

ORDINANCE NO. 2359 NEW SERIES

AN ORDINANCE OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, AMENDING GLENDALE CITY CODE, CHAPTER 26, ARTICLE III, BY ADDING A NEW DIVISION 3 RELATING TO THE REGULATION OF TICKET SELLING AND RESELLING; SPECIFYING PENALTIES FOR VIOLATION THEREOF; AND DECLARING AN EMERGENCY.

WHEREAS, the experience of other arenas and stadiums has been that the practice of selling and attempting to sell tickets other than from regularly-established ticket offices is a growing problem;

WHEREAS, such practices resulted in the sale of counterfeit tickets thereby defrauding the public;

WHEREAS, such practices result in the interference with the normal and lawful flow of vehicular and pedestrian traffic in and around such places;

WHEREAS, such practices result in the harassment and annoyance of the public in its lawful and regular use of such places; and

WHEREAS, such practices are anticipated to accompany the events scheduled at the arena and the stadium and will be contrary to and adversely affect the peace, safety and welfare of the citizens of this community and the lawful conduct and operation of all places of public assemblage.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF GLENDALE as follows:

SECTION 1. That Glendale City Code, Chapter 26, Article III, is hereby amended by adding a new Division 3 to read as follows:

DIVISION 3. TICKET SELLING AND RESELLING.

Sec. 26-65. Ticket selling and reselling prohibited except from certain locations; penalties.

(a) The following words, terms and phrases, when used in this section, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Arena: The Glendale Arena located at 9400 West Maryland Avenue, Glendale.

Event: Any revenue or non-revenue producing sports, entertainment, cultural or civic event or any other activity (including related event set-up and take-down) held at the Arena or Stadium. If such event or activity is presented in its entirety more than once during a given day, each such presentation shall be considered a separate event. An event is one event, even if the event or activity commences on a given day so long as it is completed within the four (4) hours immediately following the end of such day.

Stadium: The Arizona Tourism and Sports Authority Multi-Purpose Facility located at 6300 North 95th Avenue, Glendale.

(b) Except as provided in this section, it shall be unlawful for any person to sell, resell, expose for sale or resale, or offer to or attempt to either sell or resell any ticket of admission or other evidence of right of entry to an Event.

(c) The provisions of this section shall not include or apply to the:

- (1) sale of such tickets at or from any ticket office, booth or other similar place regularly and permanently established and maintained therefor with the express permission and authorization of the person or governmental agency in charge, care or control of the property on or at which such office, booth or place is located; or
- (2) ticket resale area of the Arena which is a posted and identified area adjacent to or on the Arena grounds at which tickets may be bought and sold without violating subsection (b) of this section; or
- (3) ticket resale areas of the Stadium which are posted and identified areas adjacent to or on the Stadium grounds at which tickets may be bought and sold without violating subsection (b) of this section.

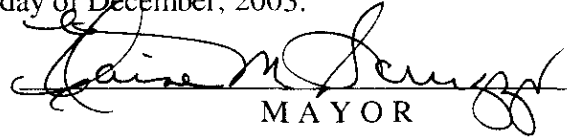
(d) Should an officer arrest or cite a person for a violation of this section, the officer is hereby authorized to seize every ticket offered for sale. Should an officer arrest or cite a person for a violation of this section and have probable cause to believe the ticket sold or offered for sale is counterfeit, the officer is hereby authorized to search the person and their belongings and seize every ticket in their possession which is for the same Event as that ticket. Any ticket or tickets seized shall be held in police custody until the criminal matter against the person is dispositioned in court or until the ticket or tickets are ordered released by the court.

Secs. 26-66 -- 26-70. Reserved.

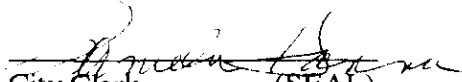
SECTION 2. Whereas the immediate operation of the provisions of this ordinance is necessary for the preservation of the public peace, health, and safety of the City of Glendale, an emergency is hereby declared to exist, and this ordinance shall be in full force and effect from and after its passage, adoption, and approval by the Mayor and Council of the City of Glendale, and it

is hereby exempt from the referendum provisions of the Constitution and laws of the State of Arizona.

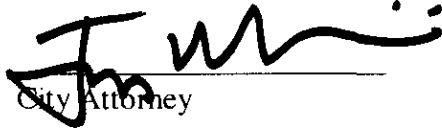
PASSED, ADOPTED AND APPROVED by the Mayor and Council of the City of Glendale, Maricopa County, Arizona, this 16th day of December, 2003.


MAYOR

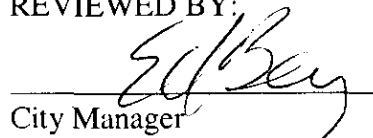
ATTEST:


City Clerk (SEAL)

APPROVED AS TO FORM:


City Attorney

REVIEWED BY:


City Manager