

**ORDINANCE NUMBER 14-06**

**AN ORDINANCE OF THE MAYOR AND CITY COUNCIL OF THE CITY OF MARICOPA, ARIZONA, ADOPTING "CHAPTER 17 DEVELOPMENT FEES" BY REFERENCE WHICH AMENDS CHAPTER 17 OF THE MARICOPA CITY CODE AND PROVIDING FOR THE SEVERABILITY AND THE EFFECTIVE DATE THEREOF.**

**WHEREAS**, that certain document known as "Chapter 17 Development Fees" was adopted as a public record by Resolution No. 14-27; and

**WHEREAS**, the City Council previously adopted Ordinances which established laws and regulations related to the administration, calculation and collection of development fees on new development within the City of Maricopa; and

**WHEREAS**, the Arizona legislature amended Arizona Revised Statutes (A.R.S.) Section 9-463.05, imposing new statutory requirements on the City relating to the imposition of development impact fees that must be effective on or before August 1, 2014; and

**WHEREAS**, on October 3, 2013, the City of Maricopa provided notice of the date of the public hearing on the Draft Development Fees, Infrastructure Improvements Plan, and Land Use Assumptions report and posted said document on its website; and

**WHEREAS**, on December 17, 2013, the City Council held a public hearing on the Draft Development Fees, Infrastructure Improvements Plan, and Land Use Assumptions report; and

**WHEREAS**, on February 4, 2014, the City Council adopted the Land Use Assumptions, Infrastructure Improvement Plan, and Preliminary Development Fees report; and

**WHEREAS**, on February 18, 2014, the City of Maricopa provided notice of the date of the public hearing on the proposed development impact fees; and

**WHEREAS**, on April 1, 2014, the City Council held a public hearing on the proposed development impact fees; and

**WHEREAS**, on May 6, 2014, the City Council approved the proposed development impact fees to be effective August 1, 2014; and

**WHEREAS**, in order to comply with recent changes to A.R.S. § 9-463.05 the City must amend its rules and regulations regarding development impact fees; and

**WHEREAS**, A.R.S. §9-802 allows a City to adopt a public record by Ordinance as a means to reduce publication costs while ensuring that the public gets fair notice and opportunity to review its operative provisions.

**NOW THEREFORE, BE IT RESOLVED** by the Mayor and City Council of the City of Maricopa, Arizona as follows:

**SECTION 1.** Pursuant to Arizona Revised Statutes Section 9-802, that certain document known as "Chapter 17 Development Fees" of the Maricopa City Code, three copies of which are on file in the office of the City Clerk of the City of Maricopa, Arizona, which document was made a public record by Resolution No. 14-27 of the City of Maricopa, Arizona, if hereby referred to, adopted and made a part hereof as if fully set out in this Ordinance.

**SECTION 2.** Chapter 17 of the Maricopa City Code and all amendments thereto are hereby repealed in their entirety and replaced with "Chapter 17 Development Fees" which was made public record by Resolution No. 14-27 of the City of Maricopa, Arizona.


**SECTION 3.** To the extent of any conflict between other City Ordinances and this Ordinance, this Ordinance shall be deemed to be controlling; provided, however, that this Ordinance is not intended to amend or repeal any existing City Ordinance, Resolution or regulation except as expressly set forth herein.

**SECTION 4.** If any section, subsection, sentence, clause, phrase or portion of this Ordinance 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 5.** This Ordinance shall become effective thirty (30) days from the date of adoption by the City Council for the City of Maricopa.

**PASSED AND ADOPTED** by the Mayor and Council of the City of Maricopa, Arizona, this 1<sup>st</sup> day of July, 2014.

APPROVED:

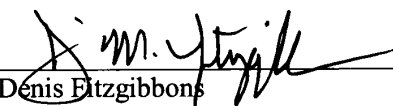
  
\_\_\_\_\_  
Christian Price  
Mayor

ATTEST:

  
\_\_\_\_\_  
Vanessa Bueras, CM  
City Clerk



APPROVED AS TO FORM:

  
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Denis Fitzgibbons  
City Attorney