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# Board of Supervisors Memorandum

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October 2, 2018

**Adopt Ordinance 2018-\_\_\_\_ Regarding Collection of Constable Fees  
Amending Ordinance Number 2007-2**

Background

In the last Legislative session, the Arizona Legislature and Governor signed into law amending how Constable fees were collected from writs being served to writs being issued. This Amendment became effective August 3, 2018. In order to conform current County Ordinance to meet State law, previous Ordinance adopted in 2007 needs to be amended.

Recommendation

I recommend the Board of Supervisors pass and adopt Ordinance Number 2018-\_\_\_\_ amending previous County Ordinance Number 2007-2 related to establishment of Constable Fees.

Sincerely,

A handwritten signature in black ink, appearing to read "C.H. Huckelberry". The signature is fluid and cursive, with a long, sweeping underline that extends to the right.

C.H. Huckelberry  
County Administrator

CHH/lab – September 17, 2018

Attachment

ORDINANCE NUMBER 2018-\_\_\_\_\_

**AN ORDINANCE OF THE PIMA COUNTY BOARD OF SUPERVISORS,  
AMENDING PIMA COUNTY ORDINANCE NUMBER 2007-2, RELATED TO  
THE ESTABLISHMENT OF AN ADDITIONAL FIVE DOLLAR FEE FOR EVERY  
WRIT ISSUED ON BEHALF OF A JUSTICE OF THE PEACE PURSUANT TO  
A.R.S. § 11-445(A)(17).**

**THE BOARD OF SUPERVISORS OF PIMA COUNTY ARIZONA FINDS THAT:**

1. Under A.R.S § 11-445(A)(17), the Board of Supervisors previously adopted a five dollar fee for every writ served on behalf of a justice of the peace by a Pima County Constable.
2. Effective August 3, 2018, A.R.S. § 11-445(A)(17), was amended to allow collection of the fee for every writ issued on behalf of a justice of the peace.
3. Based on the amendment of A.R.S. § 11-445(A)(17), it is appropriate to amend Pima County Ordinance 2007-2.

**BE IT ORDAINED BY THE BOARD OF SUPERVISORS OF PIMA COUNTY, ARIZONA:**

SECTION 1. Section 1 of Pima County Ordinance 2007-2, is amended as follows:

"The Clerk of the Court for Pima County Justice Court ~~Pima County Constables~~ shall collect a five dollar fee for every writ issued on behalf of a justice of the peace served by a Pima County Constable. Collected fees shall be ~~kept in a reserve account established by the Pima County Constables and shall be~~ deposited or transferred to the Constables Ethics Committee Fund by the Clerk of Court for the Pima County Justice Court."

SECTION 2. Except as modified by this Ordinance, Ordinance 2007-2 remains in full force and effect.

SECTION 3. This Ordinance is effective 30 days after the date of adoption.

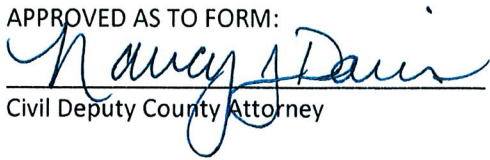
PASSED AND ADOPTED by the Board of Supervisors of Pima County, Arizona, this \_\_\_\_ day of \_\_\_\_\_, 2018.

\_\_\_\_\_  
Chairman  
Pima County Board of Supervisors

ATTEST:

\_\_\_\_\_  
Clerk of the Board

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Civil Deputy County Attorney