

ORDINANCE NO. 2010-01

AN ORDINANCE OF THE TOWN OF CAREFREE, MARICOPA COUNTY, ARIZONA, ADOPTING AMENDMENTS TO THE TOWN OF CAREFREE ZONING ORDINANCE AMENDED THROUGH AUGUST 4, 2009, ARTICLE VIII. SIGNS PERMITTED; PROVIDING FOR REPEAL OF CERTAIN PROVISIONS OF THE TOWN OF CAREFREE ZONING ORDINANCE; PROVIDING FOR SEPARABILITY; AND DECLARING THAT THE IMMEDIATE OPERATION OF THE PROVISION OF THIS ORDINANCE IS NECESSARY FOR THE IMMEDIATE PRESERVATION OF THE PUBLIC PEACE, HEALTH AND SAFETY, THAT AN EMERGENCY EXISTS, AND THAT THIS ORDINANCE SHALL BE EFFECTIVE IMMEDIATELY AND IN FULL FORCE AND EFFECT FROM AND AFTER ITS PASSAGE, ADOPTION AND APPROVAL BY THE MAYOR AND COMMON COUNCIL OF THE TOWN AS REQUIRED BY LAW AND DIRECTING THE TOWN CLERK OF THE TOWN OF CAREFREE TO INCORPORATE THIS AMENDMENT INTO THE TOWN OF CAREFREE ZONING ORDINANCE.

BE IT ORDAINED BY THE MAYOR AND COMMON COUNCIL OF THE TOWN OF CAREFREE, MARICOPA COUNTY, ARIZONA, AS FOLLOWS:

- Section 1: That certain document known as "The Town of Carefree Zoning Ordinance, amended August 4, 2009" is hereby amended as stated below in Section 4 (the "Amendments"), in order to (1) conserve and promote the public health, safety and general welfare, (2) assist businesses within the Commercial and Garden Office Zoning Districts promote economic viability of their businesses within the Commercial and Garden Office Zoning Districts at the request of many such business owners; and (3) at the same time, improve the visual environment for the citizens of and visitors to the Town of Carefree.
- Section 2: The amended copy shall be shown as "The Town of Carefree Zoning Ordinance, amended January 5, 2010" and is hereby declared to be a public record. Three copies of said amendment are hereby placed and ordered to remain on file in the Office of the Town Clerk.
- Section 3: All ordinances and portions of ordinances in conflict with the provisions of this Ordinance, or inconsistent with the regulations of this Ordinance, are hereby repealed to the extent necessary to give this Ordinance full force and effect.
- Section 4: The Amendments are made to Article VIII. Signs Permitted of the Town of Carefree Zoning Ordinance, adopted March 2, 2004 and amended through August 4, 2009 as follows (added language is shown in **Bold**, deleted language is shown ~~crossed out~~).

## ARTICLE VIII. SIGNS PERMITTED

### Section 8.03 Additional Requirements and Clarifications

(1) - (5) No changes.

(6) BANNERS shall be exempt from building permit provided the sign complies with all provisions of Article VIII and meets the following provisions (*Ord. #2009-04*):

(A) - (G) No changes.

(H) Effective ~~January 5, 2010~~ **February 5, 2010**, a banner shall not be displayed for more than ten (10) consecutive days.

(I) No change.

(J) Prior to ~~January 5, 2010~~ **February 5, 2010**, and prior to the placement of a banner sign, the principal of the business must complete and file the Town permit form and pay a \$5.00 permit fee per calendar month (may be permitted up to a maximum of 3 calendar months), through ~~January 5, 2010~~ **February 5, 2010**, at which time, each business shall come into conformance with paragraph (H) of this subsection.

(7) SIDEWALK SIGNS shall be exempt from building permit provided the sign complies with all provisions of Article VIII and meets the following provisions (*Ord. #2009-04*):

(A) - (F) No changes.

(G) Effective ~~January 5, 2010~~ **February 5, 2010**, a sidewalk sign shall not be permitted.

(H) Prior to ~~January 5, 2010~~ **February 5, 2010**, and prior to the placement of a sidewalk sign, the principal of the business must complete and file the Town permit form and pay a \$5.00 permit fee per calendar month (may be permitted up to a maximum of 3 calendar months) through ~~January 5, 2010~~ **February 5, 2010**, at which time, each business shall come into conformance with paragraph (G) of this subsection.


Section 5: If any section, subsection, sentence, clause, phrase or portion of this Ordinance or any part of the amendments 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 thereof.

Section 6: The immediate operation of the provision of this Ordinance is necessary for the immediate preservation of the public peace, health and safety; an emergency is hereby declared to exist; and this ordinance shall be effective immediately and in full force and effect from and after its passage, adoption and approval by the Mayor and the Common Council of the Town of Carefree as required by law.

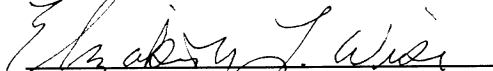
PASSED, ADOPTED AND APPROVED BY THE MAYOR AND COMMON COUNCIL OF THE TOWN OF CAREFREE, ARIZONA, this 5<sup>th</sup> day of January 2010.

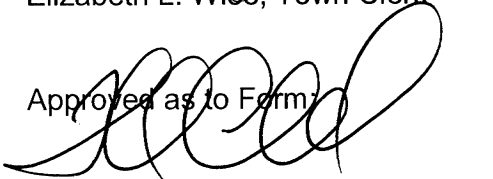
Ayes 6 Noes      Abstentions 1 Absent       
*Recusal*

TOWN OF CAREFREE

  
David Schwan, Mayor

Attest:

  
Elizabeth L. Wise, Town Clerk

Approved as to Form:  
  
Tom Chenal, Town Attorney