ORDINANCE NO. 867

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE TOWN OF PAYSON, ARIZONA, AMENDING SECTION 154-02-003A(6)(c) OF THE UNIFIED DEVELOPMENT CODE TO ALLOW CONSTRUCTION OF ACCESSORY STRUCTURES OF UP TO 200 SQUARE FEET WITHOUT ISSUANCE OF A BUILDING PERMIT.

WHEREAS, Section 154-02-003A(6)(c) of the Unified Development Code ("UDC") regulates the construction of accessory structures; and

WHEREAS, said UDC Section presently exempts from permitting requirements accessory structures of up to 144 square feet; and

WHEREAS, on December 18, 2014, the Mayor and Council passed Ordinance 864 which adopted updates to the building code; and

WHEREAS, said building code updates included a provision exempting accessory structures of up to 200 square feet from permitting requirements; and

WHEREAS, the Town desires to amend Section 154-02-003A(6)(c) of the UDC to conform with the updated building code; and

WHEREAS, on April 6, 2015 the Planning and Zoning Commission held a public hearing on the proposed UDC amendment and recommended approval of said amendment to the Mayor and Council; and

WHEREAS, on May 7, 2015 and May 21, 2015 the Mayor and Council held public hearings on the proposed UDC amendment,

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

Section 1. That Section 154-02-003A(6)(c) of the Town of Payson Unified Development Code is hereby amended, and as amended shall read as follows:

(c) Accessory structures exceeding 200 square feet shall require a building permit.

Section 2. All ordinances and parts of ordinances in conflict with the provisions of this Ordinance or any part of the Code adopted herein are hereby repealed.

Section 3. If any section, subsection, sentence, clause, phrase or portion of this Ordinance or any part of the Code adopted herein 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.

MAY 07 2015 D.3

First Public Hearing

Second Public Hearing MAY 21 2015 D.3

PASSED AND ADOPTED BY THE MAYOR AND COUNCIL OF THE TOWN OF PAYSON this _____ day of _____, 2015, by the following vote:

AYES _____ NOES _____ ABSTENTIONS _____ ABSENT _____

_____
Kenny J. Evans, Mayor

ATTEST:

_____
Silvia Smith, Town Clerk

APPROVED AS TO FORM:

_____
Hector M. Figueroa, Town Attorney