ORDINANCE NO. 872

AN ORDINANCE OF THE MAYOR AND TOWN COUNCIL OF PAYSON, ARIZONA, AMENDING CODE CHAPTER 152, GRADING AND DRAINAGE, FOR THE TOWN OF PAYSON BY UPDATING, REVISING, ADDING AND DELETING SPECIFIC GRADING AND DRAINAGE DEFINITIONS, REQUIREMENTS AND PROVISIONS TO MAKE THEM MORE APPLICABLE AND REASONABLE.

WHEREAS, the Town of Payson from time to time may amend its Official Town Code for the purpose of accommodating new requirements as may be proposed by Town staff, Town Engineer(s), commissions or advisory committees; and

WHEREAS, Chapter 152 is designed to be used by Civil Engineers in preparing drainage reports for storm water planning, analysis, design and grading plans within the Town while recognizing that many described procedures have limited applicability requiring sound engineering judgment and experience when applying engineering methodology to a particular project; and

WHEREAS, in March, 2015 the Payson Town Council directed Staff to update the Towns Grading and Drainage Requirements and make them more applicable and reasonable thus a list of proposed Amendments have been recommended by Staff to accomplish this goal.

WHEREAS, the Town Council held Public Hearings on September 3, 2015 and September 17, 2015 on the Amendments and adoption of Amended Chapter 152 – Grading and Drainage; and

WHEREAS, the Town desires to take official action on Staff recommendations.

NOW, THEREFORE, IT IS HEREBY ORDAINED BY THE MAYOR AND TOWN COUNCIL OF PAYSON, ARIZONA, AS FOLLOWS:

Section 1: That the amendments to Payson Town Code Chapter 152 set forth as Exhibit A to Resolution 2871 were declared to be a public record, and that the amendments are hereby referred to and adopted by this Ordinance as though all of the provisions thereof were set forth in full in this Ordinance.

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in conflict with the provisions of this Ordinance or any part of the Code adopted herein by reference are hereby repealed.

Section 3: The following Terms, Definitions, Sections, Subsections, Figures and Tables of Chapter 152 are hereby Amended, Revised, Added and/or Deleted: Section 152.11 (E); Section 152.12 (A); Table 2.1; Section 152.13(A)(3)(b); Section 152.13(A)(3)(c); Section 152.13 (C) (1); Section 152.13 (D) (3); Section 152.13 (E); Section 152.15; Section 152.16 (B) (1);

Prepared by Town of Payson Legal Department

HMF:drs August 24, 2015 (4:47PM)

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Section 152.18(A); Section 152.18(B); Sections 152.31 (B); 152.60; 152.61(A)(1); 152.61(B); 152.61(C)(2); Section 152.32; Section 152.34; Figure 3.1 and Table 3.1; Section 152.35(B); Section 152.39(A); Section 152.51(A)(4)(a); Sections 152.53(A); 152.62(B)(2); 152.83(A)(1); 152.101(A)(11); Section 152.61(B)(5); Sections 152.61(E)(1); 152.61(E)(3); Section 152.61(F)(1)(a); Section 152.62(A)(2); Section 152.72(B)(2)(b); Section 152.101(A)(1); Section 152.101(A)(5); Section 152.114(B)(2); 152.114(B)(5); Section 152.117; Section 152.119; Section 152.121(F) and Sections 152.122 (B); 152.122 (C).

Section 4: If any section, subsection, sentence, clause, phrase or portion of this Ordinance or any part of the Code adopted herein by reference, 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.

PASSED AND ADOPTED by the Mayor and Common Council of the Town of Payson, Arizona, this _____ day of _____, 2015, by the following vote:

AYES: _____ NAYES: _____ABSENT: _____ ABSTAINED:_____

_____

Kenny J. Evans, Mayor

ATTEST:

APPROVED AS TO FORM:

_____

Silvia Smith, Town Clerk

_____

Hector M. Figueroa, Town Attorney

Prepared by Town of Payson Legal Department

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