ORDINANCE NO. 864

AN ORDINANCE OF THE MAYOR AND PAYSON TOWN COUNCIL ADOPTING AMENDMENTS TO TOWN CODE CHAPTER 150: BUILDING REGULATIONS AND CONFORMING CHANGES TO TOWN CODE SECTION 154-07-002(D)(3).

2014 CONSTRUCTION CODE AMENDMENTS

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

WHEREAS, the Town also desires to amend a portion of Chapter 154 of the Payson Town Code to conform with such Building Regulations; and

WHEREAS, the Town of Payson has found that the adoption of this Ordinance 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; and

WHEREAS, certain amendments to Payson Town Code Chapter 150: Building Regulations and Section 154-07-02(D)(3) were declared to be a public record by Resolution 2818; and

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

NOW, THEREFORE, THE MAYOR AND PAYSON TOWN COUNCIL ORDAIN AS FOLLOWS:

Section 1. The amendments to Chapter 150 of the Payson Town Code and Section 154-07-02(D)(3) set forth in Resolution 2818:

a. are necessary for the protection of the public's health and safety,
b. were declared to be a public record by such Resolution, and
c. all the provisions are referred to and added to the Payson Town Code and adopted by this reference.

Section 2. At least three copies of the Standardized Codes and the amendments to Chapter 150 and Section 154-07-02(D)(3) adopted by this Ordinance shall be filed in the Office of the Payson Town Clerk and shall be maintained and kept available for public use and inspection.

Section 3. Section 150.99 of the Payson Town Code is amended and as amended shall read as follows:

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§ 150.99 PENALTY.

Any person~~, firm, or corporation~~ violating ~~any provisions of~~ this Chapter or the Standardized Codes ~~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.~~ Such violations shall be punished pursuant to Section 10.99.

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 All ordinances and parts of ordinances in conflict with the provisions of this Ordinance are repealed to the extent of such conflict.

Section 5. The effective date of the Standardized Codes adopted by this Ordinance and the amendments to Chapters 150 and Section 154-07-02(D)(3) made by this Ordinance shall be July 1, 2015. During January through June of 2015, any applicant shall have the option of using the provisions of the Codes and the provisions of Chapters 150 and Section 154-07-02(D)(3) as they existed prior to this Ordinance or using the provisions as amended by this Ordinance.

Section 6. If any section or portion of this Ordinance 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.

PASSED AND ADOPTED BY THE MAYOR AND PAYSON TOWN COUNCIL this _____ day of _____, 2014, by the following vote:

AYES _____ NOES _____ ABSTENTIONS _____ ABSENT _____

_____
Kenny J. Evans, Mayor

ATTEST:

_____
Silvia Smith, Town Clerk

APPROVED AS TO FORM:

_____
Timothy M. Wright, Town Attorney