

ORDINANCE NO. 1544

AN ORDINANCE OF THE MAYOR AND CITY COUNCIL OF THE CITY OF APACHE JUNCTION, ARIZONA, AMENDING APACHE JUNCTION CITY CODE, VOLUME I, CHAPTER 9: HEALTH AND SANITATION, BY REPEALING AND REPLACING PORTIONS OF ARTICLE 9-1: PROPERTY MAINTENANCE STANDARDS § 9-1-2 DEFINITIONS; REPEALING ANY CONFLICTING PROVISIONS; AND PROVIDING FOR SEVERABILITY.

WHEREAS, the mayor and city council desire to amend the permitted fence and wall materials referenced in the city zoning ordinance which changes the definition of FENCE, MATERIALS PROHIBITED defined in Volume I, Chapter 9: Health and Sanitation, Article 9-1: Property Maintenance Standards, § 9-1-2 Definitions; and

WHEREAS, a council work session was held on March 18, 2024 and a public hearing on April 2, 2024, was held to discuss the proposed amendment to the zoning code as noted above.

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF APACHE JUNCTION, ARIZONA, AS FOLLOWS:

SECTION I IN GENERAL

1. That the definition of Fence, Materials Prohibited located in Apache Junction City Code, Volume I, Chapter 9: Health and Sanitation, Article 9-1: Property Maintenance Standards, § 9-1-2 Definitions, be amended as follows:

“FENCE, MATERIALS PROHIBITED. Unless otherwise specified, prohibited fence/wall materials include, but are not limited to: rope; string; wire products including but not limited to chicken wire, wire fabric, and similar welded or woven wire fabrics; chain; netting; tarp/fabric including but not limited to mesh canvas, tarpaulin or similar non-rigid materials; dangerous cut or broken glass; razor wire or concertina wire; paper; unframed, reflective galvanized sheet or corrugated metal panels; plywood; or fiberglass panels in any fence or any other materials that are not manufactured specifically as fencing materials. The Development Services Director or Designee may require the applicant to provide the manufacturer's standards to establish the intended use of a proposed fencing material.”

SECTION II REPEALING ANY CONFLICTING PROVISIONS

All ordinances and parts of ordinances in conflict with the provisions of this ordinance or any part of the codes adopted herein by reference are hereby repealed.

SECTION III PROVIDING FOR SEVERABILITY

If any section, subsection, sentence, phrase, clause or portion 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.

APPROVED AND ADOPTED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF APACHE JUNCTION THIS ____ DAY OF _____, 2024.

SIGNED AND ATTESTED TO THIS ____ DAY OF _____, 2024.

WALTER "CHIP" WILSON
Mayor

ATTEST:

JENNIFER PENA
City Clerk

APPROVED AS TO FORM:

RICHARD J. STERN
City Attorney