ORDINANCE NO. 778

AN ORDINANCE OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, AMENDING SECTION 130.25 OF THE CODE OF THE TOWN OF PAYSON REPEALING THE PROHIBITION ON ELECTRIC FENCES WITHIN THE TOWN LIMITS.

WHEREAS, Section 130.25 of the Code of the Town of Payson prohibits the building, construction, erecting, or maintaining of electric fences; and

WHEREAS, it is the desire and intent of the Mayor and Common Council to repeal such prohibition,

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

Section 1. That Section 130.25 of the Code of the Town of Payson be and is hereby amended and as amended shall read as follows:

§ 130.25 ~~ELECTRIC FENCES.~~ RESERVED.

~~It is unlawful for any person to build, construct, erect or maintain within the town limits, or upon the boundaries of the town, any electrical fence. Any such fence shall be removed within 20 days after notice by the zoning/building inspector or his agent has been given to the owners, occupants or agents of the lots or property on which such fences are built, constructed or maintained, and if not so removed, the zoning/building inspector shall cause the removal of same at the cost of the owner of the lots or property and the expenses thereof shall be charged as taxes and become a lien against the property, and collected as taxes are collected. Any person building, constructing, erecting or maintaining any electric fence or refusing to remove same from any premises owned, occupied or controlled by him shall be subject to the punishment and penalties as provided for in this code.~~

Section 2. All ordinances and parts of ordinances in conflict with the provisions of this Ordinance Number 778 are hereby repealed to the extent of such conflict.

PASSED AND ADOPTED BY THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON this _____ day of _____, 2010, by the following vote:

AYES _____ NOES _____ ABSTENTIONS _____ ABSENT _____

_____

Kenny J. Evans, Mayor

FIRST READING & Public Hearing APR 15 2010 G.7

ATTEST:

_____

Silvia Smith, Town Clerk

APPROVED AS TO FORM:

_____

Samuel I. Streichman, Town Attorney