

ORDINANCE NO. 699

AN ORDINANCE OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, AMENDING SECTIONS 15-09-008 AND 15-09-009 OF CHAPTER 154 (THE UNIFIED DEVELOPMENT CODE) OF THE CODE OF THE TOWN OF PAYSON AND ADOPTING SUCH AMENDMENTS BY REFERENCE (AMENDING THE PROCEDURES AND NOTICING REQUIREMENTS FOR ZONING MAP CHANGES).

WHEREAS, the process for making changes in the zoning map for the Town of Payson is set forth in Section 15-09-008 of the Town's Unified Development Code; and

WHEREAS, the requirements for public hearings for applications for zoning map changes and other applications are set forth in Section 15-09-009 of the Town's Unified Development Code; and

WHEREAS, on September 11, 2006, the Planning and Zoning Commission held a public hearing on the proposed changes to Sections 15-09-008 and 15-00-009; and

WHEREAS, on September 25, 2006, the Planning and Zoning Commission considered the proposed changes to Sections 15-09-008 and 15-00-009 and made recommendation to the Town Council; and

WHEREAS, the Town of Payson has found that the adoption of this Ordinance Number 699 is necessary and appropriate to provide for and promote the health, safety, and welfare of the citizens of the Town of Payson and is a lawful exercise of police power vested in the Town; and

WHEREAS, amendments to Sections 15-09-008 and 15-00-009 of Chapter 154 (The Unified Development Code) of the Code of the Town of Payson were declared to be a public record by Resolution 2221; and

WHEREAS, it is the desire of the Mayor and Common Council to amend the Code of the Town of Payson by amending Sections 15-09-008 and 15-00-009 of the Unified Development Code by reference pursuant to A.R.S. § 9-802,

NOW, THEREFORE, THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, DO HEREBY ORDAIN AS FOLLOWS:

Section 1. That the amendments to Sections 15-09-008 and 15-00-009 of Chapter 154 (The Unified Development Code) of the Code of the Town of Payson set forth in Resolution 2221 were heretofore declared to be a public record by such Resolution, and all the provisions thereof are hereby referred to and added to the Code of the Town of Payson and adopted by this reference as though all the provisions thereof were set forth in full in this Ordinance Number 699.

Section 2. That at least three copies of the amendment to Sections 15-09-008 and 15-00-009 of chapter 154 (The Unified Development Code) of the Code of the Town of Payson, as adopted by this Ordinance Number 699 shall be filed in the Office of the Town Clerk of the Town of Payson and the same shall be maintained and kept available for public use and inspection.

Section 3. That the Town of Payson be and is hereby authorized to take and perform such other and future actions as are necessary or appropriate to carrying out the terms of this Ordinance.

Section 4. All ordinances and parts of ordinances in conflict with the provisions of this Ordinance Number 699 are hereby repealed to the extent of such conflict.

Section 5. If any section, subsection, sentence, clause, phrase or portion of this Ordinance Number 699 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 of this Ordinance Number 699. The Mayor and Common Council of the Town of Payson declares that it would have adopted this Ordinance Number 699 and each section, subsection, sentence, clause, phrase or portion thereof despite the fact that any one or more sections, subsections, sentences, clauses, phrases or portions would be declared invalid or unconstitutional.

**PASSED AND ADOPTED BY THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON** this \_\_\_\_ day of \_\_\_\_\_, 2006, by the following vote:

AYES \_\_\_\_ NOES \_\_\_\_ ABSTENTIONS \_\_\_\_ ABSENT \_\_\_\_

\_\_\_\_\_  
F. Robert Edwards, Mayor

ATTEST:

APPROVED AS TO FORM:

\_\_\_\_\_  
Silvia Smith, Town Clerk

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Samuel I. Streichman, Town Attorney