June 29, 2014. Ord. No. 11273, § 2, adopted June 9, 2015, ratified, reaffirmed, and reenacted this section for Fiscal Year 2016. Appendix A and accompanying schedules are implemented for all classified and unclassified employees, effective June 28, 2015. Ord. No. 11373, § 2, adopted June 7, 2016, ratified, reaffirmed, and reenacted this section for Fiscal Year 2017. Appendix A and accompanying schedules are implemented for all classified and unclassified employees, effective June 26, 2016. Ord. No. 11464, § 2, adopted June 6, 2017, ratified, reaffirmed, and reenacted this section for Fiscal Year 2018. Appendix A and accompanying schedules are implemented for all classified and unclassified employees, effective June 25, 2017.

Sec. 10-34.1. Assignment and incentive pay for maintaining paramedic certification and working as paramedics.

Paramedic assignment pay of one hundred fifty dollars (\$150.00) per month will be paid to commissioned fire personnel who:

- (1) Are promoted to and remain in the classification of paramedic; or

- (2) Are in non-paramedic classifications, have completed new hire probation, possess a national and/or state certification (EMT-P) and are minimally available to work one (1) twenty-four-hour shift per month as a paramedic, which work availability is subject to verification by the fire chief.

(Ord. No. 9399, § 2, 6-12-00; Ord. No. 9522, § 1, 3-5-01; Ord. No. 9727, § 2, 6-24-02; Ord. No. 10165, § 2, 6-14-05; Ord. No. 10289, § 4, 6-27-06; Ord. No. 10426, § 2, 6-19-07; Ord. No. 10550, § 2, 6-17-08; Ord. No. 10675, § 3, 6-2-09, eff. 7-1-09; Ord. No. 10806, § 2, 6-15-10, eff. 7-1-10; Ord. No. 10900, § 2, 6-28-11, eff. 7-1-11; Ord. No. 10989, § 3, 6-5-12, eff. 7-1-12; Ord. No. 11075, § 5, 5-21-13, eff. 7-1-13; Ord. No. 11134, § 2, 12-17-13; Ord. No. 11180, § 2, 6-3-14, eff. 6-29-14; Ord. No. 11273, § 2, 6-9-15, eff. 6-28-15; Ord. No. 11373, § 2, 6-7-16, eff. 6-26-16; Ord. No. 11558, § 2, 6-5-18, eff. 6-24-18; Ord. No. 11611, § 3, 12-18-18)

Editor's note – Ord. No. 11180, § 2, adopted June 3, 2014, ratified, reaffirmed, and reenacted this section for Fiscal Year 2015. Appendix A and accompanying schedules are implemented for all classified and unclassified employees, effective June 29, 2014. Ord. No. 11273, § 2, adopted June 9, 2015, ratified, reaffirmed, and reenacted this section for Fiscal Year 2016. Appendix A and accompanying schedules are implemented for all classified and unclassified employees, effective June 28, 2015. Ord. No. 11373, § 2, adopted June 7, 2016, ratified, reaffirmed, and reenacted this section for Fiscal Year 2017. Appendix A and accompanying schedules are implemented for all classified and unclassified employees, effective June 26, 2016. Ord. No. 11464, § 2, adopted June 6, 2017, ratified, reaffirmed, and reenacted this section for Fiscal Year 2018. Appendix A and accompanying schedules are implemented for all classified and unclassified employees, effective June 25, 2017.

Sec. 10-35. Fire battalion chief call back shift pay.

In addition to the compensation authorized by Tucson Code Section 10-31, compensation in the amount of two hundred fifty dollars (\$250.00) for each twelve-hour shift worked outside of a normally scheduled shift shall be paid to full time employees assigned to suppression duties who hold positions in the Fire Battalion Chief Classification.

(Ord. No. 9091, § 1, 7-6-98; Ord. No. 9727, § 2, 6-24-02; Ord. No. 10165, § 2, 6-14-05; Ord. No. 10426, § 2, 6-19-07; Ord. No. 10550, § 2, 6-17-08; Ord. No. 10675, § 2, 6-2-09, eff. 7-1-09; Ord. No. 10806, § 2, 6-15-10, eff. 7-1-10; Ord. No. 10900, § 2, 6-28-11, eff. 7-1-11; Ord. No. 10948, § 1, 12-5-11; Ord. No. 10989, § 3, 6-5-12, eff. 7-1-12; Ord. No. 11075, § 5, 5-21-13, eff. 7-1-13; Ord. No. 11134, § 2, 12-17-13; Ord. No. 11180, § 2, 6-3-14, eff. 6-29-14; Ord. No. 11273, § 2,

6-9-15, eff. 6-28-15; Ord. No. 11373, § 2, 6-7-16, eff. 6-26-16; Ord. No. 11558, § 2, 6-5-18, eff. 6-24-18; Ord. No. 11611, § 3, 12-18-18)

Editor's note – Section 10-35, relating the rate of pay for a class of an employee's original appointment, derived from the 1953 Code, ch. 10, § 22, and Ord. No. 1980, § 1, adopted Nov. 16, 1959, was repealed by § 1 of Ord. No. 7369, adopted Mar. 12, 1990. Subsequently, Ord. No. 9091, § 1, adopted July 6, 1998, added a new § 10-35.

Ord. No. 11180, § 2, adopted June 3, 2014, ratified, reaffirmed, and reenacted this section for Fiscal Year 2015. Appendix A and accompanying schedules are implemented for all classified and unclassified employees, effective June 29, 2014. Ord. No. 11273, § 2, adopted June 9, 2015, ratified, reaffirmed, and reenacted this section for Fiscal Year 2016. Appendix A and accompanying schedules are implemented for all classified and unclassified employees, effective June 28, 2015. Ord. No. 11373, § 2, adopted June 7, 2016, ratified, reaffirmed, and reenacted this section for Fiscal Year 2017. Appendix A and accompanying schedules are implemented for all classified and unclassified employees, effective June 26, 2016. Ord. No. 11464, § 2, adopted June 6, 2017, ratified, reaffirmed, and reenacted this section for Fiscal Year 2018. Appendix A and accompanying schedules are implemented for all classified and unclassified employees, effective June 25, 2017.

Sec. 10-36. Probationary periods.

All original and promotional appointments of eligible persons to permanent positions shall be made subject to a probationary period. Such probationary period shall commence with the date of appointment, except for entrance into the uniformed service of the police or fire department, when the probationary period shall commence when the employee enters the police or fire training academy. The length of probationary periods shall be as established by civil service commission rules and regulations.

(1953 Code, ch. 10, § 23; Ord. No. 1980, § 2, 11-16-59; Ord. No. 5000, § 9, 6-25-79; Ord. No. 5398, § 1, 6-29-81; Ord. No. 5598, § 1, 6-28-82; Ord. No. 6735, § 2, 7-6-87; Ord. No. 7004, § 5, 7-5-88; Ord. No. 7243, §§ 2, 3, 7-3-89)

Sec. 10-37. Reallocation.

Sec. 10-37(1). Reallocation of positions compensated under skill based pay components of the compensation plan.

(a) When a position is reallocated to a classification that is assigned to a skill based pay structure and the incumbent's skill level is greater than the incumbent's current pay level the incumbent shall receive a pay increase commensurate with the skill pay level and the incumbent's anniversary date shall be changed.

(b) When a position is reallocated to a classification that is assigned to a skill based pay structure and the incumbent's skill level is equal to the incumbent's current pay level or falls between two (2) points within the skill level band the incumbent shall move to the higher level in the range. The anniversary date shall not change. The incumbent must attain the assigned skill level within the next six (6) months to retain the assigned pay level.

(c) When a position is reallocated to a classification that is assigned to a skill based pay structure and the incumbent's current salary is higher than the incumbent's skill pay level the incumbent shall enter the structure with no change to current salary. The anniversary date shall not change. The incumbents shall not receive any further salary increases until the skill level for the assigned salary has been reached.

Sec. 10-37(2). Reallocation of positions compensated under performance based components of the compensation plan.

(a) When a position is reallocated to a classification that is assigned a higher salary range, an incumbent's anniversary date shall be changed and salary increased as though a promotion had occurred.

(b) When a position is reallocated to a classification assigned a lower salary range, an incumbent's salary shall not change if it is equal to either a step or a point within salary ranges but if falling between two (2) steps of a range, the incumbent's salary will not change until the next pay increase at which time the salary will move to the appropriate step within the salary range. The anniversary date shall not change.

(c) When a position is reallocated to a classification assigned a lower salary range an incumbent's salary shall not change if it is greater than the maximum for the classification. The incumbent shall not receive any further salary increases until salary ranges for the classification increase, permitting salary increases under regular administration of the compensation plan.

(Ord. No. 9399, § 3, 6-12-00; Ord. No. 9866, § 3, 6-23-03; Ord. No. 10003, § 3, 6-28-04; Ord. No. 10550, § 4, 6-17-08, eff. 7-1-08)

Sec. 10-37.1. Reserved.

Editor's note – Ordinance No. 8712, § 3, adopted June 10, 1996, repealed § 10-37.1. Formerly, such section pertained to increases in compensation for the pay for performance plan and derived from Ord. No. 8519, § 6, 6-12-95.

Sec. 10-37.2. Reserved.

Editor's note – Ordinance No. 8712, § 3, adopted June 10, 1996, repealed § 10-37.2. Formerly, such section pertained to increases in compensation for the recreation benchmark group and hourly classifications and derived from Ord. No. 8519, § 7, 6-12-95.

Sec. 10-38. Movement within salary ranges.

Movement within salary ranges shall be based upon performance components and or predicated on acquisition of skills set forth in skill based pay components of the compensation plan and also in accordance with the city managers directives for compensation administration.
(Ord. No. 10003, § 4, 6-28-04)

Sec. 10-39. Increases for exceptionally meritorious service.

Notwithstanding any other provision of article II of chapter 10, no person compensated under a performance based component of the compensation plan may receive more than one (1) performance based compensation increase within a year, except for exceptionally meritorious service and then only upon the recommendation of the department head and with the approval of the city manager. Performance pay increases for exceptionally meritorious service will not exceed five (5) percent in addition to the basic performance based pay of five (5) percent or a total maximum of ten (10) percent in any twelve (12) month time period. Persons compensated under a skill based component of the compensation plan shall not receive increases for meritorious service but may receive up to three (3) skill based pay level increases per year as provided for by the structure of the skill based component of the compensation plan.

(Ord. No. 8519, § 8, 6-12-95; Ord. No. 10003, § 5, 6-28-04; Ord. No. 10550, § 5, 6-17-08, eff. 7-1-08)

Editor's note – Formerly, § 10-38.

Secs. 10-40 – 10-44. Reserved.

Editor's note – Sections 10-40 – 10-43 were repealed by § 1 of Ord. No. 7369, adopted Mar. 12, 1990. Section 10-40 dealt with transfers to different classes and was derived from the 1953 Code, ch. 10, § 26, and Ord. No. 5000, § 12. Section 10-41 dealt with reduction in pay on demotion to a lower class and was derived from the 1953 Code, ch. 10, § 27, and Ord. Nos. 5000, § 13, and 5237, § 2. Section 10-42 dealt with pay upon reemployment or reinstatement after separation and was derived from the 1953 Code, ch. 10, § 28, and Ord. No. 1980, § 3. Section 10-43 dealt with reallocation and was derived from Ord. No. 5000, § 15. Ord. No. 5000, § 16, adopted Jun 25, 1979, repealed § 10-44, which pertained to the deduction of lodging, transportation, etc., from compensation rates. The section had been derived from the 1953 Code, ch. 10, § 29.

Sec. 10-45. Computation of hourly rates.

Whenever it becomes necessary or desirable to compute compensation for service on an hourly basis, payment for part-time, emergency, temporary, overtime, or extra time service, and other similar cases, the computation shall be made by the city finance director under the direction of the city manager by applying any generally accepted payroll computation method for translating monthly salaries into equivalent hourly rates. The same formula shall be applied to compensation computations for all persons employed by the city.

(1953 Code, ch. 10, § 30; Ord. No. 7369, § 21, 3-12-90)

Sec. 10-46. Part-time employees to be paid by the hour.

Part-time employees shall be compensated at a rate only for the number of hours worked.

(1953 Code, ch. 10, § 31)

Sec. 10-47. Recruiting referral compensation for commissioned personnel.

(a) In addition to other compensation provided by Tucson Code Chapter 10, Article II employees who refer a police officer or firefighter applicant who is hired within one year of the referral shall receive two hundred dollars (\$200.00), as provided in section (b) following.

(b) In addition to other compensation provided by Tucson Code Chapter 10, Article II commissioned firefighter personnel who refer a firefighter applicant who is hired within one year of the referral shall receive two hundred dollars (\$200.00), as provided in section (c) following.

(c) The director of human resources is responsible for the administration of recruiting referral compensation, including, but not limited to, providing for criteria to determine an acceptable referral; establishing methods to match referrals with hiring; and approving referral compensation. Payment of recruiting referral compensation for firefighter referrals will occur upon the applicant's successful completion of the Academy.

(Ord. No. 9349, § 1, 2-7-00; Ord. No. 9405, § 1, 6-19-00; Ord. No. 9727, § 2, 6-24-02; Ord. No. 10165, § 2, 6-14-05; Ord. No. 10426, § 2, 6-19-07; Ord. No. 10558, § 2, 6-25-08, eff. 6-22-08; Ord. No. 10900, § 2, 6-28-11, eff. 7-1-11; Ord. No. 11273, § 2, 6-9-15, eff. 6-28-15; Ord. No. 11373, § 2, 6-7-16, eff. 6-26-16; Ord. No. 11558, § 2, 6-5-18, eff. 6-24-18; Ord. No. 11611, § 3, 12-18-18)

Editor's note – Ord. No. 10900, § 2, adopted June 28, 2011, ratified, reaffirmed, and reenacted this section for Fiscal Year 2012. Appendix A and accompanying schedules are implemented for all classified and unclassified employees, effective July 1, 2011. Ord. No. 11273, § 2, adopted June 9, 2015, ratified, reaffirmed, and reenacted this section for Fiscal Year 2016. Appendix A and accompanying schedules are implemented for all classified and unclassified employees, effective June 28, 2015. Ord. No. 11373, § 2, adopted June 7, 2016, ratified, reaffirmed, and reenacted this section for Fiscal Year 2017. Appendix A and accompanying schedules are implemented for all classified and unclassified employees, effective June 26, 2016. Ord. No. 11464, § 2, adopted June 6, 2017, ratified, reaffirmed, and reenacted this section for Fiscal Year 2018. Appendix A and accompanying schedules are implemented for all classified and unclassified employees, effective June 25, 2017.

Sec. 10-48. Supplement to military pay.

City employees, who pursuant to state law are entitled to military leave without loss of pay for a period not to exceed thirty (30) days in any two (2) consecutive years and fire commissioned personnel who are entitled by section 22-90(4) to military leave not to exceed thirty (30) days in one (1) year, will, when called to active duty which exceeds either of the preceding thirty (30) day periods for a period that exceeds thirty (30) consecutive days, receive pay to supplement their military base pay and allowances to the equivalent of their regular rate of city pay during the following time period and pursuant to the conditions hereafter provided:

- (1) The supplemental pay will commence July 1, 2002, but pursuant to Tucson Code section 10-31(1), shall expire annually subject to readoption and reenactment as part of the annual compensation plan for the succeeding fiscal year.

- (2) Supplemental military pay is an amount calculated to make the employee's military base pay and allowances equivalent to the monthly amount of the employee's regular rate of city pay as set forth in the adopted annual compensation plan that the employee would have received, were the employee not on active duty.
- (3) The employee performs extended military service, meaning for a period exceeding thirty (30) consecutive days.
- (4) The thirty (30) day period of military leave for which the employee is entitled to pay by state law or section 22-90(4) during military service has been or becomes exhausted during the period of military service.
- (5) The employee's base monthly military pay and allowances during any qualifying period is less than the amount the employee would have received as the employee's regular rate of pay per month from city employment were the employee not on active duty and as provided for in the city annually adopted compensation plan.
- (6) The employee provides proof of military service, hostile fire/imminent danger assignment, base military pay and allowances pursuant to procedures to be established by the human resources director. The director shall certify that the employee's base military pay and allowances received per month is less than the amount the employee would have received as his regular rate of city pay per month were the employee not on active duty before any payment of supplemental military pay will be made to an employee.

(Ord. No. 9641, § 1, 12-10-01; Ord. No. 9709, § 1, 6-3-02; Ord. No. 9866, § 4, 6-23-03; Ord. No. 10003, § 6, 6-28-04; Ord. No. 10165, § 2, 6-14-05; Ord. No. 10426, § 2, 6-19-07; Ord. No. 10550, § 2, 6-17-08; Ord. No. 10675, § 2, 6-2-09, eff. 7-1-09; Ord. No. 10806, §§ 2, 3, 6-15-10, eff. 7-1-10; Ord. No. 10814, § 1, 7-7-10; Ord. No. 10900, § 2, 6-28-11, eff. 7-1-11; Ord. No. 10989, § 3, 6-5-12, eff. 7-1-12; Ord. No. 11075, § 5, 5-21-13, eff. 7-1-13; Ord. No. 11134, § 2, 12-17-13; Ord. No. 11180, § 2, 6-3-14, eff. 6-29-14; Ord. No. 11273, § 2, 6-9-15, eff. 6-28-15; Ord. No.

11373, §§ 2, 4, 6-7-16, eff. 6-26-16; Ord. No. 11398, § 1, 9-7-16, eff. 6-26-16)

Editor's note – Ord. No. 11180, § 2, adopted June 3, 2014, ratified, reaffirmed, and reenacted this section for Fiscal Year 2015. Appendix A and accompanying schedules are implemented for all classified and unclassified employees, effective June 29, 2014. Ord. No. 11273, § 2, adopted June 9, 2015, ratified, reaffirmed, and reenacted this section for Fiscal Year 2016. Appendix A and accompanying schedules are implemented for all classified and unclassified employees, effective June 28, 2015. Ord. No. 11373, § 2, adopted June 7, 2016, ratified, reaffirmed, and reenacted this section for Fiscal Year 2017. Appendix A and accompanying schedules are implemented for all classified and unclassified employees, effective June 26, 2016. Ord. No. 11464, § 2, adopted June 6, 2017, ratified, reaffirmed, and reenacted this section for Fiscal Year 2018. Appendix A and accompanying schedules are implemented for all classified and unclassified employees, effective June 25, 2017. Ord. No. 11558, § 2, adopted June 5, 2018, ratified, reaffirmed, and reenacted this section for Fiscal Year 2019. Ord. No. 11611, § 3, adopted December 18, 2018, ratified, reaffirmed, and reenacted this section for Fiscal Year 2019.

Sec. 10-49. Holiday and BOI pay for commissioned officers of the Tucson police department of the position of lieutenant and assignment positions of captain and assistant chief.

(a) In addition to the compensation authorized by section 10-31, commissioned officers of the position of lieutenant and assignment positions of captain and assistant chief shall receive holiday pay for any holiday worked which shall result in one (1) extra day of pay for that holiday.

(b) In addition to the compensation authorized by section 10-31, commissioned officers of the position of lieutenant and assignment positions of captain and assistant chief shall receive one (1) day of board of inquiry pay when called out to serve on a boards of inquiry. Board of inquiry pay shall be equivalent to one (1) day of pay at the regular rate of pay for the employee who is called out. No more than one (1) day of board of inquiry pay shall be received by any employee for the same board.

(Ord. No. 10003, § 7, 6-28-04; Ord. No. 10165, § 2, 6-14-05; Ord. No. 10426, § 2, 6-19-07; Ord. No. 10550, § 2, 6-17-08; Ord. No. 10675, § 2, 6-2-09, eff. 7-1-09; Ord. No. 10806, §§ 2, 3, 6-15-10, eff. 7-1-10; Ord. No. 10900, § 2, 6-28-11, eff. 7-1-11; Ord. No. 10989, § 3, 6-5-12, eff. 7-1-12; Ord. No. 11075, § 5, 5-21-13, eff. 7-1-13; Ord. No. 11134, § 2, 12-17-13; Ord. No. 11180, § 2, 6-3-14, eff. 6-29-14; Ord. No. 11273, § 2, 6-9-15, eff. 6-28-15; Ord. No. 11373, § 2, 6-7-16, eff. 6-26-16)

Editor's note – Ord. No. 11180, § 2, adopted June 3, 2014, ratified, reaffirmed, and reenacted this section for Fiscal Year 2015. Appendix A and accompanying schedules are implemented for all classified and unclassified employees, effective June 29, 2014. Ord. No. 11273, § 2, adopted June 9, 2015, ratified, reaffirmed, and reenacted this section for Fiscal Year 2016. Appendix A and accompanying schedules are implemented for all classified and unclassified employees, effective June 28, 2015. Ord. No. 11373, § 2, adopted June 7, 2016, ratified, reaffirmed, and reenacted this section for Fiscal Year 2017. Appendix A and accompanying schedules are implemented for all classified and unclassified employees, effective June 26, 2016. Ord. No. 11464, § 2, adopted June 6, 2017, ratified, reaffirmed, and reenacted this section for Fiscal Year 2018. Appendix A and accompanying schedules are implemented for all classified and unclassified employees, effective June 25, 2017. Ord. No. 11558, § 2, adopted June 5, 2018, ratified, reaffirmed, and reenacted this section for Fiscal Year 2019. Ord. No. 11611, § 3, adopted December 18, 2018, ratified, reaffirmed, and reenacted this section for Fiscal Year 2019.

Sec. 10-50. Reserved.

Editor's note – Prior to the reenactment of § 10-49 by Ord. No. 10003, Ord. No. 7369, § 1, adopted March 12, 1990, repealed § 10-49 relating to compensation of craftsmen in building trades, derived from the 1953 Code, ch. 10, § 34, and § 10-50, declaring the state prevailing wage scale a public record, derived from Ord. No. 2279, § 1, adopted March 19, 1962.

Sec. 10-51. Basic working hours; alternate work schedules for city employees are authorized subject to city manager approval.

(a) The number of basic working hours for each full time employee shall be forty (40) hours per week, except that in the fire department the work week may be modified as permitted by the Fair Labor Standards Act, but such work week shall not be less than forty (40) hours per week.

(b) Pursuant to A.R.S. § 23-391(B), city employees are authorized to work forty (40) hours in fewer than five (5) working days subject to their classification being approved by the city manager if, in his discretion, city services can be maintained or improved.

(c) The city manager is also authorized, consistent with subsections (a) and (b) above, to review and approve additional alternate work schedules for city employees if the city manager decides, in his discretion, that city services can be maintained or improved.

(1953 Code, ch. 10, § 38; Ord. No. 1980, § 8, 11-16-59; Ord. No. 3318, § 1, 9-2-69; Ord. No. 5000, § 14, 6-25-79; Ord. No. 7369, § 22, 3-12-90; Ord. No. 9183, § 1, 1-4-99)

Sec. 10-52. Longevity compensation plan.

The longevity compensation plan is hereby adopted and is designed to reward continuous satisfactory service in municipal employment in all classes of positions both classified and unclassified according to the following schedule:

Years of Service	Percent of Annual Salary of Longevity Premium
0 through 5th year	0
Beginning of 6th year through end of 10th year	4
Beginning of 11th year through end of 15th year	6
Beginning of 16th year through end of 20th year	8
Beginning of 21st year and following	10

Payment of longevity premium will be subject to the following:

- (1) *Years of service.* These are considered as years of full-time service as a city employee of any class beginning with the starting date of the employee's first appointment. Any time served as a part-time employee (working less than twenty-one (21) hours per week or less than forty-two (42) hours per pay period) will not count toward eligibility for longevity pay. Any time in a leave-without-pay status in excess of ten (10) continuous working days will not count as time of service for longevity eligibility, but also will not be considered as a break in service. Military leave will fully count toward eligibility for longevity pay.
- (2) *Method of payment.* The longevity premium will be paid in two (2) semi-annual installments: Half of the annual amount on the payday for the pay period in which June 1 falls, and half on the payday for the pay period in which December 1 falls. This is done so as to provide additional funds when needed most: around June 1 for vacation expenses, and around December 1 for holiday expenses. Employees becoming eligible for longevity compensation for the

first time or becoming eligible for an increased increment will receive the first longevity premiums or increment increase amount on a pro rata basis for the period of eligibility in a method to be determined by the finance department.

- (3) *Percentage of annual pay.* The amount of longevity pay will be based on the stated fixed percentage of the salary actually received by the employee during the six-month period immediately preceding the dates upon which longevity payments shall be made, as set forth in subsection (2) hereof. For purposes of this section the term “salary actually received by the employee” shall not include salary received in excess of the base pay.
- (4) *Deductions.* Longevity pay will be subject to all applicable taxes and pension deductions. Such deductions will be made from longevity pay for amounts withheld.
- (5) *Table.* A table of longevity payments will be established by the finance department showing semiannual longevity payment amounts at each pay step for each “percentage of annual pay” and will be available for use of all concerned.
- (6) *Determination of eligibility.* The personnel department will be responsible for the accurate determination twice each year of each employee’s length of service, including approved prior service credit, if any, and the resulting eligibility for the proper annual percentage of longevity pay.
- (7) *Eligibility for benefits.* The provisions of this section shall not be applicable to any individual entering into employment with the city on or after May 1, 1977.

(Ord. No. 3345, § 1, 10-16-69; Ord. No. 3597, § 1, 1-25-71; Ord. No. 4077, § 1, 8-6-73; Ord. No. 4330, § 1, 2-24-75; Ord. No. 4642, § 1, 5-2-77; Ord. No. 10426, § 2, 6-19-07; Ord. No. 10550, § 2, 6-17-08; Ord. No. 10675, § 2, 6-2-09, eff. 7-1-09; Ord. No. 10806, § 2, 6-15-10, eff. 7-1-10; Ord. No. 10900, § 2, 6-28-11, eff. 7-1-11; Ord. No. 10989, § 3, 6-5-12, eff. 7-1-12; Ord. No. 11075, § 5, 5-21-13, eff. 7-1-13; Ord. No. 11134, § 2, 12-17-13; Ord. No. 11180, § 2, 6-3-14, eff.

6-29-14; Ord. No. 11273, § 2, 6-9-15, eff. 6-28-15; Ord. No. 11373, § 2, 6-7-16, eff. 6-26-16)

Editor’s note – Ord. No. 11180, § 2, adopted June 3, 2014, ratified, reaffirmed, and reenacted this section for Fiscal Year 2015. Appendix A and accompanying schedules are implemented for all classified and unclassified employees, effective June 29, 2014. Ord. No. 11273, § 2, adopted June 9, 2015, ratified, reaffirmed, and reenacted this section for Fiscal Year 2016. Appendix A and accompanying schedules are implemented for all classified and unclassified employees, effective June 28, 2015. Ord. No. 11373, § 2, adopted June 7, 2016, ratified, reaffirmed, and reenacted this section for Fiscal Year 2017. Appendix A and accompanying schedules are implemented for all classified and unclassified employees, effective June 26, 2016. Ord. No. 11464, § 2, adopted June 6, 2017, ratified, reaffirmed, and reenacted this section for Fiscal Year 2018. Appendix A and accompanying schedules are implemented for all classified and unclassified employees, effective June 25, 2017. Ord. No. 11558, § 2, adopted June 5, 2018, ratified, reaffirmed, and reenacted this section for Fiscal Year 2019. Ord. No. 11611, § 3, adopted December 18, 2018, ratified, reaffirmed, and reenacted this section for Fiscal Year 2019.

Sec. 10-53. Pipeline protection program; compensation.

(a) In addition to the compensation authorized by section 10-31, city water department employees, when assigned to the pipeline protection program and receiving training in the pipeline protection skills verified as necessary by the human resource director, shall receive a pay increase of seven and one-half (7 1/2) percent calculated on the employee’s base salary as designated by the annual compensation plan.

(b) In addition to the compensation authorized by section 10-31, city water department employees, when assigned to the pipeline protection program and fully trained in the pipeline protection skills verified as necessary by the director of human resources, shall receive a pay increase of ten (10) percent calculated on the employee’s base salary as designated by the annual compensation plan.

(c) In accordance with Rule VI Section 8 of the Rules and Regulations of the Civil Service Commission of the City of Tucson, pipeline protection program work assignments are temporary and at the discretion of the director of the water department; assignment to and removal from the pipeline protection program is not appealable to the city service commission.

(d) The director of human resources is responsible for the administration of pipeline protection program compensation, including, but not limited to, fixing competency and proficiency standards and setting criteria to be utilized by the water department

director when making a pipeline protection program assignment.

(Ord. No. 9519, § 1, 2-26-01; Ord. No. 9727, § 2, 6-24-02; Ord. No. 10165, § 2, 6-14-05; Ord. No. 10426, § 2, 6-19-07; Ord. No. 10550, § 2, 6-17-08; Ord. No. 10675, § 2, 6-2-09, eff. 7-1-09; Ord. No. 10806, § 2, 6-15-10, eff. 7-1-10; Ord. No. 10900, § 2, 6-28-11, eff. 7-1-11; Ord. No. 10989, § 3, 6-5-12, eff. 7-1-12; Ord. No. 11075, § 5, 5-21-13, eff. 7-1-13; Ord. No. 11134, § 2, 12-17-13; Ord. No. 11180, § 2, 6-3-14, eff. 6-29-14; Ord. No. 11273, § 2, 6-9-15, eff. 6-28-15; Ord. No. 11373, § 2, 6-7-16, eff. 6-26-16)

Editor's note – Ord. No. 11180, § 2, adopted June 3, 2014, ratified, reaffirmed, and reenacted this section for Fiscal Year 2015. Appendix A and accompanying schedules are implemented for all classified and unclassified employees, effective June 29, 2014. Ord. No. 11273, § 2, adopted June 9, 2015, ratified, reaffirmed, and reenacted this section for Fiscal Year 2016. Appendix A and accompanying schedules are implemented for all classified and unclassified employees, effective June 28, 2015. Ord. No. 11373, § 2, adopted June 7, 2016, ratified, reaffirmed, and reenacted this section for Fiscal Year 2017. Appendix A and accompanying schedules are implemented for all classified and unclassified employees, effective June 26, 2016. Ord. No. 11464, § 2, adopted June 6, 2017, ratified, reaffirmed, and reenacted this section for Fiscal Year 2018. Appendix A and accompanying schedules are implemented for all classified and unclassified employees, effective June 25, 2017. Ord. No. 11558, § 2, adopted June 5, 2018, ratified, reaffirmed, and reenacted this section for Fiscal Year 2019. Ord. No. 11611, § 3, adopted December 18, 2018, ratified, reaffirmed, and reenacted this section for Fiscal Year 2019.

Sec. 10-53.1. Permanent and probationary city civil service employees and elected officials and appointed employees downtown allowance.

(a) An allowance of twenty-five dollars (\$25.00) per month shall be paid to permanent city civil service employees and elected officials and appointed employees working in the downtown city area bounded by 6th Street as the Northern Border, 12 Street as the Southern Border, I-10 as the Western Border and 4th Avenue as the Eastern Border, subject to the exception of subparagraph (b) following.

(b) Permanent and probationary city civil service employees and elected officials and appointed employees, working within the downtown boundaries of subparagraph (a) who utilize an assigned marked city vehicle for all or part of their commute, are provided parking by a city department, or receive a vehicle allowance instead of an assigned city vehicle are excepted from the allowance. Additionally, permanent and probationary employees and appointed

employees of the Tucson Police Department, Fire Department and the Tucson Convention Center are excepted from the allowance.

(Ord. No. 9558, § 1, 6-11-01; Ord. No. 9608, § 1, 10-1-01; Ord. No. 9727, § 2, 6-24-02; Ord. No. 10165, § 2, 6-14-05; Ord. No. 10426, § 2, 6-19-07; Ord. No. 10550, § 2, 6-17-08; Ord. No. 10633, § 1, 2-10-09, eff. 1-1-09; Ord. No. 10675, § 4, 6-2-09, eff. 7-1-09; Ord. No. 10806, § 2, 6-15-10, eff. 7-1-10; Ord. No. 10900, § 2, 6-28-11, eff. 7-1-11; Ord. No. 10989, § 3, 6-5-12, eff. 7-1-12; Ord. No. 11075, § 5, 5-21-13, eff. 7-1-13; Ord. No. 11134, § 2, 12-17-13; Ord. No. 11180, § 2, 6-3-14, eff. 6-29-14; Ord. No. 11273, § 2, 6-9-15, eff. 6-28-15; Ord. No. 11373, § 2, 6-7-16, eff. 6-26-16)

Editor's note – Ord. No. 11180, § 2, adopted June 3, 2014, ratified, reaffirmed, and reenacted this section for Fiscal Year 2015. Appendix A and accompanying schedules are implemented for all classified and unclassified employees, effective June 29, 2014. Ord. No. 11273, § 2, adopted June 9, 2015, ratified, reaffirmed, and reenacted this section for Fiscal Year 2016. Appendix A and accompanying schedules are implemented for all classified and unclassified employees, effective June 28, 2015. Ord. No. 11373, § 2, adopted June 7, 2016, ratified, reaffirmed, and reenacted this section for Fiscal Year 2017. Appendix A and accompanying schedules are implemented for all classified and unclassified employees, effective June 26, 2016. Ord. No. 11464, § 2, adopted June 6, 2017, ratified, reaffirmed, and reenacted this section for Fiscal Year 2018. Appendix A and accompanying schedules are implemented for all classified and unclassified employees, effective June 25, 2017. Ord. No. 11558, § 2, adopted June 5, 2018, ratified, reaffirmed, and reenacted this section for Fiscal Year 2019. Ord. No. 11611, § 3, adopted December 18, 2018, ratified, reaffirmed, and reenacted this section for Fiscal Year 2019.

Sec. 10-53.2. Maintenance management program, assignment and incentive pay compensation.

(a) City water department employees assigned to the maintenance management program team shall receive incentive pay of three hundred dollars (\$300.00) provided the team fully achieves quarterly team performance metrics, as verified by the director of human resources.

(b) Maintenance management program work assignments are at the discretion of the director of the water department; assignment to and removal from the maintenance management program is not appealable to the civil service commission

(c) The director of human resources is responsible for the administration of incentive pay associated with the maintenance management program. The human resources director shall fix competency and

proficiency standards, verify and competencies and set criteria to be utilized by the water department director when making a maintenance management program assignment and verify that performance team metrics are met before any quarterly incentive payment is made.

(d) This section is subject to annual readoption and reenactment by the mayor.

(Ord. No. 9797, § 1, 12-9-02; Ord. No. 10003, § 8, 6-28-04; Ord. No. 10165, § 2, 6-14-05; Ord. No. 10426, § 2, 6-19-07; Ord. No. 10550, § 2, 6-17-08; Ord. No. 10675, § 2, 6-2-09, eff. 7-1-09; Ord. No. 10806, § 2, 6-15-10, eff. 7-1-10; Ord. No. 10900, § 2, 6-28-11, eff. 7-1-11; Ord. No. 10989, § 3, 6-5-12, eff. 7-1-12; Ord. No. 11075, § 5, 5-21-13, eff. 7-1-13; Ord. No. 11134, § 2, 12-17-13; Ord. No. 11180, § 2, 6-3-14, eff. 6-29-14; Ord. No. 11273, § 2, 6-9-15, eff. 6-28-15; Ord. No. 11373, § 2, 6-7-16, eff. 6-26-16)

Editor's note – Ord. No. 11180, § 2, adopted June 3, 2014, ratified, reaffirmed, and reenacted this section for Fiscal Year 2015. Appendix A and accompanying schedules are implemented for all classified and unclassified employees, effective June 29, 2014. Ord. No. 11273, § 2, adopted June 9, 2015, ratified, reaffirmed, and reenacted this section for Fiscal Year 2016. Appendix A and accompanying schedules are implemented for all classified and unclassified employees, effective June 28, 2015. Ord. No. 11373, § 2, adopted June 7, 2016, ratified, reaffirmed, and reenacted this section for Fiscal Year 2017. Appendix A and accompanying schedules are implemented for all classified and unclassified employees, effective June 26, 2016. Ord. No. 11464, § 2, adopted June 6, 2017, ratified, reaffirmed, and reenacted this section for Fiscal Year 2018. Appendix A and accompanying schedules are implemented for all classified and unclassified employees, effective June 25, 2017. Ord. No. 11558, § 2, adopted June 5, 2018, ratified, reaffirmed, and reenacted this section for Fiscal Year 2019. Ord. No. 11611, § 3, adopted December 18, 2018, ratified, reaffirmed, and reenacted this section for Fiscal Year 2019.

Sec. 10-53.3. Career enhancement program (CEP) incentive pay for commissioned police personnel through rank of captain.

(a) A career enhancement program (CEP) with a biannual compensation incentive for educational attainment, participation in special assignments and fitness levels is authorized. It shall be developed and administered by the police department with the human resources director having program oversight and control. This oversight and control shall include approval of any competency and proficiency standards, educational standards and other such criteria. The human resources department shall verify that program requirements are met and/or maintained before any biannual compensation is made to anyone authorized to participate in the CEP.

(b) There shall be three (3) levels of graduated CEP pay based on points:

- (1) Level One, 20 points. \$150.00
- (2) Level Two, 30 points. \$250.00
- (3) Level Three, 40 points. \$350.00

(c) Commissioned police personnel through rank of captain participating in the CEP will receive CEP biannual incentive compensation dependent on CEP points attained. Compensation will be paid biannually on the second payday in March and September, except for the first payment after commencement of the program, which shall be paid on the second payday of June, 2005. To be eligible for the biannual payments, points must be attained prior to the cutoff date for submitting the form for processing payment. The form must be correctly submitted no later than February 28, for the March payment and August 31 for the September payment, except that the form for the first payment after commencement of the program must be submitted no later than April 1, of 2005.

(d) Annual compensation recommendations for CEP will be on a total compensation basis and not on top of or in excess of the salary/benefits budget and will be addressed through the normal budgeting process and is subject to annual re-adoption and reenactment by the mayor and council as part of the annual compensation plan.

(Ord. No. 10136, § 1, 3-22-05; Ord. No. 10165, § 2, 6-14-05; Ord. No. 10426, § 2, 6-19-07; Ord. No. 10550, § 2, 6-17-08; Ord. No. 10675, § 2, 6-2-09, eff. 7-1-09; Ord. No. 10806, § 2, 6-15-10, eff. 7-1-10; Ord. No. 10900, § 2, 6-28-11, eff. 7-1-11; Ord. No. 10989, § 3, 6-5-12, eff. 7-1-12; Ord. No. 11075, § 5, 5-21-13, eff. 7-1-13; Ord. No. 11134, § 2, 12-17-13; Ord. No. 11180, § 2, 6-3-14, eff. 6-29-14; Ord. No. 11273, § 2, 6-9-15, eff. 6-28-15; Ord. No. 11373, § 2, 6-7-16, eff. 6-26-16)

Editor's note – Ord. No. 11180, § 2, adopted June 3, 2014, ratified, reaffirmed, and reenacted this section for Fiscal Year 2015. Appendix A and accompanying schedules are implemented for all classified and unclassified employees, effective June 29, 2014. Ord. No. 11273, § 2, adopted June 9, 2015, ratified, reaffirmed, and reenacted this section for Fiscal Year 2016. Appendix A and accompanying schedules are implemented for all classified and unclassified employees, effective June 28, 2015. Ord. No. 11373, § 2, adopted June 7, 2016, ratified, reaffirmed, and reenacted this section for Fiscal Year 2017. Appendix A and accompanying schedules are implemented for all classified and unclassified employees, effective June 26, 2016. Ord. No. 11464, § 2, adopted June 6, 2017, ratified, reaffirmed, and reenacted this section for Fiscal Year 2018. Appendix A and accompanying schedules are

implemented for all classified and unclassified employees, effective June 25, 2017. Ord. No. 11558, § 2, adopted June 5, 2018, ratified, reaffirmed, and reenacted this section for Fiscal Year 2019. Ord. No. 11611, § 3, adopted December 18, 2018, ratified, reaffirmed, and reenacted this section for Fiscal Year 2019.

Sec. 10-53.4. Additional compensation for certain public safety command staff.

The following public safety classifications shall receive four thousand dollars (\$4,000.00) annually in addition to the compensation provided in the Annual Compensation Plan Schedules to be paid biweekly.

The classifications to receive this additional compensation are police lieutenant, police lieutenant-assignments to captain and assistant police chief, fire battalion chief, and fire battalion chief-assignments to staff and assistant fire chief.

(Ord. No. 10289, § 5, 6-27-06; Ord. No. 10426, § 3, 6-19-07; Ord. No. 10550, § 2, 6-17-08; Ord. No. 10675, § 2, 6-2-09, eff. 7-1-09; Ord. No. 10806, § 2, 6-15-10, eff. 7-1-10; Ord. No. 10900, § 3, 6-28-11, eff. 7-1-11; Ord. No. 10989, § 3, 6-5-12, eff. 7-1-12; Ord. No. 11075, § 5, 5-21-13, eff. 7-1-13; Ord. No. 11134, § 2, 12-17-13; Ord. No. 11180, § 2, 6-3-14, eff. 6-29-14; Ord. No. 11273, § 2, 6-9-15, eff. 6-28-15; Ord. No. 11373, § 2, 6-7-16, eff. 6-26-16)

Editor's note – Ord. No. 11180, § 2, adopted June 3, 2014, ratified, reaffirmed, and reenacted this section for Fiscal Year 2015. Appendix A and accompanying schedules are implemented for all classified and unclassified employees, effective June 29, 2014. Ord. No. 11273, § 2, adopted June 9, 2015, ratified, reaffirmed, and reenacted this section for Fiscal Year 2016. Appendix A and accompanying schedules are implemented for all classified and unclassified employees, effective June 28, 2015. Ord. No. 11373, § 2, adopted June 7, 2016, ratified, reaffirmed, and reenacted this section for Fiscal Year 2017. Appendix A and accompanying schedules are implemented for all classified and unclassified employees, effective June 26, 2016. Ord. No. 11464, § 2, adopted June 6, 2017, ratified, reaffirmed, and reenacted this section for Fiscal Year 2018. Appendix A and accompanying schedules are implemented for all classified and unclassified employees, effective June 25, 2017. Ord. No. 11558, § 2, adopted June 5, 2018, ratified, reaffirmed, and reenacted this section for Fiscal Year 2019. Ord. No. 11611, § 3, adopted December 18, 2018, ratified, reaffirmed, and reenacted this section for Fiscal Year 2019.

Sec. 10-53.5. Honor guard assignment pay for fire commissioned personnel.

Commissioned fire guard personnel assigned to the Tucson Fire Department Honor Guard by the fire chief shall receive twenty-five dollars and thirty cents

(\$25.30) per pay period in addition to compensation provided by the Annual Compensation Plan Schedules. (Ord. No. 10289, § 6, 6-27-06; Ord. No. 10426, § 2, 6-19-07; Ord. No. 10550, § 2, 6-17-08; Ord. No. 10675, § 2, 6-2-09, eff. 7-1-09; Ord. No. 10806, § 2, 6-15-10, eff. 7-1-10; Ord. No. 10900, § 2, 6-28-11, eff. 7-1-11; Ord. No. 10989, § 3, 6-5-12, eff. 7-1-12; Ord. No. 11075, § 5, 5-21-13, eff. 7-1-13; Ord. No. 11134, § 2, 12-17-13; Ord. No. 11180, § 2, 6-3-14, eff. 6-29-14; Ord. No. 11273, § 2, 6-9-15, eff. 6-28-15; Ord. No. 11373, § 2, 6-7-16, eff. 6-26-16)

Editor's note – Ord. No. 11180, § 2, adopted June 3, 2014, ratified, reaffirmed, and reenacted this section for Fiscal Year 2015. Appendix A and accompanying schedules are implemented for all classified and unclassified employees, effective June 29, 2014. Ord. No. 11273, § 2, adopted June 9, 2015, ratified, reaffirmed, and reenacted this section for Fiscal Year 2016. Appendix A and accompanying schedules are implemented for all classified and unclassified employees, effective June 28, 2015. Ord. No. 11373, § 2, adopted June 7, 2016, ratified, reaffirmed, and reenacted this section for Fiscal Year 2017. Appendix A and accompanying schedules are implemented for all classified and unclassified employees, effective June 26, 2016. Ord. No. 11464, § 2, adopted June 6, 2017, ratified, reaffirmed, and reenacted this section for Fiscal Year 2018. Appendix A and accompanying schedules are implemented for all classified and unclassified employees, effective June 25, 2017. Ord. No. 11558, § 2, adopted June 5, 2018, ratified, reaffirmed, and reenacted this section for Fiscal Year 2019. Ord. No. 11611, § 3, adopted December 18, 2018, ratified, reaffirmed, and reenacted this section for Fiscal Year 2019.

Sec. 10-53.6. Reserved.

Editor's note – Section 10-53.6, additional compensation to defray housekeeping costs for commissioned fire personnel, was repealed by § 4 of Ord. No. 11291, adopted August 5, 2015, effective July 12, 2015. The section had been derived from Ord. Nos. 10426, 10558, and 11273.

Sec. 10-53.7. Certified crane operator assignment and incentive pay program.

(a) In addition to the compensation authorized by section 10-31, city water department employees, trained, certified, and licensed for the operation and maintenance of telescopic boom cranes (TSS) boom truck fixed cab (BTF), shall receive a pay increase of five dollars per hour (\$5.00) added to the employee's base salary as designated by the annual compensation plan when assigned to and during the operation of the telescopic boom cranes.

(b) Telescopic boom crane operation work assignments are temporary and at the discretion of the

director of the water department; assignment to and removal from (TSS) (BTF) crane operation is not appealable to the city civil service commission.

(c) The director of human resources is responsible for the administration of certified crane operator and assignment compensation, including, but not limited to, fixing competency and proficiency standards and setting criteria to be utilized by the water department director when making a certified crane operator assignment.

(Ord. No. 11240, § 1, 2-4-15; Ord. No. 11273, § 2, 6-9-15, eff. 6-28-15; Ord. No. 11373, § 2, 6-7-16, eff. 6-26-16)

Editor's note – Ord. No. 11273, § 2, adopted June 9, 2015, ratified, reaffirmed, and reenacted this section for Fiscal Year 2016. Appendix A and accompanying schedules are implemented for all classified and unclassified employees, effective June 28, 2015. Ord. No. 11373, § 2, adopted June 7, 2016, ratified, reaffirmed, and reenacted this section for Fiscal Year 2017. Appendix A and accompanying schedules are implemented for all classified and unclassified employees, effective June 26, 2016. Ord. No. 11464, § 2, adopted June 6, 2017, ratified, reaffirmed, and reenacted this section for Fiscal Year 2018. Appendix A and accompanying schedules are implemented for all classified and unclassified employees, effective June 25, 2017. Ord. No. 11558, § 2, adopted June 5, 2018, ratified, reaffirmed, and reenacted this section for Fiscal Year 2019. Ord. No. 11611, § 3, adopted December 18, 2018, ratified, reaffirmed, and reenacted this section for Fiscal Year 2019.

Sec. 10-53.8. Certified compressed natural gas inspector assignment and incentive pay program.

(a) In addition to the compensation authorized by section 10-31, compensation in the amount of seventy-six dollars and ninety-two cents (\$76.92) per pay period shall be paid to general services department employees certified as Compressed Natural Gas (CNG) Inspectors, accepted in the CNG Inspection program, and assigned to perform CNG inspections.

(b) Assignment to the CNG program is temporary and at the discretion of the director of the general services department; assignment to and removal from the CNG Program is not appealable to the city civil service commission.

(c) The director of human resources is responsible for the administration of certified Compressed Natural Gas Inspector and assignment compensation, including, but not limited to, fixing competency and proficiency standards and setting criteria to be utilized by the general services department director when making a CNG inspector assignment.

(Ord. No. 11280, § 1, 6-23-15, eff. 7-1-15; Ord. No. 11373, § 2, 6-7-16, eff. 6-26-16)

Ord. No. 11373, § 2, adopted June 7, 2016, ratified, reaffirmed, and reenacted this section for Fiscal Year 2017. Appendix A and accompanying schedules are implemented for all classified and unclassified employees, effective June 26, 2016.

ARTICLE III. RESERVED

Sec. 10-54. Reserved.

Editor's note – Section 10-54, the executive pay plan, was repealed by § 1 of Ord. No. 7383, adopted Mar. 19, 1990. The section had been derived from Ord. Nos. 4850, 4940, 4985, 5164, 5399, 5599, 5798, 6040, 6264, 6735, 7004, 7243, 7275. See now § 10-31.

TUCSON CODE

(b) The provisions of this article do not apply to the Industrial Development Authority of the City of Tucson, Arizona.
(Ord. No. 7018, § 2, 9-6-88; Ord. No. 10734, § 1, 12-7-09)

Sec. 10A-134. Terms and removal.

(a) The terms of members of a body shall be coterminous with the terms of office of the mayor or members of the city council who appointed them, or until their successors on the body are appointed, except such members may be removed with or without cause prior to the expiration of their term by the mayor or members of the city council who appointed them or by such mayor's or member of the city council's successor in office.

(b) Members of such bodies shall be eligible for reappointment; but in no event may any individual serve more than a total of eight (8) continuous years on the same body, except as otherwise provided by this subsection. Once a member has served eight (8) years on a body, he or she may not be reappointed to that body until after a break in service of at least one (1) continuous year. Whenever a body is dissolved and reconstituted, time previously spent in office shall count towards the eight (8) year limitation. The following committees are exempt from the eight (8) year service limitation: the Uniform Fire Code Committee, the Outdoor Lighting Code Committee, the Tucson-Pima County Joint Consolidated Code Committee, the 2012 Bond Oversight Commission, and the 2017 Public Safety Tax Oversight Commission. Additionally, members of the Industrial Development Authority Board and the Civil Service Commission may serve two (2) complete consecutive six (6) year terms before a break in service is required. The term limits imposed by this section apply only to those members of a body appointed by the City of Tucson.

(c) Appointees, except for advisory members and members of the technical code committees named herein, may not serve on more than two (2) bodies at a time.

(d) The terms of office of members of a body serving unspecified terms shall be four (4) years commencing December 31, 1988, subject to the eight (8) year continuous service limitation.

(e) A member of a body, except for advisory members, who misses four (4) consecutive meetings for

any reason or who fails to attend for any reason at least forty (40) percent of the meetings called in a calendar year is automatically and immediately removed as a member of the body.

(f) No city employee may serve on a body except in a nonvoting, ex officio capacity.

(g) Except as provided in subsection (h), should the appointment of a member of a body authorized to be appointed by the mayor, a member of the council, or the city manager (hereafter referred to as the "appointing authority") fail to be made within thirty (30) days after the expiration of the term of the member or thirty (30) days after a vacancy occurs, the appointment may be made by the mayor and council.

(h) Prior to the expiration of the term of members of bodies referred to in subsection (g), or within thirty (30) days after a vacancy on such a body occurs, the appointing authority may request an extension of time from the mayor and council to make the appointment.
(Ord. No. 7018, § 2, 9-6-88; Ord. No. 7260, § 1, 8-7-89; Ord. No. 10064, § 1, 10-18-04; Ord. No. 10950, § 3, 12-20-11, eff. 1-20-12; Ord. No. 11508, § 10, eff. 1-4-18; Ord. No. 11599, § 1, 12-4-18; Ord. No. 11607, § 1, 12-4-18)

Sec. 10A-135. Effective date.

(a) The term of office for those members of a body who will have served eight (8) or more years continuously on a body as of December 31, 1988, will end on December 31, 1988, regardless of whether the member is serving a specified or unspecified term.

(b) The term of office for those voting members of a body who are city employees will end on December 31, 1988.
(Ord. No. 7018, § 2, 9-6-88)

Sec. 10A-136. Rules and regulations of commissions, boards, departments to be filed.

Two (2) copies of all rules and regulations of general application and future effect of every commission, board or department of the city, affecting the rights or procedure available to the public, including amendments and repeals thereof, shall be filed with the city clerk. All such rules and regulations, including amendments or repeals thereof, not so filed shall be of no force or effect.

It is hereby made the duty of the chairman of each commission or board of the city or the head of each department of the city to file such copies of such rules and regulations and of all repeals and amendments thereof in true and correct form with the city clerk. (Ord. No. 7018, § 2, 9-6-88)

Cross reference – Filing of regulations of building board of appeals required, § 6-13.

Sec. 10A-137. Nonvoting, advisory members.

(a) Except as provided in section 10A-138, the chairperson of a body may, with the consent of a majority of the regular members of the body, appoint no more than four (4) advisory members to the body. Advisory members may be appointed for a period not to exceed two (2) years.

(b) Such advisory members shall have the right to be present at all meetings and to take part in the deliberations, but shall be nonvoting and shall not be counted in determining whether a quorum is present. (Ord. No. 7079, § 1, 10-24-88; Ord. No. 8023, § 1, 4-12-93)

Sec. 10A-138. Citizens Advisory Planning Committee zoning code revision subcommittee.

The Citizens Advisory Planning Committee (CAPC) zoning code revision subcommittee is hereby established. The members of the CAPC zoning code revision subcommittee shall:

(1) Be appointed by and serve at the pleasure of a concurring vote of a simple majority of the CAPC;

(2) Not be subject to the number, term, quorum or voting restrictions of sections 10A-134 and 10A-137.

(Ord. No. 8023, § 2, 4-12-93)

Sec. 10A-139. Requirements for creation of boards, committees, and commissions; annual reports.

(a) *Boards established by ordinance or resolution.* All city boards, committees, and commissions (hereinafter collectively referred to in this section as “board”) that serve an on-going advisory or

quasi-judicial function shall be established by ordinance adopted by the mayor and council. All other city boards that are intended to serve for a limited time for the purpose of advising the mayor and council on a specific issue shall be established by a resolution adopted by the mayor and council.

(b) *Resolution contents.* Except as provided in subsection (d), the resolution referred to in subsection (a) shall contain the following provisions:

(1) *Sunset clause.* Unless mandated by the resolution to have a longer term, the board shall automatically terminate twenty-four (24) months after the effective date of the resolution.

(2) *Staff support.* Unless otherwise specified and budgeted, support for all boards shall be limited to complying with the requirements of the open meeting law.

(3) *Strategic plan.* The mission, responsibilities, and functions of the board shall be specified and consistent with the city’s strategic plan.

(4) *Outside financial support.* The mayor and council shall approve any application for financial support outside of the city, and the county for joint city-Pima County boards, before the board may apply for the same. Any such financial support shall include funds for administrative assistance.

(c) *Annual report.* Each board shall file an annual report with the city clerk by March 1st of each year summarizing the board’s previous year’s activities.

(d) *Exceptions.* The mayor and council may exempt a board from any of the provisions of subsections (b) or (c) above by specifically designating the provision to be exempted in the ordinance or resolution creating the board and specifying the alternative, if any, to the provision.

(Ord. No. 9943, § 1, 3-22-04; Ord. No. 10810, § 1, 6-22-10)

Editor’s note – It should be noted that § 2 of Ord. No. 9943 states that the provisions of § 10A-139 shall not apply to boards, committees, or commissions existing on the effective date of this ordinance (March 22, 2004).

Sec. 15-34.3. Commercial haulers.

(A) *Calculation of disposal fee.* The per vehicle fee for disposal shall be the greater of the minimum fee or an amount equal to the applicable disposal fee in section 15-34.7 applied to the weight of the load, or the number of items in the load, as appropriate, prorated and rounded to the nearest dollar. Where the term “minimum fee” is used in this section, it shall mean fifteen dollars (\$15.00) or another minimum designated for the applicable fee in section 15-34.7.

(B) *Special-handling waste disposal.* Special handling fees shall be assessed for the use of personnel, equipment or materials in a manner other than what would ordinarily be required in normal daily landfill operations.

(C) *Payment.* Each commercial hauler shall pay any charge for disposal services at the time and as a condition of receiving the disposal services for which the charge is imposed. Only payments in the form of cash, check or other immediate payment form approved by the director will be accepted subject to reasonable identification requirements, unless the hauler has a disposal service agreement and account in good standing.
(Ord. No. 10539, § 5, 6-3-08, eff. 7-1-08; Ord. No. 10674, § 7, 6-2-09, eff. 7-1-09; Ord. No. 10796, § 7, 5-25-10, eff. 7-1-10; Ord. No. 10986, § 6, 5-22-12, eff. 7-1-12; Ord. No. 11178, § 4, 6-3-14, eff. 7-4-14)

Sec. 15-34.4. Unrestrained or uncovered load fee.

In addition to all other charges set forth above, a five dollar (\$5.00) per load fee shall be imposed for any solid waste that, as determined by the director, is not contained within an enclosed vehicle or is not covered and secured.

(Ord. No. 10539, § 5, 6-3-08, eff. 7-1-08)

Sec. 15-34.5. Waiver of fee for landfill construction materials.

The director may accept for no fee materials suitable for construction or operational purposes where and when the department’s cost to acquire needed materials exceeds the waived fee.

(Ord. No. 10539, § 5, 6-3-08, eff. 7-1-08; Ord. No. 10674, § 7, 6-2-09, eff. 7-1-09; Ord. No. 10895, § 7, 5-17-11, eff. 7-1-11)

Sec. 15-34.6. Disposal service agreement.

Customers who wish to pay for disposal service pursuant to a credit system shall enter into a service agreement with the city. The service agreement shall be signed by the person responsible for using the disposal services. The requirements of section 15-31 shall apply unless the director authorizes otherwise within the service agreement.

(Ord. No. 10539, § 5, 6-3-08, eff. 7-1-08; Ord. No. 10796, § 8, 5-25-10, eff. 7-1-10; Ord. No. 10986, § 6, 5-22-12, eff. 7-1-12)

Sec. 15-34.7. Disposal services fee schedule.

DISPOSAL SERVICES FEES	
Service	Fees
Residential self-hauler waste disposal	\$15.00 per load for loads 2,000 pounds or less. Commercial waste disposal fees for loads over 2,000 pounds.
Residential self-hauler tire disposal	\$2.00 per tire (passenger tires only) in addition to other applicable fees
Commercial waste disposal	\$32.00 per ton with \$15.00 minimum per load
Special-handling waste disposal	\$42.00 per ton with \$15.00 minimum per load
Large carcass disposal	\$75.00 per ton with \$15.00 minimum per load
Additional special handling	\$50.00 to \$250.00 per hour of special handling activity, depending on needed equipment and staff, in addition to other applicable fees
Tire disposal	\$150.00 per ton with \$15.00 minimum, no mixed loads, and no off-road tires
Disposal of appliance designed to use refrigerant	\$5.00 per appliance in addition to other applicable fees
Service	Fees
Uncovered load	\$5.00 per load in addition to other applicable fees

DISPOSAL SERVICES FEES	
Identification tag fee	\$45.00
Household hazardous waste disposal for non-city residents	\$10.00 per load
Purchase of recycled paint	Published schedule of fees based on most recent costs
Disposal of materials under small business waste acceptance program	Published schedule of fees based on most recent disposal costs
Special household hazardous waste collection event fees	Published schedule of fees

(Ord. No. 10539, § 5, 6-3-08, eff. 7-1-08; Ord. No. 10674, § 7, 6-2-09, eff. 7-1-09; Ord. No. 10796, § 8, 5-25-10, eff. 7-1-10; Ord. No. 10895, § 7, 5-17-11, eff. 7-1-11; Ord. No. 10986, § 6, 5-22-12, eff. 7-1-12; Ord. No. 11087, § 4, 6-18-13, eff. 7-20-13; Ord. No. 11178, § 4, 6-3-14, eff. 7-4-14; Ord. No. 11272, § 6, 6-9-15, eff. 7-1-15; Ord. No. 11377, § 5, 6-21-16, eff. 7-5-16)

Sec. 15-34.8. Disposal services contract fee schedule.

The director shall be authorized to enter into multi-year contracts for guaranteed waste disposal by customers. These contracts shall be for a specific quantity of waste at a fee that is equal to or greater than the amount specified in the contract disposal services fee schedule or any adjustments to the fee schedule supported by the Consumer Price Index (CPI). The disposal fee for each vehicle load shall be calculated in accordance with section 15-34.3. The customer is required to pay each year the full amount due to the city at the specified fee and guaranteed annual tonnage, whether or not the waste is delivered. The contract may be renewed annually if the specified fee is not changed. The requirements of section 15-31 shall apply unless the director authorizes otherwise within the contract. Where a disposal services contract is in place, the commercial waste disposal fee shall not apply.

CONTRACT DISPOSAL FEE SCHEDULE

<i>Guaranteed Annual Tonnage</i>	<i>Fee Per Ton</i>
140,000..	\$17.00
60,000..	21.00
24,500..	23.00
18,000..	24.00
15,000..	25.00
12,500..	26.00
10,000..	26.75
9,000..	27.00
8,000..	27.50
7,000..	28.00
6,000..	28.25
5,000..	28.75
4,000..	29.00
3,000..	29.50
2,000..	30.00
1,000..	31.00

For multi-year contracts, the fee per ton shall be adjusted each year on the anniversary date of the execution of the contract using an appropriate federal consumer price index.

(Ord. No. 10654, § 1, 4-21-09, eff. 5-1-09; Ord. No. 10674, § 7, 6-2-09, eff. 7-1-09; Ord. No. 10796, § 8, 5-25-10, eff. 7-1-10; Ord. No. 10986, § 7, 5-22-12, eff. 5-22-12; Ord. No. 11087, § 4, 6-18-13, eff. 7-20-13; Ord. No. 11272, § 6, 6-9-15, eff. 7-1-15; Ord. No. 11596, § 1, 10-23-18, eff. 11-1-18)

Sec. 15-34.9. Disposal services fuel surcharge.

A fuel surcharge shall be added to the per-ton fees for disposal services. The surcharge shall be five cents (\$0.05) per ton for each ten cents (\$0.10) of city fuel price above three dollars and thirty cents (\$3.30) per gallon. The surcharge shall be revised every three (3) months based on the updated city fuel price.

(Ord. No. 10796, § 8, 5-25-10, eff. 7-1-10; Ord. No. 10895, § 7, 5-17-11, eff. 7-1-11)

Sec. 15-35. Exemption of fees for waste residue from nonprofit recycling establishments.

(A) Any nonprofit recycling establishment may apply to the director for an exemption from payment of fees for city collection or disposal services for residual solid waste resulting directly from the establishment's recycling activities. The exemption for each

Sec. 20-137. Intersections where fifteen miles per hour speed limit imposed.

The *prima facie* speed limit within one hundred (100) feet upon every designated approach to and within the intersections set forth by ordinance shall be fifteen (15) miles per hour, which speed limit shall be effective when signs are erected upon the approaches to such intersections giving notice of such *prima facie* speed limit. Three (3) copies of the current ordinances designating the intersections subject to this section shall be kept on file by the city clerk.

Editor's note – Fifteen miles per hour speed limits have been designated by 1953 Code, ch. 17, § 72, as supplemented in 1957 and amended by:

Ord. No. 1925, § 1, 7-6-59
Ord. No. 1935, § 1, 8-3-59
Ord. No. 2145, § 1, 2-20-61
Ord. No. 2268, § 1, 2-19-62
Ord. No. 2486, § 1, 7-8-63
Ord. No. 2964, § 1, 2-6-67
Ord. No. 3106, § 1, 4-15-68

Intersections designated by Ord. No. 3106 were amended by Ord. No. 3292, § 1, 7-21-69

Intersections designated by Ord. No. 3292 were amended by Ord. No. 3747, § 1, 12-13-71

Intersections designated by Ord. No. 3747 were amended by Ord. No. 4046, § 1, 7-9-73

Intersections designated by Ord. No. 4046 were repealed by Ord. No. 4269, § 1, 1-20-75

Sec. 20-138. Speed limit in all city parks.

The *prima facie* speed limit upon the streets and driveways in all city parks shall be twenty (20) miles per hour, which shall be effective when signs are erected giving notice thereof. (1953 Code, ch. 17, § 72a; Ord. No. 4108, § 1, 11-13-73)

Sec. 20-138.1. Speed limit in bicycle boulevards.

The *prima facie* speed limit upon and along all officially designated and substantially constructed bicycle boulevards within the city, unless otherwise specifically provided by ordinance, shall be twenty (20) miles per hour, which speed limit shall be effective when signs are erected giving notice thereof. The definition of bicycle boulevard shall be the same as that included in the most recent version of the City of Tucson Department of Transportation Bicycle Boulevard Master Plan. (Ord. No. 11420 § 1, 12-20-16)

Sec. 20-138.2. Designating current streets or parts of streets as bicycle boulevards where twenty miles per hour speed limit is imposed.

(1) N. Fontana Avenue from E. Prince Road to E. Grant Road.

(2) N. Fourth Avenue from Sahuaro Street to E. University Boulevard.

(3) E. Sahuaro Street from N. Sixth Avenue to N. Fourth Avenue.

(4) E. Third Street from N. Campbell Avenue to N. Columbus Boulevard.

(Ord. No. 11420 § 1, 12-20-16)

Sec. 20-139. Speed limit in alleys.

The *prima facie* speed limit upon and along all of the alleys within the city, unless otherwise specifically provided by ordinance, shall be fifteen (15) miles per hour, which speed limit shall be effective when signs are erected giving notice thereof. Three (3) copies of current ordinances specifying exceptions to this section shall be kept on file by the city clerk.

Editor's note – As of the time of republication of this Code, there have been no ordinances establishing exceptions to section 20-139.

Sec. 20-140. Where thirty miles per hour speed limit imposed.

The *prima facie* speed limit upon streets or portions thereof as so designated by ordinance shall be thirty (30) miles per hour, which speed shall be effective when signs are erected giving notice thereof. Three (3) copies of current ordinances designating the streets governed by this section shall be kept on file by the city clerk.

Editor's Note – Thirty miles per hour speed limits have been designated by 1953 Code, ch. 17, § 73, as supplemented in 1957 and amended by:

Ord. No. 1935, § 2, 8-3-59
Ord. No. 2145, § 2, 2-20-61
Ord. No. 2312, § 1, 7-2-62
Ord. No. 2966, § 1, 2-6-67
Ord. No. 3107, § 1, 4-15-68

Streets designated by Ord. No. 3107 were amended by Ord. No. 3293, § 1, 7-21-69

Streets designated by Ord. No. 3478 were amended by Ord. No. 4047, § 1, 7-9-73

Streets designated by Ord. No. 4047 were amended by:

Ord. No. 4270, § 1, 1-20-75
Ord. No. 4504, § 2, 6-21-76
Ord. No. 4881, §§ 1, 2, 10-16-78
Ord. No. 5441, §§ 1, 2, 9-28-81
Ord. No. 5654, §§ 1, 2, 9-27-82
Ord. No. 5965, §§ 1, 2, 3-12-84

Ord. No. 5965 was repealed and new streets were designated by Ord. No. 6180, §§ 1, 2, 2-19-85
 Ord. No. 6180 was repealed and new streets were designated by Ord. No. 6412, §§ 1, 2, 5-5-86
 Ord. No. 6412 was repealed and new streets were designated by Ord. No. 6470, §§ 1, 2, 7-7-86
 Ord. No. 6470 was repealed and new streets were designated by Ord. No. 6545, §§ 1, 2, 10-20-86
 Ord. No. 6545 was repealed and new streets were designated by Ord. No. 6585, §§ 1, 2, 12-8-86
 Ord. No. 6585 was repealed and new streets were designated by Ord. No. 6794, §§ 1, 2, 9-21-87
 Ord. No. 6794 was repealed and new streets were designated by Ord. No. 706, §§ 1, 2, 10-17-88
 Ord. No. 7062 was repealed and new streets were designated by Ord. No. 7440, §§ 1, 2, 7-2-90
 Ord. No. 7440 was repealed and new streets were designated by Ord. No. 7543, §§ 1, 2, 1-7-91
 Ord. No. 7543 was repealed and new streets were designated by Ord. No. 7641, §§ 1, 2, 6-17-91
 Ord. No. 7641 was repealed and new streets were designated by Ord. No. 7785, §§ 1, 2, 3-16-92
 Ord. No. 7785 was repealed and new streets were designated by Ord. No. 8076, §§ 1, 2, 6-28-93
 Ord. No. 8076 was repealed and new streets were designated by Ord. No. 8213, §§ 1, 2, 2-28-94
 Ord. No. 8213 was repealed and new streets were designated by Ord. No. 8465, §§ 1, 2, 3-20-95
 Ord. No. 8465 was repealed and new streets were designated by Ord. No. 8550, §§ 1, 2, 8-7-95
 Ord. No. 8550 was repealed and new streets were designated by Ord. No. 9049, §§ 1, 2, 5-4-98
 Ord. No. 9049 was repealed and new streets were designated by Ord. No. 10408, §§ 1, 2, 6-12-07
 Ord. No. 10408 was repealed and new streets were designated by Ord. No. 10543, §§ 1, 2, 6-10-08
 Ord. No. 10543 was repealed and new streets were designated by Ord. No. 10728, §§ 1, 2, 11-17-09
 Ord. No. 11220 was repealed and new streets were designated by Ord. No. 11527, §§ 1, 2, 2-21-18
 Ord. No. 11527 was repealed and new streets were designated by Ord. No. 11604, §§ 1, 2, 12-4-18

Sec. 20-141. Where thirty-five miles per hour speed limit imposed.

The *prima facie* speed limit upon such streets or portions thereof as may be designated by ordinances shall be thirty-five (35) miles per hour, which speed limit shall be effective when signs are erected giving notice thereof. Three (3) copies of current ordinances designating the streets governed by this section shall be kept on file by the city clerk.

Editor's Note – Thirty-five miles per hour speed limits have been designated by 1953 Code, ch. 17, § 74, as supplemented in 1957 and as amended by:

Ord. No. 1935, § 3, 8-3-59
 Ord. No. 2145, § 3, 2-20-60
 Ord. No. 2312, § 2, 7-2-62
 Ord. No. 2961, § 1, 2-6-67
 Ord. No. 3109, § 1, 4-15-68

Streets designated by Ord. No. 3109 were amended by Ord. No. 3294, § 1, 7-21-69
 Streets designated by Ord. No. 3294 were amended by Ord. No. 3749, § 1, 12-13-71
 Streets designated by Ord. No. 3749 were amended by Ord. No. 4080, § 1, 7-9-73
 Streets designated by Ord. No. 4080 were amended by:
 Ord. No. 4271, § 1, 1-20-75
 Ord. No. 4505, § 2, 6-21-76
 Ord. No. 4558, §§ 1, 2, 8-23-76
 Ord. No. 4882, §§ 1, 2, 10-16-78
 Ord. No. 4962, § 2, 4-23-79
 Ord. No. 5453, §§ 1, 2, 10-19-81
 Ord. No. 5655, §§ 1, 2, 10-19-81
 Ord. No. 5966, §§ 1, 2, 3-12-84
 Ord. No. 5966 was repealed and new streets were designated by Ord. No. 6181, §§ 1, 2, 2-19-85
 Ord. No. 6181 was repealed and new streets were designated by Ord. No. 6413, §§ 1, 2, 5-5-86
 Ord. No. 6413 was repealed and new streets were designated by Ord. No. 6471, §§ 1, 2, 7-7-86
 Ord. No. 6471 was repealed and new streets were designated by Ord. No. 6490, §§ 1, 2, 8-4-86
 Ord. No. 6490 was repealed and new streets were designated by Ord. No. 6514, §§ 1, 2, 9-2-86
 Ord. No. 6514 was repealed and new streets were designated by Ord. No. 6549, §§ 1, 2, 10-2-86
 Ord. No. 6549 was repealed and new streets were designated by Ord. No. 6586, §§ 1, 2, 12-8-86
 Ord. No. 6586 was repealed and new streets were designated by Ord. No. 6668, §§ 1, 2, 3-16-87
 Ord. No. 6668 was repealed and new streets were designated by Ord. No. 6703, §§ 1, 2, 5-18-87
 Ord. No. 6703 was repealed and new streets were designated by Ord. No. 6795, §§ 1, 2, 9-21-87
 Ord. No. 6795 was repealed and new streets were designated by Ord. No. 6841, §§ 1, 2, 11-23-87
 Ord. No. 6841 was repealed and new streets were designated by Ord. No. 6928, §§ 1, 2, 4-18-88
 Ord. No. 6928 was repealed and new streets were designated by Ord. No. 7063, §§ 1, 2, 10-17-88
 Ord. No. 7063 was repealed and new streets were designated by Ord. No. 7115, §§ 1, 2, 12-19-88
 Ord. No. 7115 was repealed and new streets were designated by Ord. No. 7355, §§ 1, 2, 2-26-90
 Ord. No. 7355 was repealed and new streets were designated by Ord. No. 7418, §§ 1, 2, 6-4-90
 Ord. No. 7418 was repealed and new streets were designated by Ord. No. 7441, §§ 1, 2, 7-2-90
 Ord. No. 7441 was repealed and new streets were designated by Ord. No. 7613, §§ 1, 2, 5-6-91
 Ord. No. 7613 was repealed and new streets were designated by Ord. No. 7642, §§ 1, 2, 6-17-91
 Ord. No. 7642 was repealed and new streets were designated by Ord. No. 7784, §§ 1, 2, 3-16-92
 Ord. No. 7784 was repealed and new streets were designated by Ord. No. 7976, §§ 1, 2, 2-1-93
 Ord. No. 7976 was repealed and new streets were designated by Ord. No. 8158, §§ 1, 2, 11-15-93
 Ord. No. 8158 was repealed and new streets were designated by Ord. No. 8294, §§ 1, 2, 6-6-94
 Ord. No. 8294 was repealed and new streets were designated by Ord. No. 8340, §§ 1, 2, 8-1-94
 Ord. No. 8340 was repealed and new streets were designated by Ord. No. 8551, §§ 1, 2, 8-7-95

Ord. No. 8551 was repealed and new streets were designated by Ord. No. 8684, §§ 1, 2, 5-6-96
 Ord. No. 8684 was repealed and new streets were designated by Ord. No. 8715, §§ 1, 2, 6-17-96
 Ord. No. 8715 was repealed and new streets were designated by Ord. No. 8924, §§ 1, 2, 9-2-97
 Ord. No. 8924 was repealed and new streets were designated by Ord. No. 9012, §§ 1, 2, 2-2-98
 Ord. No. 9012 was repealed and new streets were designated by Ord. No. 9050, §§ 1, 2, 5-4-98
 Ord. No. 9050 was repealed and new streets were designated by Ord. No. 9134, §§ 1, 2, 10-5-98
 Ord. No. 9134 was repealed and new streets were designated by Ord. No. 9759, §§ 1, 2, 9-3-02
 Ord. No. 9759 was repealed and new streets were designated by Ord. No. 9964, §§ 1, 2, 5-17-04
 Ord. No. 9964 was repealed and new streets were designated by Ord. No. 10409, §§ 1, 2, 6-12-07
 Ord. No. 10409 was repealed and new streets were designated by Ord. No. 10544, §§ 1, 2, 6-10-08
 Ord. No. 10544 was repealed and new streets were designated by Ord. No. 10729, §§ 1, 2, 11-17-09
 Ord. No. 11221 was repealed and new streets were designated by Ord. No. 11528, §§ 1, 2, 2-21-18
 Ord. No. 11528 was repealed and new streets were designated by Ord. No. 11605, §§ 1, 2, 12-4-18

Sec. 20-142. Where forty miles per hour speed limit imposed.

The *prima facie* speed limit upon such streets, roads, highways or portions thereof as may be designated by ordinance shall be forty (40) miles per hour, which speed limit shall be effective when signs are erected giving notice thereof. Three (3) copies of current ordinances designating the streets governed by this section shall be kept on file by the city clerk.

Editor's note – Forty mile per hour speed limits have been designated by 1953 Code, ch. 17, § 74b, as supplemented in 1957, and as amended by:

Ord. No. 2145, § 5, 2-20-61
 Ord. No. 2312, § 4, 7-2-62
 Ord. No. 2459, § 1, 5-6-63
 Ord. No. 2965, § 1, 2-6-67
 Ord. No. 3108, § 1, 4-15-68
 Streets designated by Ord. No. 3108 were amended by Ord. No. 3295, § 1, 7-21-69
 Streets designated by Ord. No. 3295 were amended by Ord. No. 3750, § 1, 12-13-71
 Streets designated by Ord. No. 3750 were amended by Ord. No. 4049, § 1, 7-9-73
 Streets designated by Ord. No. 4049 were amended by Ord. No. 4272, § 1, 1-20-75
 Ord. No. 4506, § 2, 6-21-76
 Ord. No. 4883, §§ 1, 2, 10-16-78
 Ord. No. 4962, § 1, 4-23-79
 Ord. No. 5656, §§ 1, 2, 9-27-82
 Ord. No. 5967, §§ 1, 2, 3-12-84
 Ord. No. 5967 was repealed and new streets were designated by Ord. No. 6182, §§ 1, 2, 2-19-85
 Ord. No. 6182 was repealed and new streets were designated by Ord. No. 6415, §§ 1, 2, 5-5-86

Ord. No. 6415 was repealed and new streets were designated by Ord. No. 6472, §§ 1, 2, 7-7-86
 Ord. No. 6472 was repealed and new streets were designated by Ord. No. 6489, §§ 1, 2, 8-4-86
 Ord. No. 6489 was repealed and new streets were designated by Ord. No. 6515, §§ 1, 2, 9-2-86
 Ord. No. 6515 was repealed and new streets were designated by Ord. No. 6550, §§ 1, 2, 10-20-86
 Ord. No. 6550 was repealed and new streets were designated by Ord. No. 6587, §§ 1, 2, 12-8-86
 Ord. No. 6587 was repealed and new streets were designated by Ord. No. 6619, §§ 1, 2, 1-5-87
 Ord. No. 6619 was repealed and new streets were designated by Ord. No. 6669, §§ 1, 2, 3-16-87
 Ord. No. 6669 was repealed and new streets were designated by Ord. No. 6704, §§ 1, 2, 5-18-87
 Ord. No. 6704 was repealed and new streets were designated by Ord. No. 6796, §§ 1, 2, 9-21-87
 Ord. No. 6796 was repealed and new streets were designated by Ord. No. 6842, §§ 1, 2, 11-23-87
 Ord. No. 6842 was repealed and new streets were designated by Ord. No. 6929, § 1, 2, 4-18-88
 Ord. No. 6929 was repealed and new streets were designated by Ord. No. 6951, §§ 1, 2, 5-16-88
 Ord. No. 6951 was repealed and new streets were designated by Ord. No. 7041, §§ 1, 2, 9-19-88
 Ord. No. 7041 was repealed and new streets were designated by Ord. No. 7067, §§ 1, 2, 10-17-88
 Ord. No. 7067 was repealed and new streets were designated by Ord. No. 7116, §§ 1, 2, 12-19-88
 Ord. No. 7116 was repealed and new streets were designated by Ord. No. 7204, §§ 1, 2, 6-5-89
 Ord. No. 7204 was repealed and new streets were designated by Ord. No. 7231, §§ 1, 2, 7-3-89
 Ord. No. 7231 was repealed and new streets were designated by Ord. No. 7356, §§ 1, 2, 2-26-90
 Ord. No. 7356 was repealed and new streets were designated by Ord. No. 7375, §§ 1, 2, 3-19-90
 Ord. No. 7375 was repealed and new streets were designated by Ord. No. 7419, §§ 1, 2, 6-4-90
 Ord. No. 7419 was repealed and new streets were designated by Ord. No. 7482, §§ 1, 2, 9-17-90
 Ord. No. 7482 was repealed and new streets were designated by Ord. No. 7614, §§ 1, 2, 5-6-91
 Ord. No. 7614 was repealed and new streets were designated by Ord. No. 7643, §§ 1, 2, 6-17-91
 Ord. No. 7643 was repealed and new streets were designated by Ord. No. 7810, §§ 1, 2, 5-4-92
 Ord. No. 7810 was repealed and new streets were designated by Ord. No. 7977, §§ 1, 2, 2-1-93
 Ord. No. 7977 was repealed and new streets were designated by Ord. No. 8080, §§ 1, 2, 6-28-93
 Ord. No. 8080 was repealed and new streets were designated by Ord. No. 8159, §§ 1, 2, 11-15-93
 Ord. No. 8159 was repealed and new streets were designated by Ord. No. 8626, §§ 1, 2, 1-8-96
 Ord. No. 8626 was repealed and new streets were designated by Ord. No. 8925, §§ 1, 2, 9-2-97
 Ord. No. 8925 was repealed and new streets were designated by Ord. No. 9013, §§ 1, 2, 2-2-98
 Ord. No. 9013 was repealed and new streets were designated by Ord. No. 9051, §§ 1, 2, 5-4-98
 Ord. No. 9051 was repealed and new streets were designated by Ord. No. 9135, §§ 1, 2, 10-5-98
 Ord. No. 9135 was repealed and new streets were designated by Ord. No. 9618 §§ 1, 2, 10-8-01

Ord. No. 9618, was repealed and new streets were designated by Ord. No. 9966 §§ 1, 2, 5-17-04
 Ord. No. 9966, was repealed and new streets were designated by Ord. No. 10229 §§ 1, 2, 12-20-05
 Ord. No. 10229, was repealed and new streets were designated by Ord. No. 10410 §§ 1, 2, 6-12-07
 Ord. No. 10410, was repealed and new streets were designated by Ord. No. 10545 §§ 1, 2, 6-10-08
 Ord. No. 10545 was repealed and new streets were designated by Ord. No. 10730, §§ 1, 2, 11-17-09
 Ord. No. 10730 was repealed and new streets were designated by Ord. No. 11222, §§ 1, 2, 12-9-14

Sec. 20-143. Where forty-five miles per hour speed limit imposed.

The *prima facie* speed limit upon such streets, roads, highways or portions thereof as may be designated by ordinance shall be forty-five (45) miles per hour, which speed limit shall be effective when signs are erected giving notice thereof. Three (3) copies of current ordinances designating the streets governed by this section shall be kept on file by the city clerk.

Editor's note – Forty-five miles per hour speed limits have been designated by 1953 Code, ch. 17, § 74a, as supplemented in 1957, and as amended by:

Ord. No. 1935, § 4, 8-3-50
 Ord. No. 2145, § 4, 2-20-61
 Ord. No. 2312, § 3, 7-2-62
 Ord. No. 2963, § 1, 2-6-67
 Ord. No. 3110, § 1, 4-15-68
 Streets designated by Ord. No. 3110 were amended by Ord. No. 3296, § 1, 7-21-69
 Streets designated by Ord. No. 3296 were amended by Ord. No. 3751, § 1, 12-13-71
 Streets designated by Ord. No. 3751 were amended by Ord. No. 4050, § 1, 7-9-73
 Streets designated by Ord. No. 4050 were amended by:
 Ord. No. 4273, § 1, 1-20-75
 Ord. No. 4507, § 2, 6-21-76
 Ord. No. 4884, §§ 1, 2, 10-16-78
 Ord. No. 5657, §§ 1, 2, 9-27-82
 Ord. No. 5968, §§ 1, 2, 3-12-84
 Ord. No. 5968 was repealed and new streets were designated by Ord. No. 6183, §§ 1, 2, 2-19-85
 Ord. No. 6183 was repealed and new streets were designated by Ord. No. 6414, §§ 1, 2, 5-5-86
 Ord. No. 6414 was repealed and new streets were designated by Ord. No. 6474, § 1, 2, 7-7-86
 Ord. No. 6474 was repealed and new streets were designated by Ord. No. 6516, §§ 1, 2, 9-2-86
 Ord. No. 6516 was repealed and new streets were designated by Ord. No. 6551, §§ 1, 2, 10-20-86
 Ord. No. 6551 was repealed and new streets were designated by Ord. No. 6588, §§ 1, 2, 12-8-86
 Ord. No. 6588 was repealed and new streets were designated by Ord. No. 6900, §§ 1, 2, 3-7-88
 Ord. No. 6900 was repealed and new streets were designated by Ord. No. 6952, §§ 1, 2, 5-16-88
 Ord. No. 6952 was repealed and new streets were designated by Ord. No. 7042, §§ 1, 2, 9-19-88

Ord. No. 7042 was repealed and new streets were designated by Ord. No. 7064, §§ 1, 2, 10-17-88
 Ord. No. 7064 was repealed and new streets were designated by Ord. No. 7232, §§ 1, 2, 7-3-89
 Ord. No. 7232 was repealed and new streets were designated by Ord. No. 7357, §§ 1, 2, 2-26-90
 Ord. No. 7357 was repealed and new streets were designated by Ord. No. 7374, §§ 1, 2, 3-19-90
 Ord. No. 7374 was repealed and new streets were designated by Ord. No. 7483, §§ 1, 2, 9-17-90
 Ord. No. 7483 was repealed and new streets were designated by Ord. No. 7644, §§ 1, 2, 6-17-91
 Ord. No. 7644 was repealed and new streets were designated by Ord. No. 7769, §§ 1, 2, 2-24-92
 Ord. No. 7769 was repealed and new streets were designated by Ord. No. 7811, §§ 1, 2, 5-4-92
 Ord. No. 7811 was repealed and new streets were designated by Ord. No. 7978, §§ 1, 2, 2-1-93
 Ord. No. 7978 was repealed and new streets were designated by Ord. No. 8077, §§ 1, 2, 6-28-93
 Ord. No. 8077 was repealed and new streets were designated by Ord. No. 8627, §§ 1, 2, 1-8-96
 Ord. No. 8627 was repealed and new streets were designated by Ord. No. 8685, §§ 1, 2, 5-6-96
 Ord. No. 8685 was repealed and new streets were designated by Ord. No. 8716, §§ 1, 2, 6-17-96
 Ord. No. 8716 was repealed and new streets were designated by Ord. No. 8926, §§ 1, 2, 9-2-97
 Ord. No. 8926 was repealed and new streets were designated by Ord. No. 9617, §§ 1, 2, 10-8-01
 Ord. No. 9617 was repealed and new streets were designated by Ord. No. 9698, §§ 1, 2, 4-15-02
 Ord. No. 9698 was repealed and new streets were designated by Ord. No. 10230, §§ 1, 2, 12-20-05
 Ord. No. 10230 was repealed and new streets were designated by Ord. No. 10411, §§ 1, 2, 6-12-07
 Ord. No. 10411 was repealed and new streets were designated by Ord. No. 10546, §§ 1, 2, 6-10-08
 Ord. No. 10546 was repealed and new streets were designated by Ord. No. 10731, §§ 1, 2, 11-17-09
 Ord. No. 10731 was repealed and new streets were designated by Ord. No. 11223, §§ 1, 2, 12-9-14

Sec. 20-144. Where fifty miles per hour speed limit imposed.

The *prima facie* speed limit upon such streets, roads, highways or portions thereof as may be designated by ordinance shall be fifty (50) miles per hour, which speed limit shall be effective when signs are erected giving notice thereof. Three (3) copies of current ordinances designating the streets governed by this section shall be kept on file by the city clerk.

Editor's note – Fifty miles per hour speed limits have been designated by 1953 Code, ch. 17, § 74c, as added by Ord. No. 2145, § 6, 2-20-61, and as amended by:

Ord. No. 2312, § 5, 6-2-62
 Ord. No. 2962, § 1, 2-6-67
 Ord. No. 5969, §§ 1, 2, 3-12-84
 Ord. No. 5969 was repealed and new streets were designated by Ord. No. 6184, §§ 1, 2, 2-19-85

Sec. 20-175. Stop sign required at each intersection with through street.

Whenever any provision of this Code or any ordinance of the city designates and describes a through street, it shall be the duty of the traffic engineer to place and maintain a stop sign on each and every street intersecting such through street or intersecting that portion thereof described and designated as such by any ordinance of the city. (1953 Code, ch. 17, § 94)

Sec. 20-176. Traffic engineer to designate hazardous intersections for “stop.”

The traffic engineer is hereby authorized to determine and designate intersections where particular hazard exists upon other than through streets and to determine whether vehicles shall stop at one (1) or more entrances to any such intersections, and shall erect a “stop” sign at every such place where a stop is required. (1953 Code, ch. 17, § 95; Ord. No. 1941, § 1, 8-17-59)

Sec. 20-176.1. Traffic to stop at intersection when traffic signals are out of service.

When an intersection traffic signal is out of service for any reason, all vehicles shall come to a complete stop upon any approaching roadway at any such intersection and shall proceed only when safe to do so after yielding to any vehicle on the right, or to any vehicle or pedestrian lawfully within the intersection. This procedure shall be in effect until a traffic or police officer establishes intersection point control. (Ord. No. 7332, § 1, 1-2-90)

Sec. 20-177. Traffic engineer to designate hazardous intersections for “yield”.

The traffic engineer is hereby authorized to determine and designate intersections where a particular hazard exists and to determine whether vehicles on one of the intersecting streets shall yield the right-of-way to vehicles on the other street or streets and to erect a “yield right-of-way” sign at every place where such a sign is needed. (1953 Code, ch. 17, § 95; Ord. No. 1941, § 1, 8-17-59)

State law reference – Location, specifications for stop signs. A.R.S. § 28-855.

Sec. 20-178. Reserved.

Editor’s note – Section 20-178, requiring obedience to yield right-of-way signs, derived from the 1953 Code, ch. 17, § 96, and Ord. No. 1941, § 2, adopted Aug. 17, 1959, was repealed by § 1 of Ord. No. 5931, adopted Dec. 19, 1983.

Sec. 20-179. One-way streets and alleys.

Upon those streets and parts of streets and in those alleys described by ordinance, vehicular traffic shall move only in the indicated direction when signs indicating the direction of traffic are erected and maintained at every intersection where movement in the opposite direction is prohibited. Three (3) copies of current ordinances designating the streets and alleys governed by this section shall be kept on file by the city clerk.

- (1) West on the east-west alley immediately north of the Mission Village apartments at 7001 East Golf Links Road and between the drainageway east to the western property line of the shopping center.
- (2) East on the east-west alley between Chantilly Avenue and Van Buren Avenue and between Broadway Boulevard and Twelfth Street.
- (3) North on the alley immediately east of Alamo Wash between the Monterey Village Shopping Center and Hawthorne Street.
- (4) East on the alley immediately south of the Monterey Village Shopping Center between the Alamo Wash and Rook Avenue.
- (5) East on the east-west alley between Congress Street and Pennington Street, connecting Sixth Avenue and Scott Avenue.
- (6) West on the east-west alley between Congress Street and Broadway Boulevard, connecting Sixth Avenue and Scott Avenue.
- (7) West on the east-west alley between 3rd and 4th Avenues and between 24th and 25th Streets.
- (8) Northeast on the northeast-southwest alley between Princeton Drive and Rutgers Place from Lehigh Drive east to the north-south alleyway.

- (9) West on Alameda Street from Toole Avenue-Sixth Avenue intersection to Church Avenue.
- (10) South on Arizona Avenue from Thirteenth Street to Fourteenth Street.
- (11) East on Broadway Boulevard between the west line of the Broadway Boulevard underpass and the east line of the intersection of Granada Avenue and Broadway Boulevard.
- (12) West on Adams Street from approximately 150 feet west of Camilla Boulevard to Camilla Boulevard.
- (13) West on Congress Street from Herbert Avenue-Toole Avenue intersection to Broadway Boulevard-Granada Avenue intersection.
- (14) West on Corral Street from Scott Avenue to Stone Avenue.
- (15) West on Eighth Street from First Avenue to Third Avenue. City of Tucson Environmental Services vehicles exempt between the hours of 5:30 a.m. to 10:30 a.m.
- (16) North on El Paso Avenue from Cushing Street to Simpson Street.
- (17) North on Fifth Avenue from Twelfth Street to Thirteenth Street.
- (18) North on Forgeus Avenue from Thirty-Sixth Street to Forgeus Stravenue.
- (19) South on Herbert Avenue from Sixth Street to Eighth Street.
- (20) South on Herbert Avenue from Fifth Street to 215 feet south of Fifth Street.
- (21) North on Hoff Avenue from Eighth Street to Fifth Street.
- (22) South on the southbound Kino Parkway on-ramp (Ramp A) from Twenty-Second Street.
- (23) North on the northbound Kino Parkway off-ramp (Ramp B) to Twenty-Second Street.
- (24) South on the southbound Kino Parkway off-ramp (Ramp C) to Twenty-Second Street.
- (25) North on the northbound Kino Parkway on-ramp (Ramp D) from Twenty-Second Street.
- (26) South on Meyer Avenue from Eighteenth Street to Twenty-Second Street.
- (27) East on Pennington Street from Congress Street to Scott Avenue.
- (28) North on Rubio Avenue from Nineteenth Street to Eighteenth Street.
- (29) South on Scott Avenue from McCormick Street to Fourteenth Street.
- (30) East on Sequoyah Street between Forgeus Avenue and Treat Avenue.
- (31) West on Simpson Street from Stone Avenue to Meyer Avenue.
- (32) East on Sixth Street between Country Club Road and the west end of Fifth-Sixth Street transition.
- (33) Speedway Boulevard underpass frontage roads: East of Union Pacific Railroad, westbound on north frontage road to road connecting north frontage road with south frontage road, south on this connecting road to south frontage road, east on south frontage road to end of frontage road; west of Union Pacific Railroad, east on south frontage road to road connecting south frontage road with north frontage road, north on this connecting road to north frontage road, west on north frontage road to end of frontage road.
- (34) South on Stone Avenue from the south line of the intersection of Stone Avenue, Toole Avenue and Franklin Street to the north line of Broadway Boulevard.
- (35) Northwest on Toole Avenue from Broadway to its intersection with Fourth Avenue.

(1953 Code, ch. 17, § 98; Ord. No. 1924, § 3, 7-6-59; Ord. No. 3653, § 1, 1-24-72; Ord. No. 3753, § 1, 12-13-71; Ord. No. 4003, § 1, 4-2-73; Ord. No. 4132, § 1, 2-19-74; Ord. No. 4150, § 2, 6-21-76; Ord. No. 4275, § 1, 1-20-75; Ord. No. 5050, § 1, 10-15-79; Ord. No. 6120 § 1, 11-19-84; Ord. No. 6565, § 1, 11-3-86; Ord. No. 6590, §§ 1 and 2, 12-8-86; Ord. No. 6705, §§ 1 and 2, 5-18-87; Ord. No. 6797, §§ 1 and 2, 9-21-87; Ord. No. 6950, §§ 1 and 2, 5-16-88; Ord. No. 6974, §§ 1 and 2, 6-6-88; Ord. No. 7066, §§ 1 and 2, 10-17-88; Ord. No. 7080, §§ 1 and 2, 10-24-88; Ord. No. 7137, §§ 1 and 2, 2-6-89; Ord. No. 7251, §§ 1 and 2, 8-7-89; Ord. No. 7442, §§ 1 and 2, 7-2-90; Ord. No. 7484, §§ 1 and 2, 9-17-90; Ord. No. 7542, §§ 1 and 2, 1-7-91; Ord. No. 7750, §§ 1 and 2, 1-13-92; Ord. No. 7903, § 2, 9-14-92; Ord. No. 7914, § 2, 10-5-92; Ord. No. 7972, §§ 1 and 2, 1-11-93; Ord. No. 7979, §§ 1 and 2, 2-1-93; Ord. No. 8342, § 2, 8-1-94; Ord. No. 8687, § 2, 5-6-96; Ord. No. 8788, §§ 1 and 2, 12-16-96; Ord. No. 8927, §§ 1 and 2, 9-2-97; Ord. No. 9133, § 2, 10-5-98; Ord. No. 9435, § 2, 8-7-00; Ord. No. 9760, § 2, 9-3-02; Ord. No. 10181, § 1, 8-2-05; Ord. No. 10940, § 1, 10-25-11; Ord. No. 11091, § 2, 7-9-13; Ord. No. 11606, § 2, 12-4-18)

Secs. 20-180 – 20-199. Reserved.

ARTICLE VII. STOPPING, STANDING AND PARKING*

DIVISION 1. GENERALLY

Sec. 20-200. Unlawful parking prohibited; classification; parking defined; parties liable; applicability of regulations; continuous violations; mandatory fines and fees; community service.

(a) *Classification.* Violation of any provision of this article which regulates the time, place, or method of parking shall constitute a civil infraction.

(b) *Definition.* Parking means the standing of a vehicle, whether occupied or not.

***Editor's note** – Ord. No. 9196, § 1, adopted Jan. 25, 1999, repealed the former Art. VII, §§ 20-193 – 20-277, which pertained to stopping, standing and parking, and enacted a new Art. VII, §§ 20-200 – 20-282 to read as herein set out. For more information, see the Code Comparative Table.

(c) *Parties liable.* The owner(s) of the vehicle and the person who parked or placed the vehicle where the violation occurred shall be jointly and individually liable for the violation and for the fine and fees prescribed therefor.

(d) *Applicability of regulations.* The provisions of this article prohibiting the standing or parking of a vehicle shall apply at all times or at those times herein specified or as indicated on official signs except when it is necessary to stop a vehicle to avoid conflict with other traffic, or in compliance with the directions of a police officer or official traffic-control device.

(e) *Continuous violations.* Where parking is time restricted, each full time period the vehicle is unlawfully parked beyond the posted time limit shall constitute a separate violation. In all other cases, each day the violation continues shall constitute a separate offense.

(f) *Mandatory fines and fees.* Unless otherwise specifically provided by this article, the fines and fees for violating any provision of this article shall be mandatory, no part of which may be suspended or waived by the court.

(g) *Community service.* Community service work may be substituted for fines and fees in accordance with section 1-8(4) of this Code.

(Ord. No. 9196, § 1, 1-25-99; Ord. No. 10418, § 3, 6-12-07; Ord. No. 11400, § 3, 9-20-16)

Sec. 20-201. Reserved.

Editor's note – Ord. No. 9492, § 3, adopted Nov. 27, 2000, repealed § 20-201, which pertained to administrative enforcement fee. See the Code Comparative Table.

Sec. 20-202. Prima facie evidence of parking infraction.

No civil infraction may be established except upon proof by a preponderance of the evidence; provided, however, that a parking violation notice, or copy thereof, issued in accordance with this chapter and the Local Rules of Practice and Procedure in City Court Civil Proceedings shall be prima facie evidence thereof and shall be admissible in any judicial or administrative proceeding as to the correctness of the facts specified therein.

(Ord. No. 9196, § 1, 1-25-99)

Sec. 20-203. Failure to respond to citation; default fee; booting and impounding vehicle authorized, booting and impound fees; damages to boot.

(a) *Arizona registered vehicles.* When a citation is issued to a vehicle registered within the State of Arizona, Park Tucson shall within seven (7) working days send a citation letter to the owner address on file with the Arizona Department of Motor Vehicles advising the owner of the citation and containing the date, time, and location of the violation as well as the vehicle description and violation description; or a duplicate copy of the citation.

(b) *Failure to respond.* If the owner or operator of the vehicle involved in a civil parking violation or infraction fails to respond within thirty (30) calendar days from the day the citation was issued by one (1) of the prescribed methods in Rule 7 of the Local Rules of Practice and Procedure in City Court Civil Proceedings, a \$50.00 default fee pursuant to T.C.C. section 8-6.7 shall be assessed, and a \$20.00 Time Payment Fee pursuant to A.R.S. 12-116, and, a \$20.00 Case Processing Fee pursuant to T.C.C. section 8-6.5(a), plus surcharge and the court shall within seven (7) working days of the default date send a default letter to the owner address on file with the Arizona Department of Motor Vehicles, advising the owner that the citation is in default and that the vehicle may be subject to boot or impoundment as set forth in subsection (d).

(c) *Foreign registered vehicles.* If the owner or operator of the vehicle, registered in a state or jurisdiction other than Arizona, involved in a civil parking violation or infraction fails to respond within thirty (30) calendar days from the day the citation was issued by Park Tucson or one (1) of the prescribed methods in Rule 7 of the Local Rules of Practice and Procedure in City Court Civil Proceedings, a default fee pursuant to T.C.C. section 8-6.7 shall be assessed, and a \$20.00 Time Payment Fee pursuant to A.R.S. 12-116, and, a \$20.00 Case Processing Fee pursuant to T.C.C. section 8-6.5(a) plus surcharge.

(d) *[Booting, impoundment.]* In addition to actions taken under section 20-203(b) or (c) above, the citing authority may boot, impound or cause to be booted or impounded any motor vehicle owned by a person who has three (3) or more unpaid civil parking infractions or has failed to respond to the civil parking

infractions as set forth in section 20-203(b) or (c), giving notice that there shall be a hearing before a limited special magistrate within forty-eight (48) hours of the booting or impoundment, excluding weekends and holidays. The owner of the vehicle which was booted or impounded may post a bond in the amount of the booting and/or impound fees, damages or replacement cost of the boot if any, and potential fines in order to have the vehicle released pending the hearing. The limited special magistrate shall conduct the hearing as follows:

- (1) The limited special magistrate shall conduct a hearing where the sole issue shall be to determine whether the vehicle was owned by the person at the time of the civil parking infractions, determine whether the infractions have been paid or otherwise responded to, and determine whether the boot was damaged or taken from the vehicle.

Sec. 22-30(g). “*Alternate payee*” means member’s spouse, former spouse or dependent children/step-children or person identified as an alternate payee in a plan approved domestic relations or child support order.

Sec. 22-30(h). “*Annual required contribution*” or “*ARC*” means the annual amount necessary to fund all employee segment normal cost amounts plus that amount necessary to satisfy the annual amortization requirements for the system’s unfunded accrued liability, as determined by the system’s actuary in accordance with sound actuarial principles, and as set by the board on a fiscal year basis. The annual required contribution is expressed as a percentage of the city’s active member payroll costs for a fiscal year. Changes in accrued liabilities and actuarial experience may increase or decrease the annual required contribution.

Sec. 22-30(i). “*Average final monthly compensation*” or “*AFMC*” means the member’s average compensation for the applicable employment period, as defined below, within the one hundred twenty (120) months immediately preceding the member’s termination date, during which the member’s compensation was the highest. The “applicable employment period” for a tier I member shall be a period of thirty-six (36) consecutive calendar months of employment with the city and the “applicable employment period” for a tier II member shall be a period of sixty (60) consecutive calendar months of employment with the city. If the member has less than the number of consecutive calendar months of employment required for the applicable employment period calculation (thirty-six (36) months or sixty (60) months), the AFMC shall be the average of the compensation earned by the member during the period of employment with the city. For tier I members, accumulated unused vacation and sick leave hours shall be included in the thirty-six (36) month period at the member’s final pay rate, with an equal number of hours subtracted from the beginning of the thirty-six (36) month period, provided that the member contribution requirements of section 22-34(f) are satisfied and that the inclusion of the accumulated unused vacation and sick leave hours does not result in a decrease in the AFMC. Accumulated unused vacation and sick leave hours shall not be included in the calculation of average final monthly compensation for tier II members. The calculation of average final monthly compensation is subject to the special adjustment rules set forth in section 22-43(b) (part-time employment) and section 22-43(c) (unpaid authorized leave). For the period

beginning on July 1, 2009, and ending on June 30, 2010, any active member who is subject to a reduction in pay in lieu of furlough shall continue to receive compensation credit for purposes of AFMC calculation during the reduction period at the rate of pay in effect for the member immediately preceding the pay reductions in lieu of furlough.

Sec. 22-30(j). “*Beneficiary*” means any person(s), trust or estate entitled to receive benefits under this article as designated by a member of the system in accordance with section 22-33(f).

Sec. 22-30(k). “*Board*” means the Tucson Supplemental Retirement System Board of Trustees.

Sec. 22-30(l). “*Code*” means the Internal Revenue Code of 1986, as amended.

Sec. 22-30(m). “*Compensation*” means base salary, vacation and sick leave pay and worker’s compensation pay equal to base salary for which an employee in a covered position receives credited service. In certain cases and pursuant to the provisions of this article, compensation may be imputed to hours included in credited service for which no services are performed. Compensation cannot be earned after retirement.

Sec. 22-30(n). “*Credited service*” means the accrued service and additional service to which the member or the member’s beneficiary shall be entitled.

Sec. 22-30(o). “*Death benefit*” means the cash lump sum payable upon the death of a vested member and equal to two (2) times the value of the deceased member’s accumulated contributions account.

Sec. 22-30(p). “*Disability retirement benefit*” means the retirement benefit payable to a member who is qualified for disability retirement as set forth in section 22-39(a) and which is calculated in accordance with section 22-39(c).

Sec. 22-30(q). “*Domestic relations order*” means any judgment, decree, order or approval of a property settlement agreement entered in a court of competent jurisdiction and issued pursuant to a state domestic relations law that relates to the provision of child support, alimony payments, or marital property rights to a spouse, former spouse, child or other dependent of a member.

Sec. 22-30(r). “Early retirement benefit” means the retirement benefit payable to a member who is eligible for early retirement as set forth in section 22-37(a)(1)(B) and which is calculated in accordance with section 22-37(b).

Sec. 22-30(s). “Employee segment normal cost” means the annual amount necessary to fund the benefits accrued under the system in a particular year based on member service and compensation, by each employee segments eligible for membership in the system for which the system actuary shall perform employee segment normal cost calculations: (i) members hired by the city prior to July 1, 2006, (ii) tier I members hired by the city on or after July 1, 2006, and (iii) tier II members.

Sec. 22-30(t). “Employer contribution” means the difference between the annual required contribution and the member contribution rate, determined on a fiscal year basis.

Sec. 22-30(u). “Interest” means the annual rate or rates of interest declared by the board from time to time in accordance with the provisions of section 22-44(h) and credited to the members’ accumulated contributions accounts in accordance with the board’s declaration. Interest is credited as simple interest with no compounding and is deposited two (2) times per year, subject to the authority of the board to modify the Interest crediting method from time to time.

Sec. 22-30(v). “Legal or personal representative” means the court appointed or duly authorized legal representative of an employee, a member, an estate or a minor child.

Sec. 22-30(w). “Member” means an employee who is eligible to accrue retirement benefits under the system or, as the context may indicate, a former employee who has accrued refund rights or retirement benefits under the system.

Sec. 22-30(x). “Member contribution rate” means the portion of the annual required contribution to be paid by the members in any particular fiscal year, determined in accordance with section 22-34(a) or section 22-34(b), as applicable.

Sec. 22-30(y). “Normal retirement age” means the age at which a member is eligible for a normal service

retirement. For tier I members hired by the city prior to July 1, 2009, the normal retirement age is sixty-two (62). For tier I members hired by the city on or after July 1, 2009, and prior to July 1, 2011, the normal retirement age is the later of the member’s sixty-second (62nd) birthday or the date on which the member is credited with at least five (5) years of accrued service. For tier II members, the normal retirement age is the later of the member’s sixty-fifth (65th) birthday or the date on which the member is credited with at least five (5) years of accrued service.

Sec. 22-30(z). “Normal retirement benefit” means the retirement benefit payable to a member who is eligible for a normal service retirement as set forth in section 22-37(a)(1)(A). For tier I members, the normal retirement benefit shall equal two and twenty-five one hundredths (2.25) percent of the member’s average final monthly compensation multiplied by the number of years of the member’s total credited service. For tier II members, the normal retirement benefit shall equal two and no one hundredths (2.00) percent of the member’s average final monthly compensation multiplied by the number of years of the member’s total credited service.

Sec. 22-30(aa) “Prior government or military service” means time as an employee of the United States government, a state of the United States, a political subdivision of a state, this political subdivision, a tribal government (with the exception of any services rendered to the tribal government after January 1, 2007, which were commercial in nature), the Armed Forces of the United States, a state’s National Guard, the reserves of any military establishment of the United States or any state whether on active or reserve duty; and, such service is not treated as credited service with any other retirement system for which the member is entitled to receive a benefit.

Sec. 22-30(bb). “Qualified military service” means service in the uniformed services of the United States, as defined in section 414(u)(5) of the Code.

Sec. 22-30(cc). “Retirement benefit” means the monthly benefit payable to a member who satisfies the conditions for normal retirement, early retirement, deferred retirement or disability retirement.

Sec. 22-30(dd). “Retirement points rule” means, for tier I members, the rule of eighty (80). The rule of

eighty (80) is defined as the sum of the member's age and years of credited service equaling at least eighty (80). For tier II members, the "retirement points rule" means the rule of eighty-five (85). The rule of eighty-five (85) is defined as the sum of the member's age and years of credited service equaling at least eighty-five (85); provided, however, that the member is at least sixty (60) years of age.

Sec. 22-30(ee). "Spouse" means the lawfully recognized husband or wife of a member. The term "spouse" also includes the domestic partner of a member, provided that the member files a valid a domestic partnership registration statement with the city's finance department, in accordance with chapter 17, article IX of the Tucson Code, as amended. With regard to domestic partners, the system administrator may rely exclusively on the finance department's domestic partnership records. In its discretion, the system administrator may require any member or purported spouse to produce reasonable documentation of an individual's status as a spouse hereunder.

Sec. 22-30(ff). "System" means the Tucson Supplemental Retirement System, as set forth in the chapter 22, article III of the Tucson City Code, as amended.

Sec. 22-30(gg). "Termination date" means the member's last day of active employment with the city as the result of resignation, discharge, layoff, retirement, death or total and permanent disability.

Sec. 22-30(hh). "Tier I member" means a member who was hired by the city prior to July 1, 2011. A rehired member shall reenter the system as a tier I member only if all of the following conditions are satisfied as of the date of rehire: (1) The rehired employee was a tier I member of the system during the employee's previous employment with the city, (2) the rehired employee was a vested member as of the most recent termination date, and (3) the rehired employee has not requested a refund of the member's accumulated contributions account or a transfer of his accrued benefit in accordance with section 22-41. All other rehired members shall reenter the system as tier II members.

Sec. 22-30(ii). "Tier II member" means a member who was hired by the city on or after July 1, 2011, or a rehired member who is not entitled to be a tier I member as set forth in section 22-30(gg).

Sec. 22-30(jj). "Total and permanent disability" means the inability to engage in any substantial gainful activity with the city by reason of any medically determinable physical or mental impairment that can be expected to result in death or continue for a long and indefinite duration. If the Social Security Administration determines that a member is totally and permanently disabled for purposes of Social Security Disability Insurance, the Social Security Administration's determination shall be treated as strong evidence of total and permanent disability; provided, however, that the Board shall make an independent determination of the date on which any disability retirement benefit shall commence in accordance with section 22-39(b).

Sec. 22-30(kk). "Trust fund" means the custodial or trust account(s) maintained under the system as set forth in section 22-31.

Sec. 22-30(ll). "Vested" means a member who has accumulated a minimum of five (5) years of accrued service. A vested member is entitled to receive a retirement benefit under the system. (Ord. No. 10657, § 1, 4-28-09, eff. 7-1-09; Ord. No. 10696, § 1, 8-5-09, eff. 7-1-09; Ord. No. 10711, § 1, 9-9-09, eff. 7-1-09; Ord. No. 10712, § 1, 9-9-09, eff. 7-1-09; Ord. No. 10915, § 1, 6-21-11, eff. 7-1-11; Ord. No. 11020, § 1, 9-11-12, eff. 7-1-09; Ord. No. 11062, §§ 1, 2, 3-27-13, eff. 7-1-13; Ord. No. 11327, § 1, 12-8-15, eff. 1-1-16; Ord. No. 11595, § 1, 10-23-18)

Sec. 22-31. Trust fund.

The trust fund maintained in connection with the system which is intended to constitute a tax-qualified retirement plan trust fund as described in Section 401(a) and 501(a) of the Code and shall consist of all the assets of the system to be held in trust for the benefit of its members and their beneficiaries. The board shall select an appropriate custodial financial institution for deposit of the system's trust fund. (Ord. No. 10657, § 1, 4-28-09, eff. 7-1-09)

Sec. 22-32. Exclusive benefit.

The Tucson Supplemental Retirement system shall operate for the exclusive purpose of providing benefits to the members and their beneficiaries. It is prohibited for any part of the corpus or income of the trust fund to be used for, or diverted to, purposes other than for the exclusive benefit of the members or their beneficiaries. (Ord. No. 10657, § 1, 4-28-09, eff. 7-1-09)

Sec. 22-33. Membership.

Sec. 22-33(a). Mandatory membership. All permanent employees in the classified service who are employed by the city on a full time basis shall be contributing members of the system upon their date of hire by the city as a condition of their employment. For purposes of this chapter, full time basis is defined by the Tucson City Code Civil Service Rules and Regulations. Additionally, certain permanent part-time employees hired by the city before October 4, 2004, entered the system as contributing members and shall remain grandfathered members pursuant to city Ordinance 10047. Permanent full time employees who, without a break in service, elect to work less than full time shall remain contributing members of the system.

Sec. 22-33(b). Optional Membership. Full-time appointed officers, full-time employees in the offices of the Mayor and City Council and full-time unclassified employees in the City Manager's office (collectively, "appointed positions") may elect membership in the system within ninety (90) days of their formal appointment to an appointed position. Accrued service accrues from the beginning of the first payroll period commencing after an application for participation in the system has been accepted by the system administrator. An individual who is appointed to a second or successive appointed position shall be afforded an additional opportunity to apply for participation in the system as a result of the second or successive appointment only if the individual commences the new appointed position at least thirty (30) days after his most recent termination date. Similarly, a member who transfers directly from a mandatory membership position defined in section 22-33(a) above to an appointed position without a termination date may elect to waive membership in the system within ninety (90) days of their formal appointment to the appointed position. In the case of an individual who waives membership while serving in an appointed position, accrued service and member contributions shall cease on the effective date of the membership waiver, as determined by the system administrator in a uniform and non-discriminatory manner. A waiver of membership pursuant to this section shall not constitute a termination of membership for purposes of determining a member's right to a refund of accumulated contributions or entitlement to retirement benefits.

Sec. 22-33(c). Termination of membership. Should any member leave city employment with less than five (5) years of accrued service and for any reason other than death, the member shall cease to be a member of the system and will receive a refund of the member's accumulated contributions account in accordance with section 22-41(b). As set forth in section 22-41(e), the refund of the accumulated contributions account triggers an immediate forfeiture of credited service.

Sec. 22-33(d). Exclusion from membership. The following individuals are excluded from membership: (1) nonpermanent city employees and permanent part-time city employees whose membership has not been grandfathered by the city in accordance with section 22-33(a); (2) employees occupying positions covered by the State of Arizona Public Safety Personnel Retirement System; (3) leased employees, as defined in Section 414(n) of the Code, and (4) independent contractors.

Sec. 22-33(e). Reentry into membership. Any former member who is reemployed by the city in an eligible job classification shall become a member of the system. The member contributions required from a rehired member shall be determined in accordance with section 22-34(c) and credited service accrued by the rehired member shall be determined in accordance with section 22-36(h). The accrued benefit earned by a rehired member shall be determined based on the member's status as a tier I member or a tier II member, as those terms are defined in section 22-30(hh) and 22-30(ii), respectively. The rules set forth herein regarding rehired members shall apply to members who return to employment with the city following a layoff or any other event which constitutes a termination date under section 22-30(gg).

Sec. 22-33(f). Designation of beneficiary(ies). Each employee, or designated legal representative, shall file a statement designating a beneficiary(ies) or contingent beneficiary(ies) within thirty (30) days after becoming a member of the system. Any member who is married and wishes to designate a non-spouse beneficiary must provide spousal consent to the beneficiary designation in accordance with paragraph (1) below. Until such statements are filed, any death benefit, survivor annuity or refund of member contributions payable upon the member's death shall be paid to the member's spouse, if the member was married at death, or to the member's estate, if the member is not married at death.

(1) *Spousal consent.* Any member who is married and wishes to designate a non-spouse beneficiary must provide spousal consent to the beneficiary designation. The consent of a member's spouse to a beneficiary designation shall be in writing, acknowledge the effect of such an election and be witnessed by a notary public or a designated representative of the system administrator. No spousal consent will be required if the system administrator determines, in its sole discretion, that such consent cannot be obtained because the spouse cannot be located or other circumstances exist that preclude the member from obtaining such consent.

(2) *Changes in marital status.* Except as set forth herein, a member who intends to change their beneficiary as a result of a change in marital status must update the beneficiary designation to reflect the member's wishes. A member's divorce generally does not impact the validity or enforceability of a beneficiary designation on file with the system administrator. Beneficiary designation provisions contained in a domestic relations order accepted by the system administrator in accordance with section 22-43.1 will be enforced, however, notwithstanding any beneficiary designation or provision of the system to the contrary. Effective with regard to deaths occurring after December 31, 2018, the member's spouse will become the member's default beneficiary even if the member enters into a marriage after having filed a beneficiary designation with the system administrator, unless and until the member files a new designation with the consent of the member's current spouse.

(3) *Designation of a trust as beneficiary.* A trust may be designated as a beneficiary only if the trust is established by the member, the trust is or becomes irrevocable at the time of the member's death and both the member and the trustee of the member's trust provide all requested information regarding the trust to the system administrator.

(4) *Finality of Designations.* A designation of a beneficiary(ies) shall become effective and shall remain effective upon receipt and acceptance of the designation by the system administrator and except as set forth in paragraph (1) above. If the system administrator does not receive sufficient information to implement a member's beneficiary designation, the system administrator may exercise its discretion to declare a designation invalid. Upon ratification by the board of a member's application for retirement benefits,

the member's designation of a retirement benefit survivor shall become irrevocable with regard to any joint and survivor annuity elected in accordance with section 22-42(c) or section 22-42(d). All other beneficiary designations become irrevocable upon the member's death. There shall be no liability on the part of the city, the board or the system administrator with respect to any payment made in accordance with this section 22-33(f).

(Ord. No. 10657, § 1, 4-28-09, eff. 7-1-09; Ord. No. 10711, § 2, 9-9-09, eff. 7-1-09; Ord. No. 10712, § 2, 9-9-09, eff. 7-1-09; Ord. No. 10915, § 2, 6-21-11, eff. 7-1-11; Ord. No. 11020, § 2, 9-11-12, eff. 7-1-09; Ord. No. 11327, §§ 2, 3, 12-8-15, eff. 1-1-16; Ord. No. 11595, § 2, 10-23-18)

Sec. 22-34. Membership contributions.

Sec. 22-34(a). Fixed contribution rate. Each member hired prior to July 1, 2006, shall make mandatory member contributions to the system for every pay period during which the member receives compensation in an amount equal to five (5) percent of the member's compensation. The finance director shall deduct this amount and credit it to the member's accumulated contributions account.

Sec. 22-34(b). Variable contribution rates. Each member hired on or after July 1, 2006, shall make mandatory member contributions to the system for every pay period during which the member receives compensation in an amount equal to the applicable percentage of the Employee Segment Normal Cost. For purposes of this Section 22-34(b), the applicable percentage shall equal the percentage determined by the City on an annual basis prior to the beginning of each fiscal year, and which shall equal no less than fifty (50) percent and no more than one hundred (100) percent. Notwithstanding the foregoing, the member's annual contribution rate (1) shall in no event be less than five (5) percent of compensation and (2) shall be subject to an annual fiscal year adjustment (increase or decrease) equal to no more than two and one-half (2 1/2) percent of member compensation. The finance director shall deduct the applicable member contributions from each member's compensation and credit it to the member's accumulated contributions account.

Sec. 22-34(c). Contribution rates for rehired members. If a member separates from employment with the city and is later re-hired, the rate of mandatory

member contributions applicable to the rehired member shall be determined in accordance with this section. Any member who was originally hired by the city prior to July 1, 2006, who was a vested member at the time of separation from employment with the city and who does not request a refund of member contributions in accordance with section 22-41 prior to his date of reemployment with the city shall make mandatory member contributions to the system in accordance with section 22-34(a) above. All other rehired members shall make mandatory member contributions in accordance with section 22-34(b) above.

Sec. 22-34(d). Employer pick-up/member contributions. All member contributions to the system are mandatory and are picked up by the city in accordance with Code Section 414(h). As a result of the city's pick-up arrangement, the member contributions are contributed to the system on a pre-tax basis and shall not be included in the member's gross income until the member requests a refund of contributions or receives retirement benefit payments. All member contributions are deposited into the individual accumulated contributions account maintained by the system administrator on behalf of each contributing member.

Sec. 22-34(e). Qualified military service. A member who leaves employment for qualified military service and is timely reinstated by the city and meets all other applicable requirements for benefits following qualified military service including, without limitation, the requirements set forth in the city's Administrative Directive 2.01-7G regarding military leave, as amended, shall be permitted (but not required) to make up missed member contributions to the system. Any reinstated member who wishes to make up missed member contributions shall contribute all or a portion of the member contributions that would have been made by the member but for the qualified military service, calculated at the compensation rate in effect for the member immediately preceding the commencement of the qualified military service and the member contribution rate in effect during the qualified military service, and without interest or any other adjustment. The missed member contributions shall be contributed to the system during a period that begins on the date of reinstatement and ends on the earliest of (1) the date that is five (5) years from the date of reinstatement; (2) the date that marks the end of a period which is three (3) times the length of the member's most recent period of qualified military

service; or (3) the member's termination date. Any and all member contributions made up pursuant to this section shall be treated as regular member contributions made in accordance with section 22-34(d). Following the contribution of missed member contributions to the system, the system administrator shall take all steps necessary to increase the member's accrued benefit to include the portion of the member's qualified military service covered by the missed member contributions. Notwithstanding the foregoing, to the extent the member is paid his full city salary during military leave in accordance with Section IV of the city's Administrative Directive 2.01-7G, as amended (Paid Military Leave Not to Exceed 30 Calendar Days in any Two (2) Consecutive Federal Fiscal Years), member contributions shall be deducted from the member's military leave pay on the same basis as member contributions would be made by the member under section 22-34 if the member was actively employed.

Sec. 22-34(f). Accrued vacation cash out. All hours of accumulated vacation earned by a tier I member and cashed out by the city as of the earlier of the member's termination date or election to enter the end of service program shall be included in a member's compensation for member contribution purposes, provided that member contributions are made in accordance with this section. The member contributions applicable to accumulated vacation shall be calculated using the tier I member's compensation and member contribution rate as in effect immediately preceding the tier I member's termination date. The calculation and collection of member contributions under this section shall trigger the city's obligation to make corresponding employer contributions under section 22-35(a) for the accumulated vacation hours.

Sec. 22-34(g). Non-forfeiture and refund of contributions. It is the right of each member to request a refund of the member's accumulated contributions, plus interest, upon separation from city service and the right of each beneficiary to be paid the member's accumulated contributions, plus interest, upon the member's death before retirement or unused contributions, plus interest, upon the member's death after retirement, whichever is applicable. All refunds, and the related forfeiture of credited service, shall be administered in accordance with section 22-41.

Sec. 22-34(h). Employment status changes. Effective July 1, 2011 and notwithstanding any provision of the Code to the contrary, the mandatory

member contribution rate for an employee who first becomes a member in the system after the employee's date of hire or rehire with the city will be determined pursuant to this section. If an employee is hired or rehired by the city in an employment position that does not qualify for membership in the system and later becomes a member, the applicable member contribution rate shall be determined as of the date on which the employee first satisfies the requirements for membership under section 22-33, as opposed to the employee's date of hire or rehire. The member contribution rate for a reemployed member shall be determined in accordance with section 22-34(c).

(Ord. No. 10657, § 2, 4-28-09, eff. 7-1-09; Ord. No. 10915, § 3, 6-21-11, eff. 7-1-11; Ord. No. 11062, § 3, 3-27-13, eff. 7-1-13; Ord. No. 11243, § 1, 2-18-15, eff. 7-1-15; Ord. No. 11327, §§ 4, 5, 12-8-15, eff. 1-1-16; Ord. No. 11349, § 1, 4-5-16, eff. 7-1-16; Ord. No. 11430, § 1, 1-24-17, eff. 7-1-17; Ord. No. 11529, 2-21-18, eff. 7-1-18)

Sec. 22-35. City contributions.

Sec. 22-35(a). Contribution by the city. At the end of each payroll period, the finance director shall cause the city to contribute to the trust fund an amount equal to the employer contribution for the particular payroll period, plus any and all member contributions picked up by the city in accordance with section 22-34(d) and section 22-36(g)(2).

Sec. 22-35(b). Certification of rates and charges. The board shall certify to the city manager, on a fiscal year basis, the annual required contribution, the member contribution rate and the employer contribution for the system.

Sec. 22-35(c). City's funding requirement for system. The city council shall appropriate no less than one hundred (100) percent of the employer contribution for a particular fiscal year.

Sec. 22-35(d). Determination and deposit of employer contributions. The finance director at the end of each pay period shall apply the appropriate employer contribution and member contribution rates to the total compensation of members for such period and shall transfer this amount to the trust fund.
(Ord. No. 10657, § 2, 4-28-09, eff. 7-1-09)

Sec. 22-36. Accumulation of credited service.

Sec. 22-36(a). Credited service generally. A member will receive credited service for purposes of determining the benefits to which the member or the member's beneficiary(ies) will be entitled. Credited service is the total of the member's accrued service and additional service. Accrued service shall be used to determine whether a member is vested, as well as to determine the member's accrued benefit. Additional service shall be considered for benefit accrual purposes only.

Sec. 22-36(b). Accrued service for city employment.

- (1) *Employment periods.* A member shall earn 1/2080 of one (1) year of accrued service credit for each hour of regular time compensation, including authorized periods of absence for which the member receives compensation. A member who is compensated for two thousand eighty (2,080) or more hours of regular time during twelve (12) consecutive calendar months shall receive one (1) year of accrued service. A member who is compensated on less than a full-time basis shall receive credit for a proportionate part of a full year of accrued service.
- (2) *Periods of leave.* With regard to tier I members, all service and periods of leave with pay, accrued and unused vacation and sick leave at the date of retirement, workers compensation and qualified military service shall be used in calculating a member's total accrued service. The accrued service of tier II members shall include all service and periods of leave with pay, workers compensation and qualified military service, but shall exclude all accrued and unused vacation and sick leave at the date of retirement. Special rules regarding qualified military service are set forth in subparagraph three (3) below. Notwithstanding the foregoing, accumulated vacation earned by a tier I member and cashed out by the city as of the member's termination date shall be treated as accrued service only if the member makes member

contributions on the value of the leave that is cashed out by the city as set forth in section 22-34(f).

- (3) *Military leave during active employment.* An active city employee who leaves employment to complete qualified military service, makes a timely return to the city following an honorable discharge (as defined below), and who makes up missed member contributions in accordance with section 22-43(e) may receive accrued service for periods of qualified military service. Accrued service credited to a member who satisfies the conditions of this section and section 22-43(e) shall not exceed sixty (60) months of accrued service for qualified military service, plus accrued service for reasonable periods of absence from employment which are necessitated by the qualified military service, except as provided by applicable federal law. The member's return to city service shall be deemed to be timely if the member is reinstated or requests reinstatement in accordance with the following time frames: (A) The first full regularly scheduled work period on the first full calendar day following completion of the qualified military service for periods of qualified military service of less than thirty-one (31) days; (B) not later than fourteen (14) days after completing qualified military service for periods of qualified military service of at least thirty (30) days and not more than one hundred eighty (180) days; or (C) not later than ninety (90) days after completing qualified military service for periods of qualified military service of more than one hundred eighty (180) days. If the member is hospitalized for, or convalescing from, an illness or injury incurred in, or aggravated during, the performance of qualified military service, the member's return to city service shall be deemed to be timely if the member returns as of the earlier of the end of the period of recovery or the date which is two (2) years after the completion of qualified military service. Notwithstanding the foregoing, an active city employee who leaves employment for military leave in accordance with Section IV

of the city's Administrative Directive 2.01-7G, as amended (Paid Military Leave Not to Exceed 30 Calendar Days in any Two (2) Consecutive Federal Fiscal Years) shall be credited with accrued service for the period of military leave during which member contributions are made, regardless of the employee's subsequent return or failure to return to employment.

- (4) *Furlough.* An active city employee who is subject to a city mandated furlough during the period beginning on July 1, 2009, and ending on June 30, 2010, shall be credited with accrued service for the furlough period(s), up to a maximum of seventy-two (72) hours of accrued service credit. This shall include reductions in pay which correlate with furlough hours.

Sec. 22-36(c). Transfers from other Arizona Systems.

- (1) *ASRS.* A contributing member who has service credits in the Arizona State Retirement System may have such retirement service credits transferred to the system in accordance with Arizona Revised Statute Sections 38-730, as amended. In no event shall any transfer of service credit processed in accordance with this section create a significant detriment to the funded status of the system. Any service credit transferred pursuant to this section shall be accrued service hereunder.
- (2) *Other systems.* A contributing member who has service credits in a public retirement system maintained by the State of Arizona (other than ASRS) or any municipality of the State of Arizona may have such retirement service credits transferred to the system in accordance with Arizona Revised Statute Sections 38-923 and 38-924, as amended. In no event shall any transfer of service credit processed in accordance with this section cause the system to incur any unfunded accrued liabilities as a result of the transfer. Any service credit transferred pursuant to this section shall be additional service hereunder.

Sec. 22-36(d). Additional service – Unpaid authorized leave from city employment. A member who has not requested a refund from the system in accordance with section 22-41 may purchase up to one (1) year of additional service for any period of unpaid authorized leave from city employment (excluding furloughs). To purchase such additional service, a member shall pay to the system the contribution cost associated with the leave period, determined based on the compensation imputed in accordance with section 22-43(c) and the member and employer contribution rates in effect during the leave period. Any election to purchase additional service pursuant to this section must be completed within six (6) months of the termination of the leave period. A member may pay the costs associated with a purchase of additional service under this section by any method described in section 22-36(g) below.

Sec. 22-36(e). Additional service – Prior government or military service. Subject to the provisions of section 22-36(g), a member who has not requested a refund of the member's accumulated contribution account or filed a retirement application may elect to purchase additional service in the system for periods of prior government or military service. Additional service will be used for benefit accrual purposes only, and will not be considered in the determination of whether a member is vested. Any member wishing to purchase additional service shall furnish all documentation required by the system administrator, in its discretion, to substantiate the prior service at the time of making an application to purchase the additional service. This provision shall govern the repurchase of prior city service credit forfeited upon receipt of a refund pursuant to section 22-41, subject to the special redeposit rules of section 22-36(h). It is the stated and declared purpose of this section to allow for the purchase of all prior government or military service for which a member is not entitled to receive, presently or in the future, a benefit from another retirement system. To this end, the provisions of this section shall be liberally construed.

Sec. 22-36(f). Additional service – Nonqualified permissive service credit. Subject to the provisions of section 22-36(g), any vested member who is actively contributing to the system may purchase additional service for nonqualified service in accordance with Code Section 415(n)(3). Effective January 1, 2011, the purchase of nonqualified permissive service shall be limited to a total of five (5) years, regardless of the

member's payment method and notwithstanding the special rules set forth in Code Section 415(n) regarding direct rollovers and transfers from Code Section 403(b) and 457 plans. For purposes of the foregoing five (5) year limitation on permissive service purchases, additional service purchased by a member prior to January 1, 2011, shall be taken into account.

Sec. 22-36(g). Purchase terms for additional service. The cost and method of purchasing any additional service in accordance with section 22-36(e) or section 22-36(f) above shall be determined pursuant to this section.

- (1) *Cost to purchase.* Purchases of additional service are designed and administered in a manner intended to prevent the system from incurring any unfunded accrued liability as a result of the purchase. The cost for each year of additional service purchased shall equal a percentage of the member's highest annual salary, as determined in accordance with a purchase of service credit table designed by the system's actuary and approved by the board. An administrative fee as determined by the board shall be imposed for the processing of purchase of service requests. The date of purchase shall be the day the member delivers to the system administrator an executed irrevocable purchase of service agreement.
- (2) *Payment for time purchased.* A member may fund the purchase of additional service with one or a combination of the following payment methods: (A) payment of after-tax cash lump sum; (B) tax-deferred rollover contribution from a tax-qualified retirement plan or individual retirement account(s) as authorized by the Code; (C) after-tax payroll deduction agreement; or (D) irrevocable pre-tax payroll deduction agreement designed to comply with the employer pick-up arrangement requirements of Code Section 414(h)

Sec. 22-36(h). Reentry into service. A former member who reenters service shall become a member of the system in accordance with section 22-33(e). If the member's accumulated contributions account has not been refunded and his accrued benefit has not been transferred in accordance with section 22-41, credited service shall be given for all prior accrued and

additional service. A former member who reenters service within twenty-four (24) months and who received a refund of his accumulated contributions account pursuant to section 22-41 shall, upon redeposit of the amount withdrawn plus applicable interest, as determined by the system administrator, be credited with all prior credited service. Any redeposit made in accordance with this provision must be completed within six (6) months of the former member's reentry into service.

(Ord. No. 10657, § 2, 4-28-09, eff. 7-1-09; Ord. No. 10696, § 2, 8-5-09, eff. 7-1-09; Ord. No. 10775, § 1, 4-6-10; Ord. No. 10915, § 4, 6-21-11, eff. 7-1-11; Ord. No. 11327, §§ 6, 7, 12-8-15, eff. 1-1-16)

Editor's note – Section 8 of Ord. No. 10915, adopted June 21, 2011, provides that the amendments made to Sec. 22-36(f) are effective retroactively to July 1, 2009.

Sec. 22-37. Retirements.

Sec. 22-37(a). Retirements generally.

(1) *Types of service retirements.* Subject to the minimum requirements set forth in paragraph (a)(2) below, there are three (3) types of service retirements available under the system:

(A) Normal retirement. Members are eligible to receive a normal retirement benefit upon attainment of the applicable (A) retirement points rule or (B) normal retirement age.

(B) *Early retirement.* Tier I members are eligible to receive an early retirement benefit after completing twenty (20) years of credited service and attaining age fifty-five (55). Tier II members are eligible to receive an early retirement benefit after completing twenty (20) years of credited service and attaining age sixty (60).

(C) *Deferred retirement.* Vested members who experience a termination date before reaching normal or early retirement eligibility are eligible for deferred retirement and the member's accrued benefit is paid when the member later becomes eligible for normal or early retirement.

(2) *Minimum requirements.* In addition to the standard eligibility conditions set forth above, all members hired on or after July 1, 2009, must complete at least five (5) years of accrued service before reaching normal or early retirement eligibility under section 22-37(a)(1)(A) or (1)(B) above.

Sec. 22-37(b). Early retirement. The early retirement pension shall be calculated in the same manner as the normal retirement benefit and shall be reduced in accordance with this paragraph to reflect the earlier and longer benefit payment period. The early retirement reduction shall equal one-half of one (0.5) percent for each month prior to the date the member would have attained the applicable retirement points rule (rule of 80 or rule of 85). For purposes of this section, the date the member would have attained the applicable retirement points rule shall be determined based on the assumption that the member will earn additional age related points but will not earn additional points for years of credited service.

Sec. 22-37(c). Deferred retirement. As of a termination date, a vested member shall be deemed to have elected a deferred retirement calculated in the same manner as the normal retirement benefit or the early retirement benefit and payable upon the member's satisfaction of the conditions for normal or early retirement, as set forth in paragraph (a) above. A member who is in deferred retirement status and who has not reentered city service may request a refund of his accumulated contributions account any time before the payment of retirement benefits commence.

Sec. 22-37(d). Payment of benefits; deferred commencement. Retirement benefits are paid monthly in arrears. Generally, a member may delay the date payments begin as permitted by law provided; however, that no actuarial adjustment or retroactive adjustment shall be made to the retirement benefit as a result of the delayed commencement. Notwithstanding the foregoing, if a member delays commencement of retirement benefits beyond normal retirement age, by affirmative election or failure to file a retirement application, an actuarial adjustment to the retirement benefit shall be made to reflect only the delayed commencement after the normal retirement age.

Sec. 22-37(e). Retirement application; withdrawal of retirement application. A member may submit an application for retirement benefits within ninety (90)

days of the member's proposed termination date or, if applicable, the member's proposed end of service participation date, subject to the system administrator's discretion to make nondiscriminatory timing exceptions as necessary. Except as required by law, no retirement benefits shall commence under the system until a member files a retirement application with the system administrator and the retirement application is ratified by the board. The board's ratification of any retirement benefit application may be based on a reasonable estimate of the member's retirement benefit, as prepared by the system administrator. In the event that a member's actual retirement benefit varies significantly from an estimate presented to the board for ratification, the system administrator shall present the actual retirement benefit calculation to the board for its reconsideration as soon as administratively feasible. Any application for an early, normal, deferred or disability retirement may be withdrawn at any time prior to ratification by the board.

Sec. 22-37(f). Post retirement benefit payments. The board shall determine, pursuant to its formal policy and in its discretion, whether the system shall fund an annual supplemental post retirement benefit payment to retired members and beneficiaries. The board's formal policy shall include the methods and procedures to be followed by the board in making its annual determination. The policy shall include the requirements that allocations to a post retirement benefits reserve shall not occur in years where any of the following conditions occur: the actuarial target funded ratio for that year is not achieved, there are no excess returns (based on the rolling average), or the allocation to a post retirement benefits reserve would directly cause an increase in the annual required contribution for that year.

Sec. 22-37(g) Suspension of pension benefits upon reemployment. Retirement benefits payable to a retired member shall be suspended during the retired member's period of reemployment with the city unless (1) at least twelve (12) months have elapsed between the member's retirement from the city and the retired member's reemployment date; and (2) the retired member is engaged to work in a non-permanent employment classification. The retired member shall be permitted to work in consecutive or successive non-permanent employment classifications without triggering a suspension of retirement benefits provided that (A) the member satisfied the twelve (12) month break rule set forth above; (B) the non-permanent employment classifications are separate and distinct employment

positions; and (C) the retired member's period of continuous reemployment does not exceed eighteen (18) months. In no event shall any re-employed retired member acquire credited service or credited compensation or contribute to the system.

(Ord. No. 10657, § 2, 4-28-09, eff. 7-1-09; Ord. No. 10915, § 5, 6-21-11, eff. 7-1-11; Ord. No. 11327, §§ 8, 9, 12-8-15, eff. 1-1-16; Ord. No. 11515, § 1, 12-19-17; Ord. No. 11595, §§ 3, 4, 10-23-18)

Sec. 22-38. End of service program.

Sec. 22-38(a). Purpose. The end of service program allows retirement eligible members to earn lump sum benefits in addition to the members' retirement benefit, in exchange for a waiver of up to twelve (12) months of additional benefit accruals under the system. The end of service program is entirely voluntary.

Sec. 22-38(b). Eligibility for end of service program. Any member eligible for normal retirement may elect to participate in the end of service program by entering into a participation agreement in accordance with section 22-38(c) and accepting the terms and conditions of the end of service program. Participation in the end of service program shall remain open only until December 31, 2010, and no members shall be permitted to enroll in the end of service program after that date.

Sec. 22-38(c). Irrevocable agreement to participate. A member's agreement to participate in the end of service program is (1) a voluntary agreement to forego benefit accruals under the retirement provisions of the system, (2) a voluntary election to terminate from employment with the city before or upon completion of the end of service program participation period and (3) a retirement application for purposes of section 22-37(e). The member's participation election shall be evidenced by the member's execution of the board's end of service program agreement and shall include the member's proposed effective date of participation. The member's effective date of participation in the end of service program shall be the later of the first day of the month following the board's ratification of the member's end of service participation agreement or the participation date selected by the member and approved by the system administrator. The system administrator may, in its discretion, adopt reasonable and uniform procedures governing the deadlines for submission of end of service participation

agreements and the acceleration of end of service participation dates. A member's agreement to participate in the end of service program shall be irrevocable upon ratification by the board.

Sec. 22-38(d). Cessation of benefit accrual. On the date the member begins to participate in the end of service program, mandatory member contributions to the system cease and all benefit accruals under the system terminate. A member's final average monthly compensation and credited service are determined as of the member's end of service participation date and shall not increase or decrease thereafter. The member also is not entitled to receive any retirement benefit increases implemented during the end of service participation period.

Sec. 22-38(e). Accumulation of end of service benefits. End of service program benefits will be credited to an end of service program account established under the system and shall be paid to the member following the member's termination date at the same time and in the same manner as otherwise prescribed in this article. A member's end of service program participation account shall be credited with the following:

- (1) An amount, credited monthly, that is computed in the same manner as a normal retirement benefit using the member's credited service, average final monthly compensation and retirement benefit payment elections as of the member's effective date of end of service program participation.
- (2) An amount, credited monthly, that represents assumed earnings at a rate determined by the board, annually at the beginning of the plan year. As of the effective date of the end of service program, the earnings rate credited pursuant to this section is the ninety-day treasury bill rate.

Sec. 22-38(f). Termination of end of service program participation. Participation in the end of service program terminates on the first occurrence of either of the following: (1) twelve (12) months from the date of entry; or (2) the member's termination date. If a member's participation in the end of service program is terminated as a result of the city's just cause termination of the member's employment and such just cause is later reversed, a member's participation in the

end of service program, minus any benefits previously distributed pursuant to this article, shall be reinstated for the duration of the original end of service program participation period designated by the member on the appropriate end of service program participation form. Upon termination of the member's end of service program participation, the retirement benefit payable to any member who fails to terminate in connection with the end of service program shall commence in accordance with the retirement provisions of this article. Notwithstanding the foregoing, if a member fails to terminate from employment with the city at the end of the member's end of service program participation period, the member shall forfeit all rights to any end of service benefits and assumed earnings and shall not accrue any additional credited service during the end of service participation period.

Sec. 22-38(g). Payment of end of service program benefits. Following termination of the member's participation, a member is entitled to receive a lump sum distribution of all amounts credited to the member's end of service program participation account. The end of service program distribution shall be processed in accordance with section 22-43(g). The member also shall commence receipt of retirement benefits, calculated and paid in accordance with the retirement provisions of the system. If a member dies during the end of service program participation period, all amounts in the member's end of service program participation account shall be paid to the member's beneficiary. If the beneficiary(ies) predecease the member, all distributions pursuant to the end of service program shall be paid to the member's spouse, if the member was married at death, or to the legal representative of the member's estate, if the member is not married at death.

(Ord. No. 10657, § 2, 4-28-09, eff. 7-1-09)

Sec. 22-39. Disability retirement.

Sec. 22-39(a). Qualification. If a member is not yet eligible for normal retirement, the member may apply for disability retirement benefits. To be eligible to receive disability retirement benefits, the member must (1) apply for disability retirement benefits within twelve (12) months of the date of termination from employment; (2) be credited with ten (10) or more years of accrued service, inclusive of accrued vacation and sick leave; (3) establish that he or she terminated from employment with the city as a result of disabling mental or physical impairment; and (4) be determined,

in accordance with applicable rules, to have a total and permanent disability.

Sec. 22-39(b). Application process. An application for disability retirement benefits may be filed by the member in accordance with the policies and procedures of the system administrator. Unless waived by the board in light of a Social Security Administration determination of total and permanent disability, the board's physician shall examine the member and certify in a written report to the board whether the member suffers from a total and permanent disability. The report shall also state when the member should be reexamined. If the board determines that the member should receive disability retirement benefits, the disability retirement benefits shall commence as of the date determined by the board in its discretion. Disability retirement benefits shall not be paid for periods the member elects to receive sick and vacation leave pay.

Sec. 22-39(c). Disability benefit. Disability retirement benefits are calculated in the same manner as normal retirement benefits, with no reduction for early commencement.

Sec. 22-39(d). Termination of disability benefit. A disability retirement benefit shall be terminated by the board upon a determination that the member no longer suffers from a total and permanent disability or upon the member's reemployment with the city. If the member reenters city service, any credited service included in the calculation of the disability retirement benefit shall be restored to the member's credit; but the member's accrued benefit shall be subject to an actuarial reduction at the time of retirement based on the number of months that the member received disability retirement benefits. The excess, if any, of the member's accumulated contributions as of the date of total and permanent disability over the aggregate of the disability retirement benefits received by the member shall be credited to the member's accumulated contributions account.

Sec. 22-39(e). Requirements to maintain disability benefit. The member shall provide to the system administrator no later than May 31 of each calendar year all information requested by the system administrator regarding the member's total and permanent disability. The board may suspend disability

retirement benefits if the member fails to provide any of the required information. Following the retirement of a member as the result of a total and permanent disability, the board may require the member, prior to the member's eligibility for normal retirement and no more frequently than annually, to undergo a medical examination by a licensed physician, as directed by the system administrator. Should the member refuse, the member's disability retirement benefit shall be discontinued until such time as they submit to the required examination. Should the refusal continue for one (1) year, all rights to any further disability retirement benefits shall cease. Upon the member attaining the age required for a normal retirement, no further medical exams will be required.

Sec. 22-39(f). Prior requirements to maintain disability benefit. Any member who qualified for a disability retirement prior to July 1, 2009, is subject to the benefit limitations and disability verification requirements of this subsection, as well as the nondiscriminatory policies and procedures of the system administrator.

- (1) *Disability verification requirements.* Not later than May 31 of each calendar year, the member shall provide to the system administrator all information requested by the system administrator regarding the member's earned income (wages and self-employment income) for the previous calendar year. The board may suspend disability retirement benefits if the member fails to provide any of the required information. Following the disability retirement of a member, the board may require the member to undergo a medical examination by a licensed physician. Should the member refuse, the disability retirement benefit shall be discontinued until such time as the member submits to the required examination. Should the refusal continue for one (1) year, all rights to any further disability retirement benefits shall cease. Upon the member's attainment of the age required for receipt of a normal retirement benefit, no further medical exams or information relating to earned income will be required.

(2) *Disability benefit adjustments.*

(A) *Earned income based adjustment.* Based on the verification procedures described above, the disability retirement benefit may be subject to annual adjustment in accordance with this section. If the member's earned income for the preceding calendar year exceeded fifty (50) percent of the member's adjusted income base for that calendar year, then the member's disability retirement benefit will be reduced during the twelve-month period commencing on the effective date of the system administrator's adjustment (the "adjustment period") as follows. The monthly disability retirement benefit payable in the adjustment period will be reduced by one-twelfth (1/12) of the excess of the member's earned income for the preceding calendar year over fifty (50) percent of the member's adjusted income base. If the adjustment required by the preceding sentence would reduce the monthly disability retirement benefit to a negative amount, the disability retirement benefit shall be suspended for the adjustment period and any excess amount not offset by the disability retirement benefit suspension shall be taken into account in the next annual adjustment procedure. From time to time, the board also may increase or decrease the member's disability retirement benefit to recapture overpayments or to restore any deficiencies in payments to the member which may have accrued prior to the board's receipt of information under the disability verification procedures. When a member becomes eligible for a normal retirement benefit, no further adjustments shall be made.

(B) *Earned income and/or worker's compensation benefits.* In the event a disabled member receives earned income and/or worker's compensation benefits during the calendar year, that member's disability retirement benefit may be adjusted so that the member's

total income received from employer provided benefits does not exceed 100% of the members' adjusted income base. Any adjustment made shall only be up to the amount of the full disability retirement benefit paid by TSRS. For purposes of this paragraph, employer provided benefits means social security benefits, worker's compensation payments, TSRS pension benefits or long term disability payments.

(Ord. No. 10657, § 2, 4-28-09, eff. 7-1-09; Ord. No. 10696, § 3, 8-5-09, eff. 7-1-09; Ord. No. 10775, § 2, 4-6-10, eff. 7-1-10; Ord. No. 11327, §§ 10, 11, 12-8-15, eff. 1-1-16)

Sec. 22-40. Death benefits.*Sec. 22-40(a). Generally.*

- (1) If the member dies prior to the board's ratification of the member's application for retirement benefits, if any, the death benefit or survivor annuity payable as the result of the member's death shall be determined in accordance with this section. If the member dies after the board has ratified the member's application for retirement benefits, including an end of service participation agreement, any survivor benefits payable as a result of the death of the member shall be determined in accordance with the member's retirement benefit payment election. Notwithstanding any other provision herein to the contrary, a member who satisfied the conditions for normal or early retirement and filed the appropriate paperwork with the system administrator to pre-select retirement benefits prior to July 1, 2009, shall be treated as a member whose application for retirement benefits has been ratified by the board for purposes of this paragraph.
- (2) If a member dies while performing qualified military service on or after January 1, 2007, the member shall be treated as if he returned to employment with the city on the day before the date of death.

Sec. 22-40(b). Spouse as beneficiary. If the spouse is the member's beneficiary and the spouse dies before the death benefit is paid, the available death benefit

shall be paid to the beneficiary of the spouse, and if none, then to the legal representative of the spouse's estate.

Sec. 22-40(c). Death before vested interest. Should a member with less than five (5) years of accrued service die, the member's accumulated contributions account balance, determined as of the member's date of death, shall be paid in a lump sum to the member's beneficiary. If the beneficiary(ies) predeceases the member, the member's accumulated contributions account balance shall be paid to the member's spouse, if the member was married at death, or to the legal representative of the member's estate, if the member is not married at death.

Sec. 22-40(d). Death after vested interest. If a member who is credited with five (5) or more years of accrued service dies before reaching normal or early retirement, a death benefit will be paid to the member's beneficiary(ies). If the beneficiary(ies) predeceases the member, the death benefit shall be paid to the member's spouse, if the member was married at death, or to the legal representative of the member's estate, if the member is not married at death.

Sec. 22-40(e). Death while eligible for retirement. If a vested member dies after attaining normal or early retirement eligibility (determined in accordance with sections 22-37(a)(1)(A) or (B), as applicable) but prior to the board's ratification of the member's application for retirement benefits, a death benefit or survivor annuity will be paid as follows:

- (1) *Default for spouse.* If the member's spouse is the beneficiary (and except as set forth in paragraph (3) below), a survivor annuity will be paid to the spouse and will equal the benefit the spouse would have received if the member had retired on the day before death and had elected to receive a joint and 100% survivor annuity. In determining the amount of the survivor annuity, the retirement benefit payable on account of the member's presumed retirement shall be calculated in accordance with the early retirement reduction provisions of section 22-37(b), if applicable. The survivor annuity described in this paragraph is payable only to a spouse of a deceased member.
- (2) *Default for single non-spouse beneficiary.* If the member has designated a single individual person other than a spouse as the beneficiary, a survivor annuity will be paid to the beneficiary and will equal the benefit the beneficiary would have received if the member had retired on the day before death and had elected to receive an annuity certain and for life with a period certain of one hundred eighty (180) months, commencing in the month following the date of the member's death and paid until the end of the period certain. If the beneficiary dies prior to the completion of the period certain, a one-time lump sum payment equal to the present value of the remaining period certain payments to the estate of the beneficiary. In determining the amount of the survivor annuity, the retirement benefit payable on account of the member's presumed retirement shall be calculated in accordance with the early retirement reduction provisions of section 22-37(b), if applicable.
- (3) *Default for multiple beneficiaries, trusts and estates.* The survivor annuities described in paragraphs (1) and (2) above are payable only to a spouse or single person designated as a beneficiary. If the member has designated multiple beneficiaries, a death benefit will be paid to the multiple beneficiaries in accordance with the member's designation, regardless of whether the spouse is named as one of the multiple beneficiaries. If the member has designated a trust or an estate as a beneficiary, or an estate is the default beneficiary under the terms of section 22-33(f), the trust or estate shall be entitled to receive a death benefit only, and shall not receive a survivor annuity, regardless of whether the member's spouse is a beneficiary of the trust and regardless of whether the trust or estate has only one beneficiary.
- (4) *Death benefit election.* A spouse or single beneficiary entitled to receive a survivor annuity under paragraph (1) and (2) above may elect, in his or her discretion, to waive the survivor annuity and receive a death benefit. To make the death benefit election,

the spouse or beneficiary shall sign a statement acknowledging that the survivor annuity and death benefit options have been satisfactorily explained and shall make a written election to receive the death benefit, all in accordance with the policies and procedures of the system administrator.

Sec. 22-40(f). Refund guarantee. A member who elects a single life annuity pursuant to section 22-42(b) or a joint and survivor annuity pursuant to section 22-42(c) shall be guaranteed a refund if the named recipients on the selected annuity die before the monthly retirement benefits paid equal or exceed two (2) times the value of the member's accumulated contributions with interest at time of retirement. The amount of the refund shall equal two (2) times the value of the member's accumulated contributions account at the time of retirement, reduced by the retirement benefits paid to date (the "refund amount"). If the member elected a single life annuity and the member dies, or the member elected a joint and survivor annuity and both the member and the named survivor die, the member's beneficiary (or the member's estate, if the beneficiary is not then living) will receive the refund amount.

Sec. 22-40(g). Payment following death. Following the death of a member, the system administrator will notify the beneficiary(ies) or the surviving spouse, as applicable, regarding the right to receive a refund of member contributions, a death benefit or a survivor annuity. Any lump sum benefit available to a spouse or beneficiary(ies) under this article shall be paid in accordance with sections 22-43(f) and (g).

(Ord. No. 10657, § 2, 4-28-09, eff. 7-1-09; Ord. No. 10696, § 4, 8-5-09, eff. 7-1-09; Ord. No. 10711, § 3, 9-9-09, eff. 7-1-09; Ord. No. 10712, § 3, 9-9-09, eff. 7-1-09; Ord. No. 10915, § 6, 6-21-11, eff. 7-1-11; Ord. No. 11327, § 12, 12-8-15, eff. 1-1-16; Ord. No. 11595, § 5, 10-23-18)

Editor's note – Section 8 of Ord. No. 10915, adopted June 21, 2011, provides that the amendments made to Sec. 22-40(f) are effective retroactively to July 1, 2009.

Sec. 22-41. Refund of accumulated contributions accounts; transfers to other systems.

Sec. 22-41(a). Member's request for refund. A member may request a refund of the member's accumulated contribution account following the member's termination date by filing the appropriate refund application with the system administrator. If the member was dismissed from city service, the member's application for a refund shall not be approved and disbursed until the member's separation from employment with the city becomes final and is no longer subject to any administrative or judicial review.

Sec. 22-41(b). Refund to Non-Vested Member. Any Member who terminates from City service prior to becoming a Vested Member shall cease to be a Member and shall be eligible to request a refund of his Accumulated Contributions Account as set forth in Section 22-33(c). The System Administrator shall contact the former Member as soon as reasonably possible following the Termination Date and shall provide information regarding the available refund. In the event that the former Member's termination is subject to administrative or judicial review, no refund shall be processed until such termination is final and binding. In the event the former Member does not consent to receipt of the refund of the Member's Accumulated Contributions Account within a reasonable period following notification by the System Administrator and the Member's Accumulated Contributions Account balance is more than one thousand dollars (\$1,000.00), but does not exceed five thousand dollars (\$5,000.00), the System Administrator may transfer the Accumulated Contributions Account balance to an individual retirement account established for the benefit of the Member in accordance with Code Section 401(a)(31)(B). If the Member's Accumulated Contributions Account balance equals one thousand dollars (\$1,000.00) or less and the Member fails to consent to receipt of the refund, the System Administrator may, in its discretion, issue a refund check to the Member without the Member's consent. If the Member's Accumulated Contributions Account balance equals five thousand dollars (\$5,000.00) or more and the former Member fails to consent to receipt of the refund, the System Administrator shall hold the Accumulated Contributions Account in the System for a period of three (3) years from the Termination Date, at which time the System Administrator shall escheat the Accumulated Contributions Account to the State of

Arizona. The amount escheated to the State of Arizona shall not include Interest credited to the Accumulated Contributions Account after the Termination Date.

Sec. 22-41(c). Beneficiary's request for refund. Upon the death of a member, a beneficiary may request a refund of the member's accumulated contributions account or a death benefit. The beneficiary's right to receive a refund or a death benefit shall be determined in accordance with the provisions of this chapter and such determination shall take into account any retirement benefit payments made to the member prior to death, if any.

Sec. 22-41(d). Transfer to other Arizona Systems. Following a member's termination date and prior to the member's retirement or request for a refund of the member's accumulated contribution account, the member may request a transfer of the member's vested accrued benefit and/or the member's accumulated contributions account to a public retirement system maintained by the State of Arizona or any municipality of the State of Arizona, to be processed in accordance with Arizona Revised Statute Sections 38-730, 38-923 and 38-924, as amended. A transfer from the system shall not cause the system to incur any unfunded accrued liability, except in the case of a transfer to the Arizona State Retirement System in accordance with the reciprocity rules in effect with regard to transfers between the system and ASRS and which shall not cause any significant detriment to the funded status of the system.

Sec. 22-41(e). Forfeiture of credited service and tier I status. Any refund or transfer of a member's accumulated contributions account or a transfer of member's accrued benefit shall trigger an immediate forfeiture of all credited service earned by the member. In the case of a vested member, a refund or transfer under this section 22-41 and the related forfeiture of credited service will result in the loss of the member's (or beneficiary's) retirement pension rights under the system. If a former member requests a refund of the member's accumulated contributions account or a transfer of the member's accrued benefit, the former member shall forfeit any and all rights to tier I member status and, if the former member is rehired by the city, may reenter the system only as a tier II member, subject to all applicable participation requirements. (Ord. No. 10657, § 2, 4-28-09, eff. 7-1-09; Ord. No. 10915, § 7, 6-21-11, eff. 7-1-11; Ord. No. 11020, § 3, 9-11-12, eff. 7-1-09)

Sec. 22-42. Retirement benefit payment options.

Sec. 22-42(a). Explanation of benefit options. A member who is eligible to receive a retirement benefit may request from the system administrator information regarding the retirement benefit payment options available. No pension is automatically payable hereunder, except as provided in section 22-40, death benefits, and all eligible members must make appropriate retirement elections under the system. The member and spouse, if any, shall sign a statement acknowledging that the retirement benefit payment options have been satisfactorily explained and shall make a written election of one (1) of the retirement benefit payment options. All elections shall be made in accordance with the policies and procedures of the system administrator, and any spousal consent shall be provided in accordance with section 22-33(f)(1). The benefit election can be revoked or changed by the member by filing a written notice of revocation or change with the system administrator, subject to any applicable spousal acknowledgement requirements, any time prior to ratification of the retirement benefit by the board. The benefit election is irrevocable upon board ratification of the member's application for retirement benefits.

Sec. 22-42(b). Single life annuity. A member eligible for retirement may elect to receive his retirement benefit payable in a single life annuity, ending with the monthly payment made in the month of the member's death. The single life annuity shall be the normal form of benefit for purposes of calculating the retirement benefits under the system. Any election of an alternative annuity option under the system shall result in the payment of an annuity which is the actuarial equivalent of the single life annuity payable to the member.

Sec. 22-42(c). Joint and survivor annuity. A member eligible for retirement may elect to receive his retirement benefit payable in a joint and survivor annuity which provides payments to the member for the remainder of the member's life and then provides payments to the surviving beneficiary for the remainder of the beneficiary's life. In making this election, the monthly benefit to be paid to the surviving beneficiary following the death of the member may be one hundred percent (100%), seventy-five percent (75%) or fifty percent (50%) of the monthly benefit the member had been receiving. All payments will cease upon the death of the member or the beneficiary, whichever shall

occur last. The member's designation of a beneficiary to receive any survivor benefit payable under a joint and survivor annuity shall be subject to the requirements of section 22-43(f) and Code section 401(a)(9), including the limitations on non-spouse beneficiaries, any joint and survivor annuity election shall be adjusted as necessary for compliance with the Code.

Sec. 22-42(d). Annuity certain and for life. A member eligible for retirement may elect to receive his retirement benefit payable in an annuity for a term certain and for life. This benefit allows a member to ensure payment of a benefit over the member's lifetime, and in the event of the member's death before the end of a "period certain," continuing payment of the benefit until the end of the "period certain" to a surviving beneficiary or contingent beneficiary. A member may elect to receive a term certain annuity with a guaranteed payment period of sixty (60) months, one hundred twenty (120) months or one hundred eighty (180) months. For purposes of the annuity for a term certain and for life, the guaranteed payment period shall begin with the earlier of the first monthly benefit payment made to the member or the first monthly end of service program accrual, if applicable. Should the member live beyond the period certain elected, no survivor benefits shall be paid to the member's beneficiary(ies). Should the member, the beneficiary and any contingent beneficiary die before the expiration of the term certain, the board shall make a one-time lump sum payment equal to the present value of remaining period certain payments to the estate of the person last receiving a benefit under the annuity.

Sec. 22-42(e). Failure to elect benefit option or commencement date. Failure to elect a benefit option will result in the member receiving a single life annuity, assuming the member survives until the pension commencement date. Failure to elect a date on which payment begins will result in payments made in accordance with the minimum required distribution provisions of section 22-43(e) and Code Section 401(a)(9). Notwithstanding the foregoing, the provisions of section 22-40 apply when a vested member dies while eligible for retirement and prior to the board's ratification of the member's application for retirement benefits.

(Ord. No. 10657, § 2, 4-28-09, eff. 7-1-09; Ord. No. 10711, § 4, 9-9-09, eff. 7-1-09; Ord. No. 10712, § 4, 9-9-09, eff. 7-1-09; Ord. No. 11327, §§ 13, 14, 12-8-15, eff. 1-1-16; Ord. No. 11595, § 6, 10-23-18)

Sec. 22-43. Administration of benefit payments; benefit calculations.

Sec. 22-43(a). Payment of small accounts. If the accrued benefit of a member, including any refund of an accumulated contributions account, has a present value of five thousand dollars (\$5,000.00) or less at the time the benefit becomes payable, a lump sum distribution shall be paid to the member within thirty (30) days following their benefit election and the satisfaction of any applicable spousal consent requirements.

Sec. 22-43(b). Special rules for members with part-time employment. When a member has earned accrued service during part-time employment or both full-time and part-time employment, the monthly retirement benefit, in the form of benefit elected, will be computed using the following special rules.

- (1) Special rules for computing average final monthly compensation for a member who had part-time or both full-time and part-time employment. Average final monthly compensation shall be determined by:
 - (A) For periods of full-time hours worked, the average of the highest thirty-six (36) consecutive months of compensation of the last one hundred twenty (120) consecutive months of compensation divided by thirty-six (36), or if the member has less than thirty-six (36) consecutive months of compensation divided by the actual number of months of compensation.
 - (B) For periods of part-time hours worked, the average of the highest annualized thirty-six (36) consecutive months of compensation of the last one hundred twenty (120) consecutive months of compensation divided by thirty-six (36), or if the member has less than thirty-six (36) consecutive months of compensation divided by the actual number of months of compensation.
- (2) Special rules for computing annualized months of compensation for a member who had a part-time or both full-time and part-time employment.

- (A) Determine the actual compensation paid to an employee during a two thousand eighty-hour (2,080) period in any consecutive twelve-month calendar period.
- (B) Divide the actual number of hours for which an employee was compensated by two thousand eighty (2,080).
- (C) Divide the result obtained in "A" by the result obtained in "B."

Annualized monthly compensation shall be the result obtained under "C" divided by twelve (12).

Sec. 22-43(c). Special rule for members with authorized leave without pay. When a member has taken authorized leave without pay, including periods of qualified military service, the member's average final monthly compensation shall be computed by imputing compensation for the authorized leave period, at the compensation rate in effect for the member immediately preceding the commencement of the leave period. For the period beginning on July 1, 2009, and ending on June 30, 2010, furlough periods shall be considered periods of authorized leave without pay for purposes of this section 22-43(c).

Sec. 22-43(d). Limitation on compensation. In no event may the compensation of a member considered under this system exceed the limit set forth in Section 401(a)(17) of the Code, as adjusted for cost-of-living increases in accordance with Code Section 401(a)(17)(B). The cost-of-living adjustment in effect for a calendar year applies to any fiscal year period, not exceeding twelve (12) months, over which compensation is determined beginning in such calendar year.

Sec. 22-43(e). Maximum benefit allowable. Notwithstanding anything hereunder to the contrary, the annual benefit payable to a member in the form of a straight life annuity shall not exceed the annual dollar limitation in effect under Code Section 415(b), as adjusted in accordance with paragraph (1) below (the "annual dollar limitation"). For the 2009 Limitation Year, the annual dollar limitation is \$195,000.00. If the benefit the member would otherwise accrue in a limitation year would produce an accrued benefit in

excess of the annual dollar limitation, the benefit shall be limited (or the rate of accrual reduced) to a benefit that does not exceed the annual dollar limitation. For purposes of this section, the annual benefit shall not include the annual benefit attributable to either mandatory member contributions or rollover contributions.

- (1) *Cost of living adjustments.* The annual dollar limitation shall be adjusted for each calendar year to take into account any cost-of-living increase adjustments for that calendar year allowable pursuant to applicable regulations or rulings of the United States Treasury Department under Section 415(d) of the Code. Any such adjustment shall be effective only as of the first day of the calendar year for which such adjustment is announced. Cost-of-living adjustments to the annual dollar limitation made after a member retires shall apply to that member, provided that in no event shall such cost-of-living adjusted amounts exceed the Code Section 401(a)(17) limitation on compensation for that member determined as of the member's termination of employment.
- (2) *Minimum benefits.* Notwithstanding anything else in this section to the contrary, the benefit otherwise accrued or payable to a member under the system shall be deemed not to exceed the annual dollar limitation if:
 - (A) The benefits payable for a limitation year under any form of benefit with respect to such member do not exceed ten thousand dollars (\$10,000.00) multiplied by a fraction: (i) the numerator of which is the member's number of years (or part thereof, but not less than one (1) year) of credited service (not to exceed ten (10)), and (ii) the denominator of which is ten (10); and
 - (B) The city has not at any time maintained a defined contribution system in which the member participated (for this purpose, mandatory employee contributions under a defined benefit system are not considered a separate defined contribution system).

- (3) *Service and participation reductions.* If the member has less than ten (10) years of participation in the system, the annual dollar limitation shall be multiplied by a fraction: (1) the numerator of which is the number of years (or part thereof, but not less than one (1) year) of participation in the system, and (2) the denominator of which is ten (10).
- (4) *Early payment adjustments.* The annual dollar limitation shall be adjusted if the member's benefit commencement date is before age sixty-two (62).
- (A) *Limitation Years Beginning on or after July 1, 2007.* With regard to annuities commencing in Limitation Years beginning on or after July 1, 2007 and when the Member's benefit commencement date is before age 62, the Annual Dollar Limitation for the Member's benefit commencement date shall be the annual amount of a benefit payable in the form of a straight life annuity commencing at the Member's benefit commencement date that is the actuarial equivalent of the lesser of (i) the Annual Dollar Limitation (adjusted under Section 22-43(d)(3), if required) computed using a 5% interest rate and the applicable mortality table under Code Section 417(e)(3) and expressing the Member's age based on completed calendar months as of the benefit commencement date and (ii) the Annual Dollar Limitation (adjusted under Section 22-43(d)(3), if required) multiplied by the ratio of the annual amount of the immediately commencing straight life annuity under the System at the Member's benefit commencement date to the annual amount of the immediately commencing straight life annuity under the System at age 62.
- (B) *Limitation Years Beginning Before July 1, 2007.* With regard to annuities commencing in Limitation Years beginning before July 1, 2007 and when the Member's benefit commencement date is before age 62, the annual amount of a benefit payable in the form of a straight life annuity commencing at the Member's benefit commencement date that is the actuarial equivalent of the Annual Dollar Limitation (adjusted under Section 22-43(d)(3), if required) computed using a 5% interest rate and the mortality table described in Rev. Rul. 2001-62.
- (C) Notwithstanding the other requirements of this Section, no adjustment shall be made to the Annual Dollar Limitation to reflect the probability of a Member's death between the Member's benefit commencement date and age 62 if benefits are not forfeited upon the death of the Member prior to the benefit commencement date. To the extent benefits are forfeited upon death before the benefit commencement date, such an adjustment shall be made.
- (5) *Alternative benefit payment options.* Except as provided below, if a benefit is payable in a form other than a straight life annuity, the benefit shall be adjusted to an actuarially equivalent straight life annuity that begins at the same time as such other form of benefit and is payable on the first day of each month, before applying the limitations of this section.
- (A) (i) *Limitation Years Beginning on or After July 1, 2007.* With regard to annuities commencing in Limitation Years beginning on or after July 1, 2007, the actuarially equivalent straight life annuity is equal to the greater of:
- (a) the annual amount of the straight life annuity (if any) payable to the Member under the System commencing at the same benefit commencement date as the Member's form of benefit; and
 - (b) the annual amount of the straight life annuity commencing at the same benefit commencement date

- that has the same actuarial present value as the Member's form of benefit, computed using a 5% interest rate assumption and the applicable mortality table under Code Section 417(e)(3).
- (ii) *Limitation Years Beginning Prior to July 1, 2007.* With regard to annuities commencing in Limitation Years beginning prior to July 1, 2007, the actuarial equivalent straight life annuity is equal to the greater of:
- (a) the annual amount of a straight life annuity (if any) payable to the Member under the System commencing at the same benefit commencement date as the Member's form of benefit; and
 - (b) the annual amount of the straight life annuity commencing at the same benefit commencement date that has the same actuarial present value as the Member's form of benefit, computed using a 5% interest rate assumption and the mortality table described in Rev. Rul. 2001-62.
- (6) *Definitions.* For purposes of this section, the term "limitation year" shall mean the calendar year beginning on January 1 and ending on December 31. The term "applicable mortality table" shall mean the mortality table prescribed by the Internal Revenue Service based on the actual experience of pension plans and projected trends in such experience.
- (7) *Incorporation by reference.* The additional requirements of Code Section 415(b) and the treasury regulations promulgated there under, as applicable to governmental plans maintained in accordance with Code Section 414(d), are hereby incorporated by reference.
- (8) *Late Payment Adjustments.* The Annual Dollar Limitation shall be adjusted if the Member's benefit commencement date is after age 65.
- (A) *Limitation Years Beginning on or after July 1, 2007.* With regard to annuities commencing in Limitation Years beginning on or after July 1, 2007 and when the Member's benefit commencement date is after age 65, the Annual Dollar Limitation for the Member's benefit commencement date shall be the annual amount of a benefit payable in the form of a straight life annuity commencing at the Member's benefit commencement date that is the actuarial equivalent of the Annual Dollar Limitation (adjusted under Section 22-43(e)(3), if required), computed with a 5% interest rate and the applicable mortality table under Code Section 417(e)(3) (and expressing the Member's age based on completed calendar months as of the benefit commencement date).
- (B) *Limitation Years Beginning Before July 1, 2007.* With regard to annuities commencing in Limitation Years beginning before July 1, 2007 and when the Member's benefit commencement date is after age 65, the Annual Dollar Limitation shall be the amount calculated in accordance with (A) above, but without adjusting the Member's age based on completed calendar months as of the benefit commencement date.
- (C) Notwithstanding the other requirements of this Section, no adjustment shall be made to the Annual Dollar Limitation to reflect the probability of a Member's death between age 65 and the Member's benefit commencement date if benefits are not forfeited upon the death of the Member prior to the benefit commencement date. To the extent benefits are forfeited upon death before the benefit commencement date, such an adjustment shall be made.

Sec. 22-43(f). Minimum required distributions.

The board and the system administrator shall make reasonable and good faith efforts to comply with the requirements of the treasury regulations promulgated pursuant to Code Section 401(a)(9), notwithstanding any provision herein to the contrary. The obligations of the board and the system administrator shall be interpreted and construed in a manner consistent with the relief afforded to governmental plans under Section 823 of the Pension Protection Act of 2006 and the Treasury Department's proposed regulations promulgated pursuant thereto, at Treas. Reg. Sec. 1.401(a)(9)-1, Q&A-2(d). When processing distributions required by Code Section 401(a)(9), the system administrator shall make reasonable and good faith efforts to begin the payment of such distributions no later than the April 1 of the calendar year following the later of the calendar year in which the member attains the age of 70½ or the calendar year containing the member's termination date. Death benefit distributions also shall be processed in accordance with a reasonable and good faith interpretation of the requirements of Code Section 401(a)(9).

Sec. 22-43(g). Eligible rollover distributions.

Notwithstanding anything herein to the contrary, the member or distributee may elect to have any portion of an eligible rollover distribution received from the system paid directly to an eligible retirement plan. An eligible rollover distribution shall be made pursuant to the requirements of Code Section 401(a)(31) and Code Section 402, and the applicable regulations promulgated there under, and in the manner prescribed by the board.

- (1) *Distributee.* A "distributee" includes a member or former member. In addition, the member's or former member's surviving spouse and any alternate payee under a domestic relations order, are distributees with regard to the interest of the spouse or former spouse. A distributee also includes the member's non-spouse designated beneficiary. In the case of a non-spouse beneficiary, the direct rollover may be made only to an individual retirement account or annuity described in Section 409(a) or Section 408(b) of the Code that is established on behalf of the designated beneficiary and that will be treated as an inherited IRA pursuant to the provisions of Section 402(c)(11) of the Code. Section 402(c)(11) of the Code provides that

a direct rollover of a distribution to a non-spouse beneficiary is a rollover of an eligible rollover distribution only for purposes of Section 402(c) of the Code. Accordingly, the distribution to a non-spouse beneficiary is not subject to the direct rollover requirements of Section 401(a)(31) of the Code, the notice requirements of Section 402(f) of the Code, or the mandatory withholding requirements of Section 3405(c) of the Code.

- (2) *Eligible retirement plan.* An "eligible retirement plan" is an eligible plan under Section 457(b) of the Code which is maintained by a state, political subdivision of a state, or an agency or instrumentality of a state or political subdivision of a state and which agrees to separately account for amounts transferred into such plan from the system, an individual retirement account described in Section 408(a) of the Code, an individual retirement annuity described in Section 408(b) of the Code, an annuity plan described in Section 403(a) of the Code, an annuity contract described in Section 403(b) of the Code, or a qualified plan described in Section 401(a) of the Code, that accepts the distributee's eligible rollover distribution. The definition of eligible retirement plan shall also apply in the case of a distribution to a surviving spouse, or to an alternate payee under a domestic relations order. An "eligible retirement plan" also is a Roth IRA described in Section 408A(b) of the Code, provided that any distribution to such Roth IRA is made in accordance with the provisions of Section 408A of the Code.
- (3) *Eligible rollover distribution.* An "eligible rollover distribution" is any distribution of all or any portion of the balance to the credit of the distributee, except that an eligible rollover distribution does not include: (i) any distribution that is one of a series of substantially equal periodic payments (not less frequently than annually) made for the life (or life expectancy) of the distributee or the joint lives (or joint life expectancies) of the distributee and the distributee's designated beneficiary, or for a specified period of ten (10) years or more; (ii) any distribution to the extent such distribution is

required under Section 401(a)(9) of the Code; (iii) the portion of any distribution that is not includible in gross income; and (iv) any other distribution that is reasonably expected to total less than two hundred dollars (\$200.00) during a year. A portion of a distribution shall not fail to be an eligible rollover distribution merely because the portion consists of after-tax member contributions which are not includible in gross income. However, such portion may be transferred only to (1) an individual retirement account or annuity described in Section 408(a) or (b) of the Code, (2) to a qualified defined contribution plan described in Section 401(a) or 403(a) of the Code that agrees to separately account for amounts so transferred, including separately accounting for the portion of such distribution which is includible in gross income and the portion of such distribution which is not so includible, or (3) for taxable years beginning after December 31, 2006, to a qualified trust or to an annuity contract described in Section 403(b), if such trust or contract provides for separate accounting for amounts so transferred (including interest thereon), including separately accounting for the portion of such distribution which is includible in gross income and the portion of such distribution which is not so includible.

Sec. 22-43(h). Assignments prohibited. Except as set forth in section 22-43.1, none of the money, pensions or other benefits payable by the system shall be assignable either in law or in equity or be subject to execution, levy, attachment, garnishment or other legal process.

(Ord. No. 10657, § 2, 4-28-09, eff. 7-1-09; Ord. No. 11020, § 4, 9-11-12, eff. 7-1-09)

Sec. 22-43.1. System approved domestic relations orders.

Sec. 22-43.1(a). Benefits subject to domestic relations orders. The right of a member to a retirement benefit, to the refund of a member's accumulated contributions account, or any other benefit under the provisions of the system shall be subject to award pursuant to a system approved domestic relations order.

Sec. 22-43.1(b). System administrator review and approval. The system administrator is responsible for the review and approval of any domestic relations order impacting benefits or rights of a member under this system and which is presented to the system administrator in a timely fashion. The system administrator shall determine whether the domestic relations order can be administered and benefits paid in accordance with the applicable requirements of the order, the system and the Code. Any domestic relations order accepted by the system administrator shall be referred to as a system approved domestic relations order. To the extent permitted by law, the system administrator's decision regarding a domestic relations order shall be final and binding. The city, the board, and the system administrator shall not be responsible for the payment of any system benefits in contravention of a domestic relations order when the domestic relations order is not timely presented to the system administrator for review. Additionally, upon ratification of a member's retirement application by the board, all benefit payment elections (including those filed by the member, ordered pursuant to a system approved domestic relations order or filed by an alternate payee) shall become irrevocable and no change in benefit options shall be permitted, regardless of any changes in the marital status of the member or the alternate payee.

Sec. 22-43.1(c). System approved domestic relations order. No domestic relations order shall be accepted by the system administrator if the order requires the system to provide any type, form or time of payment that is not provided under this Code, as determined by the system administrator in its discretion. Additionally, any system approved domestic relations order must reasonably identify the Tucson Supplemental Retirement System and specify all of the following: (1) the name and last known mailing address of the member; (2) the name and last known mailing address of each alternate payee covered by the order; (3) the method of determining the amount of the member's system benefits to be paid to each alternate payee covered by the order; (4) the number of payments or period to which the order applies; and (5) whether survivor benefits are payable to the alternate payee upon the death of the member.

(Ord. No. 10657, § 3, 4-28-09, eff. 7-1-09; Ord. No. 11327, § 15, 12-8-15, eff. 1-1-16)

DIVISION 2. ADMINISTRATION OF THE SYSTEM

Sec. 22-44. Board of trustees.

Sec. 22-44(a). Administration. The board of trustees shall be responsible for, and shall have the power and authority necessary to effectuate the administration, management and operation of the system. The board shall construe, interpret and implement the provisions of this article, in its discretion and pursuant to uniform and non-discriminatory rules, policies and procedures.

Sec. 22-44(b). Membership. The membership of the board shall be exempt from all provisions of section 10A-134 of the Tucson Code. The board shall consist of the following seven (7) members:

- (1) A chairman, to be appointed by the mayor, subject to the approval of the city council;
- (2) The city's human resources director or his/her designee;
- (3) The city's finance director or his/her designee;
- (4) Two (2) contributing members nominated and elected by the contributing members of the system in a manner that the board shall prescribe by regulation;
- (5) One (1) retired member nominated and elected by the retired members of the system in a manner that the board shall prescribe by regulation;
- (6) One (1) member appointed by the city manager.

Sec. 22-44(c). Qualifications. The individuals appointed to the board by the mayor, as chairman of the board, and by the city manager shall be appointed based on the individual's business experience with emphasis on a discipline such as law, retirement administration, accounting or investments.

Sec. 22-44(d). Compensation. The members of the board shall serve without compensation but shall be reimbursed for expenses incurred by them in the performance of their board duties.

Sec. 22-44(e). Term of office. The term of office of board members nominated and elected by members in accordance with section 22-44(b)(4) and (5) above shall be three (3) years. The chairman of the board shall serve a term of four (4) years. The city manager's appointee shall serve at the discretion of the city manager or until the appointee resigns by providing advance notice to the board and the city manager. The directors of human resources and finance shall be standing members of the board and not subject to annual terms. Any employee or retiree representative board member who is elected to two (2) consecutive terms shall not be eligible to succeed themselves.

Sec. 22-44(f). System budget. The board shall annually prepare and maintain a budget setting forth the administrative costs of the system. The system budget shall include separate line items for the primary administrative expenses of the system, including, but not limited to, recordkeeping, accounting fees, actuarial expenses, investment fees and expenses, audit expenses, staffing costs, other independent professional expenses, and professional development fees and expenses for board members and the system administrator. The system budget shall be presented to mayor and council in connection with the board's annual report on the system.

Sec. 22-44(g). Employment of professionals. The board may employ managers, consultants, actuaries, technical advisors and professionals, including legal counsel and medical practitioners, and staff personnel as may be necessary for the proper administration of the system. Professionals employed by the board shall discharge their duties in accordance with and be subject to the highest prevailing industry standard of care for their respective disciplines.

Sec. 22-44(h). Establishing interest rates and actuarial assumptions; actuarial studies. The board shall establish, from time to time, the interest rate(s) applicable to member accumulated contributions accounts and the assumed earnings rate applicable to end of service program benefits, as well as the applicable crediting methodologies. The board also shall adopt from time to time such mortality, service and other tables, as well as the assumed interest rate, as are necessary and proper for the administration and funding of the system. Additionally, the board shall cause an actuarial study to be completed with regard to all of the experience of the system no less frequently

than every five (5) years. Upon receipt and review of the results of the actuarial study(ies), the board shall if necessary revise the actuarial assumptions used in the calculation of contributions and/or the preparation of the annual valuations.

Sec. 22-44(i). Retirement incentives. The board may, pursuant to duly adopted board policies, recommend retirement incentive programs and/or an extension of the scheduled termination date of incentive programs such as the end of service program; provided that the recommended action shall have no significant detrimental effect on the annual required contribution or the funded status of the system and is consistent with the employment and retention goals and objectives of the city, as determined by the board in consultation with the system's actuary and the city manager's office.

Sec. 22-44(j). Prohibited interest and fiduciary responsibility. No member of the board shall have any interest, direct or indirect, in the gains or profits of an investment made by the board, except as a member or beneficiary of the system. No member of the board shall, directly or indirectly, for himself or as an agent, in any manner use the moneys or other assets of the system, except to make such payments from the system as are authorized by the board; nor shall any member of the board become an endorser or surety or in any manner an obligor for moneys loaned by or

TUCSON CODE

remaining, in excess of two hundred eighty-eight (288) hours, will be compensated at the lessor rate of fifty (50) percent of the employee's base rate of pay.

- d. Upon the death of a city employee, the city shall pay the employee's entire accumulated sick leave to the employee's survivor. A survivor for the purpose of this section shall be the person(s) determined in accordance with applicable state law.

Sec. 22-90(4). Military leave.

- a. Excepting commissioned fire employees of the city who are members of any branch, reserve, or auxiliary of the armed forces, and are under orders for active duty, short tour training, attending camps, maneuvers, formation, or drill, employees shall be granted military leave in accordance with this section and state and/or federal law.
- b. Employees of the City of Tucson who are members of any branch, reserve or auxiliary of the Armed Forces, and are under orders for short tour training, attending camps, maneuvers, formations or drills, will be given Military Leave as provided by state and/or federal law or the Tucson Code. This leave is not to exceed thirty (30) days in any two (2) consecutive federal fiscal years (Oct. 1 - Sept. 30), except as otherwise provided by this section. Up to the thirty (30)-day limit, such employees will receive full city salary for normally scheduled working hours that fall within the periods of training duty unless otherwise provided by the Tucson Code. Employees will not be charged military leave for days on which the employee was not otherwise scheduled for work.
- c. Commissioned fire employees of the city who are members of any branch, reserve, or auxiliary of the armed forces, and are under orders for active duty, short tour training, attending camps, maneuvers, formation, or drill, shall be granted military leave as provided by state and/or federal law and this section. Military leave shall be provided to

commissioned fire employees up to a maximum of thirty (30) days per federal fiscal year. Such leave shall not be carried forward or accrued. In addition to the usage provided in this subparagraph c, this additional leave may be used to perform inactive duty drills provided that the member establishes that the military leave was required to perform those drills.

Sec. 22-90(5). Paid Parental Leave.

- a. Permanent and probationary employees with one (1) year of continuous service are entitled to six (6) weeks of consecutive paid parental leave for the birth of the employee's child, commencing the day of birth, or for the adoption of a child who is five (5) years old or younger, commencing the day of adoption. If applicable, this leave shall run concurrent with Family Medical Leave.

Note—Ord. No. 10004, § 2, adopted June 28, 2004, reenacted section 22-90(5) for Fiscal Year 2005.

(Ord. No. 8881, § 1, 6-9-97; Ord. No. 9570, § 1, 6-18-01; Ord. No. 95-90, § 1, 8-6-01; Ord. No. 9719, §§ 1, 2, 6-10-02; Ord. No. 9831, § 1, 4-14-03; Ord. No. 9864, § 1, 6-16-03; Ord. No. 10004, §§ 1, 2, 6-28-04; Ord. No. 10057, § 8, 10-11-04; Ord. No. 10163, § 1, 6-14-05; Ord. No. 10425, § 1, 6-19-07; Ord. No. 10557, § 1, 6-25-08, eff. 7-1-08; Ord. No. 10678, § 3, 6-9-09, eff. 7-1-09; Ord. No. 11364, §§ 4, 5, 6-7-16, eff. 6-26-16; Ord. No. 11469, § 1, 6-20-17, eff. 7-1-17; Ord. No. 11483, § 1, 8-8-17, eff. 9-1-17; Ord. No. 11595, § 7, 10-23-18)

Editor's note—Due to a scrivener's error, § 22-90(1) should read effective FY 03.

Note—Section 22-90(1)e. is effective July 1, 2007.

Sec. 22-91. Duties of the human resources director and city manager.

The human resources director, subject to the supervision and approval of the city manager, is charged with the responsibility for establishing rules and procedures regulating employee leaves, both with and without pay, for other paid and unpaid time off work and for the administration, establishment, and amendment, of those rules and procedures as from time to time may be required in accordance with the preceding provisions and as hereafter set forth. Rules and regulations for paid and unpaid leave shall not exceed the authorizations provided by ordinance.

a. The human resources director, with the approval of the city manager shall also establish administrative policies and procedures to provide for:

1. Paid time off not to exceed five (5) days annually to exempt employees in recognition of exceptional performance requiring expenditure of numerous hours beyond the hours normally worked. Such time off must be used when granted and will not be accumulated or otherwise compensated.
2. Paid time off not to exceed two (2) hours to vote in primary and general elections.
3. Paid time off not to exceed two (2) hours for the purposes of blood donations.
4. Paid time off to employees on jury duty.
5. Paid time off to permanent employees on witness duty unassociated with their employment. (Employee attendance as a witness on behalf of the city is an employment duty).
6. Paid time for holidays, which are as follows: New Year's day, Martin Luther King, Jr. Day, Presidents Day, César E. Chávez Day (to be observed on either the final Monday or the final Friday in March, whichever is closest in time to March 31), Memorial Day, Independence Day, Labor Day, Veterans Day, Thanksgiving Day, Christmas Day and excepting commissioned public safety employees who shall have a birthday day holiday, one (1) employee floating holiday per year.
7. Unpaid or paid time off for a period of bereavement for loss of immediate family not to exceed one workweek annually.
8. Unpaid leave, consistent with the needs of the city, not to exceed one year, but always in conformance with applicable state and federal law.

b. The city manager, when recruiting department directors, deputy or assistant city managers, may as an employment incentive:

1. Grant on commencement of employment up to an additional thirty (30) days of paid vacation leave which shall be in addition to any leave entitlement provided in section 22-90 preceding.
2. Waive any of the time in service requirements for accrual of vacation leave to permit up to the maximum rate of vacation accrual for such employees immediately on commencement of employment.

(Ord. No. 8881, § 1, 6-9-97; Ord. No. 9570, § 2, 6-18-01; Ord. No. 9864, § 2, 6-16-03; Ord. No. 9878, § 1, 8-4-03; Ord. No. 10557, § 2, 6-25-08, eff. 7-1-08; Ord. No. 11146, § 1, 3-4-14; Ord. No. 11415, § 1, 12-6-16)

Note – Section 22-91(a)7. is effective July 1, 2008.

Sec. 22-92. Peace officer recruitment incentive.

The human resources director, with the approval of the city manager, when recruiting lateral entry commissioned peace officers may, as an employment incentive:

- (1) On a one-time basis, grant, on commencement of employment, up to an additional seven (7) days of vacation leave.
- (2) On a one-time basis, grant, on commencement of employment, up to an additional seven (7) days of sick leave.

(Ord. No. 9348, § 2, 2-7-00)

Sec. 22-93. Conditions for annual sick leave payment to fire department commissioned personnel.

Sec. 22-93(a). Payment shall be at the employee's base rate of pay in effect at the time of the payment, exclusive of overtime, shift differential, standby pay, temporary promotion pay, longevity pay, and any other type of pay not included in the employee's base rate.

Sec. 22-93(b). Payment shall require a request by the employee prior to June 1 preceding the fiscal year of payment. Any of the annual sick leave hours for

CODE COMPARATIVE TABLE – SUBSEQUENT ORDINANCES

Ordinance Number	Date	Section	Disposition
11296 (Contd.)			28-82 – 28-84 28-86 – 28-90 28-92 – 28-94 28-105 28-114 Rpld 28-115, 28-116 28-117 28-126, 28-127 28-129 28-138 – 28-140 28-142 28-147 – 28-154 28-157
11316	11-4-15	1 2 3 4 5 6 7	Added 12-5 12-12, 12-25, 12-26 12-40 – 12-42, 12-44, 12-45 12-66, 12-68 12-81, 12-82, 12-87, 12-90 12-112 – 12-115, 12-117, 12-119, 12-121, 12-126, 12-127, 12-130 – 12-134 12-140 – 12-142
11324	12-8-15	1 2 3 4 5 6	20-203 20-210 20-221 20-225 20-246 20-271
11327	12-8-15	1 2, 3 4, 5 6, 7 8, 9 10, 11 12 13, 14 15 16 17 18	22-30 22-33 22-34 22-36 22-37 22-39 22-40 22-42 22-43.1 22-44 22-46 22-47
11328	12-8-15	10	4-56, 4-59
11329	12-15-15	1	3-11 3-53 3-71 3-77 3-78 3-80 3-82 3-96

TUCSON CODE

Ordinance Number	Date	Section	Disposition
11331	12-8-15	1	Rpld 11-160–11-160.3
		2	11-33.1, 11.36
		3	16-35
		4	21-2–21-4, 21-8
		5	25-51
11333	1-5-16	1	3-33, 3-83
11335	1-5-16	1	8-2.1
11349	4-5-16 (eff. 7-1-16)	1	22-34
11354	5-3-16	1	Added 10A-41–10A-45
11355	5-3-16	1	10A-77
11361	5-17-16 (eff. 7-5-16, 7-3-17)	1	27-32.1, 27-33, 27-34
11364	6-7-16 (eff. 6-26-16)	1	22-82
		2	22-85
		3	22-86
		4-5	22-90
11367	6-7-16 (eff. 7-1-16)		21-51
11369	6-7-16 (eff. 7-1-16)	1	19-66
		2	19-1070
		3	19-1080
11373	6-7-16 (eff. 6-26-16)	1	10-31
		2	10-31(7)
			10-31(8)
			10-33
			10-33.1
			10-34
			10-34.1
			10-35
			10-47
			10-48
			10-49
			10-52
			10-53
			10-53.1
			10-53.2
			10-53.3
			10-53.4
			10-53.5
			10-53.7
			10-53.8
		3	10-34
		4	10-48
11375	6-21-16	1	23A-90, 23A-91
11376	6-21-16	1	4-99

CODE COMPARATIVE TABLE – SUBSEQUENT ORDINANCES

Ordinance Number	Date	Section	Disposition
11464 (Contd.)			10-53.3 10-53.4 10-53.5 10-53.7
11469	6-20-17 (eff. 7-1-17)	1	22-90
11471	6-20-17	1	23A-90, 23A-91
11472	6-20-17 (eff. 9-1-17)	1	19-1, 19-66
11478	8-8-17 (eff. 9-7-17)	1	6-34
11479	8-8-17	1	19-410, 19-415–19-417, 19-425, 19-427, 19-430, 19-435, 19-445, 19-450, 19-455, 19-460, 19-470, 19-475, 19-480, 19-610
11483	8-8-17 (eff. 9-1-17)	1	22-90
11485	8-8-17	1	Ch. 19, Art. II 21-51
11488	9-6-17	1 2	Rpld 2-142 Ch. 2, Art. IX, title
11492	9-19-17 (eff. 10-1-17)	1	19-53
11496	10-24-17	3 4	Rpld Ch. 10A, Art. X, XX Added Ch. 10A, Art. XX
11498	10-24-17	1	20-255
11508	12-5-17	2 (eff. 2-1-18) 9 (eff. 2-1-18) 10 (eff. 1-4-18) 11 (eff. 1-4-18)	Rpld Ch. 3 Ch. 2 (note) 10A-134 11B-3
11509	12-19-17	2	Rpld 10A-200–10A-204
11511	12-19-17	1	10-31
11512	12-19-17	1 2	Rpld 9-1–9-3 Added 9-1–9-3
11513	12-19-17	1	20-210
11515	12-19-17	1	22-37
11518	1-23-18 (eff. 2-1-18)	1 2	19-410, 19-415–19-417, 19-425, 19-427, 19-430, 19-435, 19-445, 19-450, 19-455, 19-460, 19-470, 19-475, 19-480, 19-610 Added Ch. 21, Art. V
11519	1-23-18	1	15-32.4
11520	1-23-18	1 (eff. 2-1-18)	20-160
11524	2-6-18	1	12A-1–12A-8
11525	2-21-18	1 2	Rpld 12-1–12-191 Added 12-1–12-191
11527	2-21-18	1, 2	20-140 (note)
11528	2-21-18	1, 2	20-141 (note)
11529	2-21-18	1 (eff. 7-1-18)	22-34
11534	3-20-18	1	Added 22-97
11535	3-20-18	1	10-31
11537	4-3-18	2	10A-87 - 10A-93, 10A-95
11542	4-17-18	1	10-31
11544	5-8-18	1	10A-26
11550	5-22-18 (eff. 8-1-18)	1	19-66
11551	5-22-18	1	27-32.1, 27-33, 27-34
11556	6-5-18	1	13-3

TUCSON CODE

Ordinance Number	Date	Section	Disposition
11558	6-5-18	1	10-31
		2	10-31(7)
			10-31(8)
			10-33
			10-33.1
			10-34
			10-34.1
			10-35
			10-47
			10-48
			10-49
			10-52
			10-53
			10-53.1
			10-53.2
			10-53.3
			10-53.4
			10-53.5
			10-53.7
11576	8-8-18	1	2-18
11582	9-5-18	1	5-2
		2	5-4
			5-5
			5-6
		3	Added 5-12-5-14
11583	9-5-18	2	Added 5-15-5-23
11590	10-9-18	1 (eff. 1-1-19)	6-34
		2 (eff. 1-1-19)	6-38
		3 (eff. 1-1-19)	6-40
		4 (eff. 1-1-19)	6-66
		5 (eff. 1-1-19)	6-84
		6 (eff. 1-1-19)	6-124
		7 (eff. 1-1-19)	6-164
		8 (eff. 1-1-19)	6-167
		9 (eff. 1-1-19)	Added 6-191
		10 (eff. 1-1-19)	Added 6-192
		11 (eff. 1-1-19)	Added 6-193
11595	10-23-18	1	22-30
		2	22-33
		3, 4	22-37
		5	22-40
		6	22-42
		7	22-90
11596	10-23-18	1	15-34.8
11598	11-14-18	1	2-1
11599	12-4-18	1	10A-134
11604	12-4-18	2	20-140 (note)
11605	12-4-18	2	20-141 (note)

CODE COMPARATIVE TABLE – SUBSEQUENT ORDINANCES

Ordinance Number	Date	Section	Disposition
11606	12-4-18	2	20-179
11607	12-4-18	1	10A-134
11611	12-18-18	1	10-31
			10-31(7)
			10-31(8)
		3	10-33
			10-33.1
			10-34
			10-34.1
			10-35
			10-47
			10-48
			10-49
			10-52
			10-53
			10-53.1
			10-53.2
			10-53.3
			10-53.4
			10-53.5
			10-53.7

TUCSON CODE

CODE INDEX

STREETS AND SIDEWALKS (Cont'd.)	Section	STREETS AND SIDEWALKS (Cont'd.)	Section
Schools		Under-sidewalk elevators	
Selling, displaying merchandise on streets near.	25-50	Insurance.	25-59
Sewerage and sewage disposal regulations. . . .	24-1 et seq.	Permit	
See: WATER AND SEWERS		Application.	25-59
Sidewalks		Issuance.	25-60
Definitions and rules and construction. . . .	1-2(22)	Required.	25-59
Injuring, tearing up.	25-48	Terms and conditions.	25-60
Owners, occupants of building to keep clean.	25-56	Where permitted.	25-58
Placing benches on sidewalks.	25-51	Utility rights-of-way	
Placing flower pots, tree pots, planters on.	25-57	Authority of city manager to execute certain.	2-16
Repairs and improvements in public rights-of-way. See herein that subject		Vacating, naming, renaming, etc.	
Under-sidewalk elevators. See herein that subject		Ordinances not affected by Code. See the adopting ordinance in the preliminary pages found at beginning of this volume	
Sitting and lying down on public sidewalks in downtown and neighborhood commercial zones.	11-36	Variances	
Special events re street and sidewalk usage		Repairs and improvements in public rights-of-way. See herein that subject	
Regulations generally.	7-401	Vending machines	
Street, avenue, boulevard, parkway, alley		Newspaper vending machines, attaching to public right-of-way.	25-57.1
Definitions and rules of construction.	1-2(25)	Violations declared civil infractions.	24-45.1
Street fairs regulated.	7-300	Waste or unreasonable use of water; violation declared a civil infraction.	27-15
Street names, changes in.	25-62	Water flow in streets, gutters, conduits	
Streets, gutters, conduits		Obstructing.	25-52
Obstructing water flow in.	25-52	Work zone traffic management. See herein:	
Streets, public places		Temporary Work Zone Traffic Management	
Digging, removing earth from.	25-49		
Temporary work zone traffic management		STRIKEBREAKERS. See: LABOR DISPUTES	
Definitions.	25-89		
Fee schedule.	25-91	SUBDIVISIONS	
Program established.	25-88	Development compliance code.	23A-1 et seq.
Temporary work zone traffic management.	25-90	See: DEVELOPMENT COMPLIANCE	
Violations and civil sanctions.	25-92	Floodplain, stormwater, and erosion hazard management. See also that subject	
Transit system, city fixed route, rules and regulations.	2-18 et seq.	Generally.	26-1 et seq.
See: TRANSIT SYSTEM		Subdivision and development project requirements.	26-8
Trespassing on closed streets.	25-45	Subdivision standards.	26-9
Underground utility districts		SUN LINK SYSTEM	
Definitions.	25-81	City modern streetcar system.	2-18
Establishment of.	25-80		
Exceptions.	25-86	SUN TRAN SYSTEM	
Findings required.	25-84	City transit bus system.	2-18
Notice.	25-83		
Procedure to establish.	25-82	SWAP MEETS	
Provisions.	25-85	Administration.	7-205
Publicly owned equipment.	25-87	Animals and fowl, sale of at swap meets and public property prohibited.	4-8
Underpasses, operating bicycle through.	5-2	Definitions.	7-201
		License, proprietor application.	7-202.1
		Regulations.	7-204
		Taxation regulations generally.	19-1 et seq.
		See: LICENSES AND PRIVILEGE	
		TAXES	

TUCSON CODE

	Section		Section
SWAP MEETS (Cont'd.)		TAXICABS (Cont'd.)	
Unlawful practices		Routes, direct routes required.	20-306
Swap meet proprietor.	7-202	Taxicab businesses and executive sedan	
Swap meet vendors.	7-203	services regulated.	20-302
Violations, penalties.	7-205.1	Two-way radios required.	20-307
SWIMMING POOL AND SPA CODE		Violations and penalties	
Adopted.	6-191	Citations, police department and Park	
Amendments.	6-193	Tucson enforcement agents	
Clerk to keep copies.	6-192	authorized to issue.	20-309
SWIMMING POOLS		Civil infraction re.	20-308
Parks and recreation. See also that subject		TELECOMMUNICATION SERVICES	
Admission fees.	21-12	Competitive telecommunications	
Competitive swimming programs.	21-12	Bonding.	7B-24
Pool rental rates.	21-12	Conditions of street occupancy.	7B-14
Regulation of activities in areas adjacent to		Construction and technical standards.	7B-16
or affecting parks, bathing and		Cost of consultant.	7B-30
swimming.	21-3(5)	Damages.	7B-31
Swim lesson fees.	21-12	Definitions.	7B-2
Swimming passes.	21-12	Effective date; application to existing	
Synchronized swimming program fees.	21-12	systems.	7B-34
SYNAGOGUES		Exemption for pre-statehood	
Vandalism		telecommunications providers.	7B-37
Institutional vandalism, intimidation.	11-30, 11-30.1	Findings; purpose.	7B-3
		Foreclosure and receivership.	7B-20
		Franchise provisions	
		Application and agreement.	7B-5
		Application for.	7B-29
		Required.	7B-8
		Geographic area of system.	7B-12
		Grant of authority.	7B-9
		Indemnification.	7B-22
		Insurance.	7B-23
		License	
		Alternative fee for long distance only	
		licenses.	7B-26.1
		Application and agreement.	7B-4
		Application for.	7B-29
		Fee.	7B-26
		Required.	7B-8
		Limited point-of-presence only licenses	
		authorized.	7B-36
		Local regulatory framework.	7B-10
		No vested rights.	7B-38
		Nondiscrimination and equal employment	
		opportunities.	7B-28
		Permit moratorium.	7B-35
		Policy of innovation.	7B-6
		Provision of service and equipment to the	
		city.	7B-17
		Purchase of system by city.	7B-19
		Regulation costs.	7B-11
		Remedies, violation or civil infraction.	7B-32
		Renewal and termination.	7B-18
		Rights reserved to the city.	7B-27
		Security deposit.	7B-25
		Severability.	7B-33
		Shared facilities.	7B-13
		Short title.	7B-1
TAGS			
Dog licenses, tag requirements.	4-88 et seq.		
See: ANIMALS AND FOWL			
TAMPERING			
Cable communications, tampering with system.	7A-39		
TAXATION			
Privilege and excise taxes. See: LICENSES			
AND PRIVILEGE TAXES			
Public utility tax.	19-699, 19-700		
TAXICABS			
Charges. See herein: Fares and Charges			
Definitions.	20-301		
Enforcement; citations			
Police department, Park Tucson			
enforcement agents authorized.	20-309		
Equipment			
Two-way radios required.	20-307		
Fares and charges			
Charges generally.	20-305		
Exterior display of fare and other			
information.	20-303		
Fares generally.	20-305		
Interior display of fare and other			
information.	20-304		
Meters generally.	20-305		
Privilege and excise taxes			
Transporting for hire.	19-475		
Purpose.	20-300		