ORDINANCE NO. 885

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE TOWN OF PAYSON, ARIZONA, AMENDING PAYSON TOWN UNIFIED DEVELOPMENT CODE SECTION 154-09-016, DELETING SECTION 154-08-003(C)(8), PROCEDURES TO ABANDON TOWN RIGHTS-OF-WAY AND EASEMENTS AND MOVING PROCEDURES TO SECTION 156 (A) THROUGH (D).

WHEREAS, the Code of the Town of Payson ("Code") currently outlines procedures to abandon town Rights-of-Way and Easements under UDC § 154-09-016; and

WHEREAS, the Town desires to amend existing procedures to abandon town rights-of-way and easements and to move these procedures to § 156 (A) through (D) to allow flexibility for reviewing and approving abandonment requests; and

WHEREAS, on July 11th, 2016, the Town Planning and Zoning Commission held a public hearing regarding proposed amendments to § 154-09-016 and §156 (A) through (D) and recommended approval to the Town Council of said amendments; and

WHEREAS, the Town Council held Public Hearings on August 4th, 2016, and August 18th, 2016 on the proposed amendments to UDC § 154-09-016 and Administrative Procedure §156 (A) through (D) and deleting UDC §154-08-003(C) (8) and desires to enact said amendments to the Code and Administrative Procedures; and

WHEREAS, amendments to UDC § 154-09-016 and Administrative Procedure §156 of the Code of the Town of Payson were declared to be a public record by Resolution 2949.

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

SECTION 1: The amendments to UDC § 154-09-016 and Administrative Procedure §156 (A) through (D) set forth in Resolution 2949 were declared to be a public record by said Resolution, and are referred to and adopted by reference as though set forth in full in this Ordinance.

SECTION 2: UDC § 154-08-003 (C)(8) is hereby deleted.

SECTION 3: At least three copies of the Amendments adopted by this Ordinance shall be filed in the Office of the Town Clerk and shall be kept available for public use and inspection.

SECTION 4: 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in conflict with the provisions of this Ordinance or any part of the Code adopted herein by reference are hereby repealed.

AUG 0 4 2016 G.2B First Public Hearing

AUG 1 8 2016 G. 3. B Second Public Hearing

SECTION 5: If any portion of this Ordinance is held to be invalid or unconstitutional by a 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 Council of the Town of Payson, Arizona, this 18th day of August, 2016, by the following vote:

AYES: _____ NOES: _____ ABSTENTIONS: _____ ABSENT: _____

_____
Kenny J. Evans, Mayor

ATTEST:

_____
Silvia Smith, Town Clerk

APPROVED AS TO FORM:

_____
Hector M. Figueroa, Town Attorney

Prepared by Town of Payson Legal Department
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