

WHEN RECORDED, RETURN TO:

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

ORDINANCE NO. 07-22

AN ORDINANCE BY THE MAYOR AND COUNCIL OF THE CITY OF BUCKEYE, DECLARING THE DOCUMENT ENTITLED “PLZM-21-00260 – BUCKEYE DEVELOPMENT CODE HOUSEKEEPING AMENDMENTS” AS A PUBLIC RECORD; ADOPTING “PLZM-21-00260 – BUCKEYE DEVELOPMENT CODE HOUSEKEEPING AMENDMENTS” BY REFERENCE; AMENDING BUCKEYE CITY CODE CHAPTER 7; PROVIDING FOR THE REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR PENALTIES.

WHEREAS, the Mayor and Council (the “Council”) of the City of Buckeye, Arizona (the “City”) believe that it is in the best interest of the City to amend the City’s Development Code (the “Code”) from time to time, to promote the health, safety, and welfare of the City’s residents; and

WHEREAS, in reviewing the Code, City staff have identified “housekeeping” amendments to simplify wording, correct errors, make minor modifications, and clarify the intent of ambiguous provisions; and

WHEREAS, the City believes such amendments will provide value to all persons, including City residents, who refer to the Code; and

WHEREAS, the Council has considered the individual property rights and personal liberties of City residents, and the probable impact of this ordinance on the cost to construct housing for sale or rent;

NOW, THEREFORE, BE IT ORDAINED, BY THE MAYOR AND 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 titled “PLZM-21-00260 – Buckeye Development Code Housekeeping Amendments,” of which at least three paper copies or one paper copy and one electronic copy are maintained, in compliance with ARIZ. REV. STAT. § 44-7401, on file in the office of the City Clerk as required by ARIZ. REV. STAT. § 9-802, and available for public use and inspection during normal business hours, is hereby declared to be a public record and said copies are hereby ordered to remain on file with the City Clerk.

Section 3. “PLZM-21-00260 – Buckeye Development Code Housekeeping Amendments,” is hereby referred to, adopted, and made a part hereof as if fully set forth herein, and the City Code

is hereby amended by amending the sections referenced in “PLZM-21-00260 – Buckeye Development Code Housekeeping Amendments,” as provided therein.

Section 4. All ordinances and parts of ordinances in conflict with the provisions of this Ordinance or any part of the City Code adopted herein by reference 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.

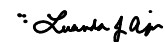
Section 7. The Mayor, the City Manager, the City Clerk, and the City Attorney are hereby authorized and directed to take all steps and to execute all documents necessary to carry out the purpose and intent of this Ordinance.

PASSED AND ADOPTED by the Mayor and City Council of the City of Buckeye, Arizona, this 19th day of April, 2022.



Eric W. Orsborn, Mayor

ATTEST:



Lucinda J. Aja, City Clerk

APPROVED AS TO FORM:



Shiela B. Schmidt, City Attorney