

**RESOLUTION NO: 2010-01**

**A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF WILLCOX, COCHISE COUNTY, ARIZONA, APPROVING AND AUTHORIZING TRI-WESTERN MEAT PACKING COMPANY TO ESTABLISH AND OPERATE ITS BUSINESS PURSUANT TO CITY CODE, TITLE 5, CHAPTER 1, SECTION 5-1-5; SETTING FORTH EXPRESS CONDITIONS AND DECLARING AN EMERGENCY TO EXIST.**

**WHEREAS**, the Mayor and Council of the City of Willcox are empowered to adopt ordinances for the government of the corporation, its officers and persons within its corporate limits needful for the good government and order of the municipality pursuant to A.R.S. § 9-240(29); and

**WHEREAS**, the Mayor and Council of the City of Willcox approved and adopted Ordinance NS298 amending Title 5, Chapter 1, Section 5-1-5 to permit the business of slaughtering cattle, sheep, swine, or pigs within the corporate city limits with the formal approval of Mayor and Council and in compliance with express conditions as may be set by Mayor and Council pursuant to Section 5-1-5(A); and

**WHEREAS**, the Tri-Western Meat Packing Company came before Mayor and Council requesting permission to establish and operate a meat packing business within the corporate city limits; and

**WHEREAS**, the Mayor and Council of the City of Willcox desires to consider, discuss and approve the business being proposed and desires to set forth herein express conditions pursuant to Section 5-1-5 (A through D); and

**WHEREAS**, the first express condition of the Mayor and Council requires that the business shall be located on Parcel No: 202-71-023; and

**WHEREAS**, the second express condition of the Mayor and Council requires that the business shall not conduct any “rendering” at the plant site; and

**WHEREAS**, the third express condition of the Mayor and Council requires that the business sewage disposal shall meet or exceed the requirements as listed in the City Code, Title 12, Chapter 13.09, Ordinance NS 148 and as may amended upon adoption of Title 9, Chapter 3, SEWER USE AND SERVICE; and

**WHEREAS**, the fourth express condition of the Mayor and Council requires that the business comply with strict waste disposal procedures to assure the containment of offensive odors and contaminants from being emitted into the environment and shall be properly stored, removed and disposed of at least weekly; and

**WHEREAS**, the fifth express condition of the Mayor and Council requires that the business shall not dispose of or discharge blood into the sewer system; and

**WHEREAS**, the Mayor and Council of the City of Willcox have determined that it is in the best interest of the City and its citizens to implement the intent of Title 5, Chapter 1, Section 5-1-5 and to set specific express conditions as set provided by Section 5-1-5(A); and

**WHEREAS**, the Mayor and Council desire to have this item presented on January 4, 2010 at the Regular Council Meeting; and

**WHEREAS**, it is necessary for the preservation of the peace, health, and safety of the City of Willcox, Cochise County, Arizona, that an emergency be declared to exist, and that this Resolution be effective immediately upon its passage and adoption.

**BE IT RESOLVED** by the Mayor and Council of the City of Willcox, Cochise County, Arizona, that the City hereby formally approves and authorizes the Tri-Western Meat Packing Company business and formally establishes express conditions as set forth in this Resolution and as authorized pursuant to Section 5-1-5(A).

**BE IT FURTHER RESOLVED** by the Mayor and Council that, due to an existing emergency declared herein, the immediate effectiveness of this Resolution is necessary to preserve the peace, health, and safety of the City of Willcox, Cochise County, Arizona, and this Resolution shall therefore be effective upon its passage and adoption.

**PASSED AND ADOPTED** by the Mayor and Council of the City of Willcox, Cochise County, Arizona this 4<sup>th</sup> day of January, 2010.

**APPROVED/EXECUTED:**

/S/ GERALD W. LINDSEY  
MAYOR, GERALD W. LINDSEY  
Signed: January 6, 2010

**ATTEST:**

**APPROVED AS TO FORM:**

/s/ Cristina G. Whelan, CMC  
City Clerk, Cristina G. Whelan, CMC

/s/ Hector M. Figueroa  
City Attorney, Hector M. Figueroa

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