

ORDINANCE NO. 855

AN ORDINANCE OF THE MAYOR AND TOWN COUNCIL OF PAYSON, ARIZONA, ACCELERATING THE EFFECTIVE DATE FOR REPEAL OF STREETS, PARKS, AND PUBLIC SAFETY DEVELOPMENT IMPACT FEES, AND DECLARING AN EMERGENCY.

WHEREAS, the Town of Payson currently collects development impact fees for water, streets, parks, and public safety improvements necessitated by population growth; and

WHEREAS, pursuant to A.R.S. § 9-463.05, the Town followed the mandated process for adopting new/replacement development impact fees; and

WHEREAS, on May 15, 2014, the Payson Town Council passed Ordinance 847 which adopted a new development impact fee for water and repealed development impact fees for streets, parks, and public safety, all to become effective August 1, 2014; and

WHEREAS, based on Ordinance 847, the Town did not budget or otherwise make any provision for the receipt of streets, parks, or public safety development impact fees during fiscal year 2014-2015; and

WHEREAS, the Town desires to repeal the streets, parks, and public safety development impact fees for the month of July 2014 and make such repeal retroactive to July 1, 2014,

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

Section 1. The provisions of Ordinance 847 repealing the streets, parks, and public safety development impact fees is accelerated and retroactively made effective as of July 1, 2014.

Section 2. If any streets, parks, or public safety development impact fees were collected during July 2014, such fees shall be returned to the payer.

Section 3. It is necessary for the preservation of the peace, health and safety of the Town of Payson, Arizona, an emergency is declared to exist, and this Ordinance shall become immediately operative and in full force and effect from and after the date of its enactment.

Prepared by Town of Payson Legal Department

TMW:drs July 18, 2014 (11:30am)
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PASSED AND ADOPTED BY THE MAYOR AND COUNCIL OF THE TOWN OF PAYSON, ARIZONA, this 31st day of July, 2014, by the following vote:

AYES _____ NOES _____ ABSTENTIONS _____ ABSENT _____

Kenny J. Evans, Mayor

ATTEST:

APPROVED AS TO FORM:

Silvia Smith, Town Clerk

Timothy M. Wright, Town Attorney