

SAHUARITA ORDINANCE NO. 2026-196

AN ORDINANCE OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF SAHUARITA, ARIZONA, AMENDING THE SAHUARITA TOWN CODE, TITLE 9 PUBLIC PEACE, MORALS AND WELFARE, BY ADDING A NEW CHAPTER 9.30 IDENTIFICATION; PROVIDING FOR THE REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; PROVIDING FOR PENALTIES AND ESTABLISHING AN EFFECTIVE DATE.

NOW, THEREFORE, the Mayor and Common Council of the Town of Sahuarita, Arizona, do hereby ordain as follows:

Section 1. **In General.** The Code of Sahuarita, Arizona, Title 9: Public Peace, Morals and Welfare, is hereby amended by adding the following Chapter 9.30:

Chapter 9.30 Identification

9.30.010 Refusal to Provide True Full Name or Proof of Identification When Lawfully Detained. It shall be unlawful for a person, after being advised that the person's refusal to answer is unlawful, to fail or refuse to provide either identification or evidence of identity on request of a peace officer who has lawfully detained the person based on reasonable suspicion to believe that the person has, is, or was about to commit a violation of an ordinance of the Town of Sahuarita or any law of the state of Arizona or the United States.

9.30.020 Definitions

- A. Identification means any legally issued government document that contains a photograph, date of birth and physical description, including but not limited to height, weight, eye color, sex and hair color of the person presenting the identification. A legally issued government document includes a driver license issued by the State of Arizona or a state or territory of the United States, a nonoperating identification license issued by the State of Arizona or a state or territory of the United States, a United States passport, a tribal identification, a foreign passport with a United States visa, an I-94 form with a photograph or other similar identification.
- B. Evidence of identity means that the person has provided the peace officer with his or her true full name and date of birth upon request.

9.30.030 Penalties. A person found guilty of violating any provision of this Ordinance shall be guilty of a Class One (1) misdemeanor and subject to a fine not to exceed Two Thousand Five Hundred Dollars (\$2500.00) or by imprisonment for a period not to exceed six (6) months, or both such fine and imprisonment.

Section 2. Providing for Repeal of Conflicting Ordinances. All ordinances and parts of ordinances in conflict with the provisions of this Ordinance or any part of the Code adopted herein by reference, are hereby repealed.

Section 3. Providing for Severability. If any section, subsection, sentence, clause, phrase, or portion of this Ordinance or any part of the Code adopted herein by reference is, for any reason, held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions thereof.

Section 4. Providing for Penalties. The penalties for violating this Ordinance shall be in addition to any other penalty pursuant to the Town Code, and notwithstanding any other law.

Section 5. Providing an Effective Date. Pursuant to A.R.S. § 19-142, this Ordinance shall become operative 30 days after its passage.

PASSED AND ADOPTED by the Mayor and Council of the Town of Sahuarita, Arizona, this 7th day of April, 2026.

Approved:

Mayor Tom Murphy

CERTIFICATION OF RECORDING OFFICER

State of Arizona)
County of Pima) ss.

I, the undersigned, Lisa Cole, MMC, being the duly appointed, qualified Town Clerk of the Town of Sahuarita, Pima County, Arizona, certify that the foregoing Ordinance is a true, correct, and accurate copy of Ordinance No. 2026-196, passed and adopted at a Voting Meeting of the Council of the Town of Sahuarita, Pima County, Arizona, held on the 7th day of April, 2026, at which a quorum was present and by _____ vote, _____ voted in favor of the said ordinance.

Given under my hand and sealed this 7th day of April, 2026.

SEAL:

Lisa Cole, MMC
Town Clerk

APPROVED AS TO FORM:

Jon Paladini, Town Attorney