ORDINANCE NO. 777

AN ORDINANCE OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, REPEALING THE MORATORIUM ENACTED BY ORDINANCE 695 LIMITING THE ANNUAL NUMBER OF RESIDENTIAL BUILDING PERMITS.

WHEREAS, on December 14, 2006, the Common Council of the Town of Payson passed Ordinance 695 temporarily limiting the number of residential building permits which may be issued annually under the authority of A.R.S. 9-436.06 (Moratorium); and

WHEREAS, on July 5, 2007, the Common Council of the Town of Payson passed Ordinance 716 making the provisions of Ordinance 695 permanent; and

WHEREAS, on May 19, 2008 the Town entered into an agreement with Salt River Project for rights to a portion of the water in the C.C. Cragin Reservoir and for delivery of such portion; and

WHEREAS, the Town has obtained a severance and transfer of water rights in C.C. Cragin from the Arizona Department of Water Resources; and

WHEREAS, the Town has taken substantial steps toward constructing the necessary infrastructure to physically deliver water from the C.C. Cragin Reservoir to Payson, including securing the first $10 million in funding and has entered into contracts for the environmental study, the raw waterline design, the treated waterline design, and the monitoring (SCADA) system for the pipeline; and

WHEREAS, the Town does not believe that the moratorium provisions of Ordinance 695 remain necessary; and

WHEREAS, the Town of Payson now desires to repeal the growth limitations/moratorium enacted by Ordinance 695 and made permanent by Ordinance 716,

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

Section 1. Ordinance Number 695 is hereby repealed.

Section 2. All portions of Ordinance 716 amending or referencing Ordinance 695 are hereby repealed. All other portions of Ordinance 716 shall remain in effect.

Section 3. All Ordinances and parts of Ordinances non in conflict with this Ordinance 777 are hereby repealed.

First Reading and Public Hearing APR 15 2010 G.6

Second Reading and Public Hearing MAY 06 2010 G.6

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

ATTEST:

_____
Silvia Smith, Town Clerk

APPROVED AS TO FORM:

_____
Samuel I. Streichman, Town Attorney