

ORDINANCE NO. 2019-862

**AN ORDINANCE OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF CHINO VALLEY, ARIZONA, AMENDING THE UNIFIED DEVELOPMENT ORDINANCE OF THE TOWN OF CHINO VALLEY, ARIZONA, CHAPTER 154 UNIFIED DEVELOPMENT ORDINANCE, BY AMENDING SECTION 1 ADMINISTRATION AND PROCEDURES, SUBSECTION 1.11 VIOLATION AND PENALTY, BY DELETING SUB-SUBSECTION 1.11.10 ABATEMENT OF HAZARDS TO PUBLIC HEALTH AND SAFETY AND CIVIL SANCTIONS PURSUANT TO A.R.S. § 9-499 IN ITS ENTIRETY AND AMENDING SUBSECTION 1.6 ZONING ADMINISTRATOR AND ASSISTANT ZONING ADMINIS-TRATOR, BY AMENDING SUB-SUBSECTION 1.6.2 POWERS AND DUTIES TO DELETE ADMINISTRATION OF THE TOWN'S PROPERTY MAINTENANCE CODE; AND BY DELETING SECTION 6 PROPERTY MAINTENANCE IN ITS ENTIRETY, ALL RELATED TO REMOVING PROPERTY MAINTENANCE REGULATIONS FROM THE TOWN'S ZONING CODE; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; AND PROVIDING FOR SEVERABILITY.**

**WHEREAS**, both the Town of Chino Valley Town Code and the Town of Chino Valley Unified Development Ordinance contain regulations relating to property maintenance in the Town, some of which are in conflict; and

**WHEREAS**, the Town Council of the Town of Chino Valley finds that the proper place for the property maintenance provisions are in the Town Code; and

**WHEREAS**, after proper notice required by law and in accordance with ARS 9-462.04, the Planning and Zoning Commission, made this document available to the public on December 13, 2018 and held a public hearing on July 23, 2019, during which the Commission took comments from the public and, after consideration and discussion, recommended approval of the proposed amendments to the Town Council; and

**WHEREAS**, the Town Council finds all legally required notice and public hearing requirements have been satisfied;

**NOW, THEREFORE, BE IT ORDAINED** by the Common Council of the Town of Chino Valley, Arizona, as follows:

Section 1. In General.

The Unified Development Ordinance of the Town of Chino Valley, Arizona, Section 1 Administration and Procedures, Subsection 1.11 Violation and Penalty, Sub-Subsection 1.11.10 Abatement of Hazards to Public Health and Safety and Civil Sanctions Pursuant to A.R.S. §9-499 is deleted in its entirety.

The Unified Development Ordinance of the Town of Chino Valley, Arizona, Section 1 Administration and Procedures, Subsection 1.6 Zoning Administrator and Assistant Zoning Administrator, Sub-subsection 1.6.2 Powers and Duties is hereby amended to read as follows (additions shown in ALL CAPS; deletions shown in strikeout):

### 1.6.2 Powers and Duties

The Zoning Administrator and Assistant Zoning Administrator shall perform the following functions:

- 1 Enforce this Ordinance by ensuring that all activities, construction, and development within the Town are in conformance with the Town zoning regulations.
- ~~2. Administer the Town's Development Guidelines (as may be created and adopted by the Town), which are included in this Ordinance by reference.~~
32. Accomplish all administrative tasks required by this Ordinance including receiving and processing applications for all persons requesting a rezone, use permit, plan review, Zoning Administrator, appeal, or other action of the Commission, Board of Adjustment, or Town Council.
43. Subject to the policies of the Commission and Town Council, interpret this Ordinance to members of the public, Town departments, and other branches of government.
54. Serve as planning staff to Council and Commission, and, as necessary, attend meetings of these and other organizations and agencies.

The Unified Development Ordinance of the Town of Chino Valley, Arizona, Section 6 Property Maintenance is deleted in its entirety.

#### Section 2. Providing for Repeal of Conflicting Ordinances.

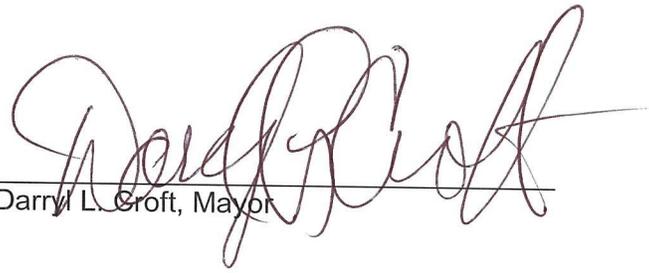
All ordinances and parts of ordinances in conflict with the provisions of this Ordinance or any part of the Code adopted herein by reference, are hereby repealed.

#### 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.

**PASSED AND ADOPTED** by the Mayor and Common Council of the Town of Chino Valley, Arizona, this 23rd day of July, 2019.

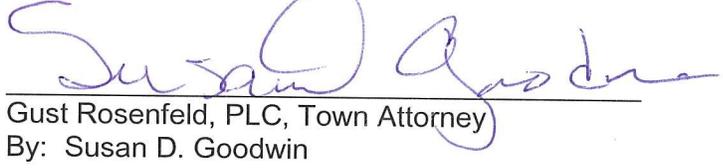
[SIGNATURES ON FOLLOWING PAGE]

  
Darryl L. Croft, Mayor

ATTEST:

  
Vickie Nipper, Deputy Town Clerk  
Jami C. Lewis, Town Clerk *for Jami Lewis*

APPROVED AS TO FORM:

  
Gust Rosenfeld, PLC, Town Attorney  
By: Susan D. Goodwin

I hereby certify the above foregoing Ordinance No. 2019-862 was duly passed by the Council of the Town of Chino Valley, Arizona, at a meeting held on July 23, 2019, and that quorum was present, and that the vote thereon was 6 ayes and 0 nays and 0 abstentions. 1 Council members were absent or excused.

  
Vickie Nipper, Deputy Town Clerk  
Jami C. Lewis, Town Clerk *for Jami Lewis*