

ORDINANCE NO. 2024-941

AN ORDINANCE OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF CHINO VALLEY, ARIZONA, DECLARING AS A PUBLIC RECORD THAT CERTAIN DOCUMENT ON FILE WITH THE TOWN CLERK TITLED “OCTOBER 2024 AMENDMENTS TO CHINO VALLEY TOWN CODE CHAPTER 154 REGARDING DEFINITIONS”; ADOPTING THE SAME BY REFERENCE; AMENDING THE UNIFIED DEVELOPMENT ORDINANCE OF THE TOWN OF CHINO VALLEY AS SET FORTH THEREIN; PROVIDING FOR SEVERABILITY; AND PROVIDING PENALTIES FOR VIOLATIONS.

WHEREAS, the Mayor and Common Council of the Town of Chino Valley (the “Town Council”) desires to amend Chino Valley Town Code Title XV, Land Usage, Chapter 154, Unified Development Ordinance of the Town of Chino Valley (the “UDO”), by amending Section 2.2, Meanings of Words and Terms; and

WHEREAS, the Town Council has determined that the Amendment (defined below) is not in conflict with the Town of Chino Valley General Plan and any applicable specific area plan, neighborhood plan, or any other plan; and

WHEREAS, in accordance with Article II, Sections 1 and 2 of the Constitution of Arizona, the Town Council has considered the individual property rights and personal liberties of the residents of the Town before adopting this ordinance; and

WHEREAS, in accordance with A.R.S. § 9-462.01, the Town Council has considered a housing impact statement that includes the information required by A.R.S. § 9-462.01(J)(1)-(3); and

WHEREAS, the Town of Chino Valley Planning and Zoning Commission held a public hearing on the Amendment and recommended its approval; and

WHEREAS, the Town Council finds that the Amendment recommended by the Planning and Zoning Commission is appropriate and in the Town’s best interests.

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

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

SECTION 2. That certain document titled “October 2024 Amendments to Chino Valley Town Code Chapter 154 Regarding Definitions” (the “Amendment”), of which one paper copy and one electronic copy are maintained, in compliance with A.R.S. § 44-7041, on file in the office of the Town Clerk as required by A.R.S. § 9-802, and available for public use and inspection during normal business hours, is hereby declared to be a public record and said copies thereof are hereby ordered to remain on file with the Town Clerk.

SECTION 3. The UDO is hereby amended as set forth in the Amendment, which is hereby referred to, adopted, and made a part hereof as if fully set forth herein.

SECTION 4. If any section, subsection, sentence, clause, phrase, or portion of this ordinance or any part of the Amendment adopted herein is for any reason held to be invalid or

unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions thereof.

SECTION 5. Any violation of the UDO shall be charged, filed, and prosecuted as a civil infraction as set forth in Section 1.10.2 of the UDO. Any person who violates the UDO after previously having been found responsible for committing two or more civil infractions of the UDO within any 36-month period, whether by admission, by payment of the fine, by default, or by judgment after hearing, shall be guilty of a criminal misdemeanor punishable as set forth in Section 1.10.3 of the UDO. The Town Prosecutor is authorized to file a criminal misdemeanor complaint in the Chino Valley Municipal Court against such habitual offenders who violate the UDO. For purposes of calculating the 36-month period under this paragraph, the dates of the commission of the offenses are the determining factor.

SECTION 6. The Mayor, the Town Manager, the Town Clerk, and the Town Attorney are hereby authorized and directed to take all steps necessary to carry out the purpose and intent of this ordinance.

PASSED AND ADOPTED by the Mayor and Common Council of the Town of Chino Valley, Arizona, this 22nd day of October 2024.



Jack W. Miller, Mayor

ATTEST:



Erin N. Deskins

Erin N. Deskins, Town Clerk

APPROVED AS TO FORM:



Andrew J. McGuire, Town Attorney
Gust Rosenfeld P.L.C.

I hereby certify that the foregoing Ordinance No. 2024-941 was duly passed by the Council of the Town of Chino Valley, Arizona, at a meeting held on October 22, 2024, and that quorum was present, and that the vote thereon was 7 ayes and 0 nays and 0 abstentions. 0 Council members were absent or excused.

Erin N. Deskins

Erin N. Deskins, Town Clerk