

TOWN OF PINETOP-LAKESIDE

ORDINANCE NO. 10-337

AN ORDINANCE OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF PINETOP-LAKESIDE, ARIZONA, REPEALING “TOWN CODE CHAPTER 16.20 MOUNTAINSIDE DEVELOPMENT FOREST HEALTH AND FIRE PROTECTION, CHAPTER 17.92 LANDSCAPING REGULATIONS, AND CHAPTER 17.96 FOREST HEALTH AND FIRE PROTECTION” AND ADOPTING NEW “TOWN CODE CHAPTER 16.20 MOUNTAINSIDE DEVELOPMENT, CHAPTER 17.92 LANDSCAPING REGULATIONS, AND CHAPTER 17.96 FOREST HEALTH AND FIRE PROTECTION.”

WHEREAS, the proposed “Town Code Chapter 16.20 Mountainside Development, Chapter 17.92 Landscaping Regulations, and Chapter 17.96 Forest Health and Fire Protection,” are declared to be a public record by adopting Resolution No. 10-1117; and

WHEREAS, pursuant to Arizona Revised Statutes § 9-802, three (3) copies of Town Code Chapter 16.20 Mountainside Development, Chapter 17.92 Landscaping Regulations, and Chapter 17.96 Forest Health and Fire Protection are on file in the Office of the Town Clerk, and referred to in this Ordinance by reference; and

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 16.20 Mountainside Development Forest Health and Fire Protection, Chapter 17.92 Landscaping Regulations, and Chapter 17.96 Forest Health and Fire Protection, are repealed in their entirety.
- Section 2.** Town Code Chapter 16.20 Mountainside Development, Chapter 17.92 Landscaping Regulations, and Chapter 17.96 Forest Health and Fire Protection are hereby adopted by reference, as if fully set forth herein. A copy of the full text of the new Town Code Chapter 16.20 Mountainside Development, Chapter 17.92 Landscaping Regulations, and Chapter 17.96 Forest Health and Fire Protection are 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 16.20 Mountainside Development, Chapter 17.92 Landscaping Regulations, and Chapter 17.96 Forest Health and Fire Protection” adopted herein by reference are 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 April 2010.

TOWN OF PINETOP-LAKESIDE



LUKE S. SMITH, Mayor

ATTEST:



LU ANNE FROST, Town Clerk

APPROVED:



ROSEMARY H. ROSALES, Town Attorney