

ORDINANCE NO. 2011-08

AN ORDINANCE OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF GUADALUPE, ARIZONA AMENDING ORDINANCE 2002-10 RELATING TO COMMERCIAL DEVELOPMENT FEES AND ORDINANCE 2002-14 RELATING TO RESIDENTIAL DEVELOPMENT FEES IN ACCORD WITH ARIZONA SENATE BILL 1598 PASSED IN 2011

WHEREAS, the Arizona Legislature in 2011 passed Senate Bill 1598 amending various Arizona Statutes concerning development fees; and

WHEREAS, said Bill required municipalities to amend their municipal codes by August 1, 2014 in order to continue assessing existing development fees after that date; and

WHEREAS, said Bill allows municipalities to continue assessing development fees enacted prior to January 1, 2012 until August 1, 2014 or until their municipal code is amended, whichever first occurs providing that the pre-January 1, 2012 development fees are in accord with Senate Bill 1598; and

WHEREAS, a complete review of the Town of Guadalupe's Development Fee Ordinance will require extensive study prior to enactment of a new development fee ordinance by August 1, 2014 as required by Senate Bill 1598 it is appropriate to make an immediate revision to the Town's Development Fee Schedule and to remove those development fees that are no longer in compliance.

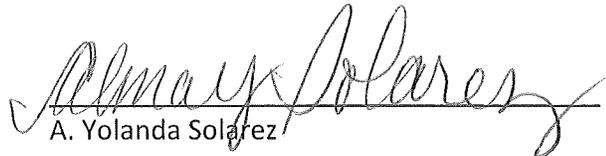
THEREFORE, BE IT ORDAINED that Town of Guadalupe Ordinances 2002-10 and 2002-14 are hereby amended as follows::

1. Ordinance 2002-10 is hereby amended to delete certain development fees for commercial projects, namely: General government \$350.00 and Cultural \$300.00. All other provisions of Ordinance 2002-10 remain in full effect.
2. Ordinance 2002-14 is hereby amended to delete certain development fees for Residential Projects, namely: Cultural \$128.00. All other provisions of Ordinance 2002-14 shall remain in full force.
3. The Town Manager of Guadalupe is directed to begin the implementation of the revised development fee schedule effective January 1, 2012.
4. The Town Manager is further authorized to not impose any other development fee or to impose only a portion of any development fee that he determines after further study is not in compliance with Arizona Senate Bill 1598.

5. This Ordinance is intended as an interim measure to bring the Town into compliance with Arizona Senate Bill 1598 until such time as a full study can be made and new fees implemented in accord with Senate Bill 1598.

6. Should any portion of this Ordinance be deemed to be invalid or unconstitutional by any court of competent jurisdiction, it is the intent of the Town Council that the balance of the Ordinance that is not invalid or unconstitutional be enforced.

PASSED AND ADOPTED this 10th day of December, 2011, by the Mayor and Town Council of The Town of Guadalupe.



A. Yolanda Solarez
Mayor

ATTEST



Rosemary Arellano
Town Clerk

APPROVED AS TO FORM


David E. Ledyard
Town Attorney