

**ORDINANCE NUMBER 17-01**

**AN ORDINANCE OF THE MAYOR AND CITY COUNCIL OF THE CITY OF MARICOPA, ARIZONA, ADOPTING “2017 AMENDMENTS TO ARTICLE 412 OF CHAPTER 16 TELECOMMUNICATIONS FACILITIES” BY REFERENCE AND AMENDING CERTAIN PROVISIONS OF SECTIONS 412.01 THROUGH 412.09 OF THE MARICOPA CITY CODE AND PROVIDING FOR SEVERABILITY AND THE EFFECTIVE DATE THEREOF.**

**WHEREAS**, that certain document known as “2017 Amendments to Article 412 of Chapter 16 Telecommunications Facilities” was adopted as a public record by Resolution 17-01 on January 17, 2017; and

**WHEREAS**, the City Council previously adopted Ordinances which established laws and regulations related to telecommunications facilities located within the City of Maricopa; and

**WHEREAS**, the Mayor and City Council of the City of Maricopa believe, after consultation with its staff, that amending certain provisions of Sections 412.01 through 412.09 of the City Code as set forth in Resolution 17-01 would be in the best interest of the City of Maricopa; 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 ORDAINED** 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 “2017 Amendments to Article 412 of Chapter 16 Telecommunications Facilities” of the Maricopa City Code, a copy of which is on file in the office of the City Clerk of the City of Maricopa, Arizona, which document was made a public record by Resolution 17-01 of the City of Maricopa, Arizona, is hereby referred to, adopted and made a part hereof as if fully set out in this Ordinance.

**SECTION 2.** Sections 412.01 through 412.09 of the Maricopa City Code and all amendments thereto are hereby amended as set forth in the “2017 Amendments to Article 412 of Chapter 16 Telecommunications Facilities” which was made public record by Resolution 17-01 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 17<sup>th</sup> day of January, 2017.

APPROVED:

  
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Christian Price  
Mayor

ATTEST:

  
\_\_\_\_\_  
Vanessa Bueras, CMC  
City Clerk



APPROVED AS TO FORM:

  
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Denis Fitzgibbons  
City Attorney