

WHEN RECORDED, RETURN TO:

City of Buckeye
ATTN: City Clerk, Lucinda J. Aja
530 East Monroe Avenue
Buckeye, Arizona 85326

ORDINANCE NO. 17-21

AN ORDINANCE BY THE MAYOR AND COUNCIL OF THE CITY OF BUCKEYE, DECLARING AS A PUBLIC RECORD THAT CERTAIN DOCUMENT ON FILE WITH THE CITY CLERK ENTITLED “PLZM-21-00247 – BUCKEYE SIGN CODE” BY REFERENCE; AND AMENDING THE CITY OF BUCKEYE CODE, CHAPTER 7 – DEVELOPMENT CODE, ARTICLE 5 – DEVELOPMENT AND DESIGN STANDARDS AND GUIDELINES, SECTION 5.11 - SIGNS, OF THE CITY OF BUCKEYE MUNICIPAL CODE; PROVIDING FOR THE REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR PENALTIES.

WHEREAS, that certain document entitled the “PLZM-21-00247 – Buckeye Sign Code,” of which at least three paper copies or one paper copy and one electronic copy are on file in the Office of the City Clerk and open for public inspection during normal business hours, is hereby declared to be a public record and said copies are ordered to remain on file with the City Clerk; and

WHEREAS, the Mayor and City Council of the City of Buckeye, Arizona, believe that it is in the best interest of the City to amend a particular section of the Development Code of the City of Buckeye as provided in the City of Buckeye Municipal Code Amendments to promote the health, safety and welfare of the City's residents.

NOW THEREFORE BE IT ORDAINED, BY THE MAYOR AND CITY COUNCIL OF THE CITY OF BUCKEYE, ARIZONA, as follows:

Section 1. The recitals set forth above are hereby incorporated as if fully set forth herein.

Section 2. That certain document entitled the “PLZM-21-00247 – Buckeye Sign Code,” three (3) copies of which are on file in the office of the City Clerk of the City of Buckeye, Arizona, is hereby declared to be a public record, referred to, adopted and made a part hereof as if fully set out in this Ordinance.

Section 3. The City Code is hereby amended by deleting and amending the sections referenced in the “PLZM-21-00247 – Buckeye Sign Code,” and inserting the provisions in the “PLZM-21-00247 – Buckeye Sign Code,” as provided therein in Chapter 7 – Development Code, Article 5 – Development and Design Standards and Guidelines, Section 5.11 - Signs, of the Buckeye Municipal Code.

Section 4. All ordinances and parts of ordinances in conflict with the provisions of this Ordinance or any part of the City Code are hereby repealed.

Section 5. If any section, subsection, sentence, clause, phrase or portion of this Ordinance or any part of the City 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 6. Violations of this Ordinance shall be subject to the enforcement provisions of Article 9, Chapter 7 of the Development Code, and may be subject to civil and/or criminal penalties as follows:

Section 9.3.4.

Criminal and Civil Penalties.

A. Any person, firm, or corporation violating any provision of this Development Code, or any amendments to it, shall be guilty of a Class One Misdemeanor punishable by a fine not exceeding \$2,500, or by imprisonment for a period not exceeding six months, or by both such fine and imprisonment, for each violation.

B. Violation of any provision of this Development Code, or any amendments to it, may also subject the offender to a civil monetary penalty in an amount to be established by the City Council. If the offender fails to pay this penalty within 15 days after being cited for a violation, the penalty may be recovered by the City in a civil action in the nature of a debt. A civil penalty may not be appealed to the Planning Commission if the offender was sent a final notice of violation in accordance with this Section and did not take an appeal to the Planning Commission within 20 days of the date of such final notice.

Section 7. The Mayor, the City Manager, the City Clerk and the City Attorney are hereby authorized and directed to take all steps and to execute all documents necessary to carry out the purpose and intent of this Ordinance.

PASSED AND ADOPTED by the Mayor and City Council of the City of Buckeye, Arizona, this 16th day of November, 2021.

Eric W. Orsborn, Mayor

ATTEST:

Lucinda J. Aja, City Clerk

The signed version of Ordinance No. 17-21 is on file in the Office of the City Clerk located at 530 E Monroe Avenue, Buckeye, AZ, 85326

APPROVED AS TO FORM:

Shiela B. Schmidt, City Attorney