

TOWN OF PINETOP-LAKESIDE

ORDINANCE NO. 12-365

AN ORDINANCE OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF PINETOP-LAKESIDE, ARIZONA, REPEALING “TOWN CODE CHAPTER 3.12 DEVELOPMENT FEES” AND ADOPTING NEW “TOWN CODE CHAPTER 3.12 DEVELOPMENT IMPACT FEES.”

WHEREAS, the Town Council passed resolution 06-830 on May 18, 2006 adopting development fees based upon the Development Fee Methodology Report dated March 1, 2006; and

WHEREAS, the Town of Pinetop-Lakeside has reviewed modified and made a public record the “Model Development Impact Fee Ordinance” distributed by the League of Arizona Cities and Towns to be in full compliance with SB 1525, Session Law Chapter 243 (2011); and

WHEREAS, the Town Council by this adoption wishes to make clear its intention that its Code be interpreted in accordance with state law including specifically SB 1525 (2011); and

WHEREAS, the proposed “Town Code Chapter 3.12 Development Impact Fees,” was declared to be a public record by adopting Resolution No. 12-1254; and

WHEREAS, pursuant to Arizona Revised Statutes § 9-802, three (3) copies of Town Code Chapter 3.12 Development Impact Fees are on file in the Office of the Town Clerk, and referred to in this Ordinance by reference.

NOW THEREFORE BE IT ORDAINED by the Mayor and Town Council of the Town of Pinetop-Lakeside, Arizona, as follows:

Section 1: Town Code Chapter 3.12 Development Fees is repealed in its entirety.

Section 2: Town Code Chapter 3.12 Development Impact Fees is hereby adopted by reference, as if fully set forth herein. A copy of the full text of the new Town Code Chapter 3.12 Development Impact Fees is attached as Exhibit “A.”

Section 3: If any section, subsection, sentence, clause, phrase, or portion of this Ordinance or any part of “Town Code Chapter 3.12 Development Impact Fees” adopted herein by reference 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 thereof.

PASSED AND ADOPTED by the Mayor and Town Council of the Town of Pinetop-Lakeside, Arizona, this 1st day of November 2012.

TOWN OF PINETOP-LAKESIDE



RICH CROCKETT, Mayor

ATTEST:


LU ANNE FROST, Town Clerk

APPROVED AS TO FORM:


W. KENT FOREE, Town Attorney