

ORDINANCE NO. 726

AN ORDINANCE OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, ADOPTING AMENDMENTS TO CHAPTER 150: BUILDING REGULATIONS OF THE CODE OF THE TOWN OF PAYSON. [2007 BUILDING AND FIRE CODE AMENDMENTS]

WHEREAS, the Town of Payson desires to amend the Code of the Town of Payson pertaining to Building Regulations; and

WHEREAS, the Town of Payson has found that the adoption of this Ordinance Number 726 is necessary for the protection of the health and safety of the citizens of the Town of Payson as a lawful exercise of police power vested in the Town by the State of Arizona; and

WHEREAS, certain amendments to Chapter 150: Building Regulations of the Code of the Town of Payson were declared to be a public record by Resolution 2332; and

WHEREAS, it is the desire of the Mayor and Common Council to amend the Code of the Town of Payson by amending Chapter 150 by reference pursuant to A.R.S. § 9-802; and

WHEREAS, it is the desire of the Mayor and Common Council to adopt various codes 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 Chapter 150 of the Code of the Town of Payson set forth in Resolution 2332

- a. are necessary for the protection of the public's health and safety,
- b. were heretofore declared to be a public record by such Resolution, and
- c. 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 726.

Section 2. That at least three copies of the Codes adopted by and the amendments to Chapter 150 of the Code of the Town of Payson, as adopted by this Ordinance Number 726 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.

1st Reading & Public Hrg OCT 18 2007 G.5
2nd Reading & Public Hrg NOV 01 2007 G.3

Section 3. Pursuant to Section 150.99 of the Code of the Town of Payson the penalty for any violation of Chapter 150 of the Code of the Town of Payson is as follows:

§ 150.99 PENALTY.

(A) Any person, firm, or corporation violating any provisions of this Chapter or the codes adopted under this Chapter shall be guilty of a separate offense for each and every day or portion of every day during which any violation of any of the provisions of these codes or amendments is committed, continued, or permitted. Upon conviction of any such violation, such person shall be guilty of a class one misdemeanor punishable as provided in A.R.S. Title 13.

Section 4. All ordinances and parts of ordinances in conflict with the provisions of this Ordinance Number 726 are hereby repealed to the extent of such conflict.

Section 5. The effective date of the Codes adopted by and the amendments to Chapter 150 of the Code of the Town of Payson made by this Ordinance 726 shall be effective January 1, 2008. During December 2007, any applicant shall have the option of using the provisions of Chapter 150 as they existed prior to this Ordinance 726 or using the provisions of Chapter 150 as amended by this Ordinance 726.

Section 6. If any section, subsection, sentence, clause, phrase or portion of this Ordinance Number 726 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 726. The Mayor and Common Council of the Town of Payson declares that it would have adopted this Ordinance Number 726 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 _____, 2007, by the following vote:

AYES _____ NOES _____ ABSTENTIONS _____ ABSENT _____

F. Robert Edwards, Mayor

ATTEST:

APPROVED AS TO FORM:

Silvia Smith, Town Clerk

Samuel I. Streichman, Town Attorney