

Text Amendment to Apache Junction City Code  
Vol. I, § 9-1-4 Enforcement and Abatement and  
Vol. II, § 1-16-16 Violations, Penalties and Enforcement

P-24-70-AM

City of Apache Junction  
City Council Work Session  
October 14, 2024





# Background

- On August 5, 2024, the Apache Junction City Council directed staff to review the zoning violation penalty fees and the city code property maintenance penalty fees. The objective was to assess if the penalty fees should be amended to match each other, with the possible option of increasing the penalty fees in order to discourage future code violations.



# Current Code Penalty Fees

(Within a 24 consecutive month period)	Zoning Violation Civil Penalty Fees	Property Maintenance Civil Penalty Fees
First Offense:	\$250	\$350
Second Offense:	\$500	\$600
Third Offense:	\$750	Criminal fine of \$1,000, and other criminal penalties as a result of a class 1 misdemeanor conviction.



# Option 1

- Update Zoning Violation Civil Penalty Fees to match the Property Maintenance Violation Civil Penalty Fees.

This would amend the zoning violation civil penalty fees of:

1. The first offense during 24 consecutive month period from \$250 to \$350;
2. The second offense during 24 consecutive month period from \$500 to \$600;
3. The third offense during 24 consecutive month period from \$750 to \$1000.

(Within a 24 consecutive month period)	Zoning Violation Civil Penalty Fees	Property Maintenance Civil Penalty Fees
First Offense:	<del>\$250</del> \$350	\$350
Second Offense:	<del>\$500</del> \$600	\$600
Third Offense:	<del>\$750</del> \$1000	Criminal fine of \$1,000, and other criminal penalties as a result of a class 1 misdemeanor conviction.



# Option 2

- Increase both the Zoning Violation Civil Penalty Fees and the Property Maintenance Violation Civil Penalty Fees to a higher value, and make the third offense within a 24 month consecutive period a class 1 misdemeanor.

This would amend both the property maintenance and zoning violation civil penalty fees of:

1. The first offense during 24 consecutive month period to \$500;
2. The second offense during 24 consecutive month period to \$750;
3. The third offense and subsequent offenses within 24 months of first offense shall be a criminal fine not to exceed \$2500, and other criminal penalties as a result of a class 1 misdemeanor conviction.

(Within a 24 consecutive month period)	Zoning Violation Civil Penalty Fees	Property Maintenance Civil Penalty Fees
First Offense:	<del>\$250</del> \$500	<del>\$350</del> \$500
Second Offense:	<del>\$500</del> \$750	<del>\$600</del> \$750
Third Offense:	<del>\$750</del> Criminal fine not to exceed \$2,500, and other criminal penalties as a result of a class 1 misdemeanor conviction.	Criminal fine <del>of \$1,000</del> not to exceed \$2,500, and other criminal penalties as a result of a class 1 misdemeanor conviction.



# Option 3

- No change to penalty fees.

(Within a 24 consecutive month period)	Zoning Violation Civil Penalty Fees	Property Maintenance Civil Penalty Fees
First Offense:	\$250	\$350
Second Offense:	\$500	\$600
Third Offense:	\$750	Criminal fine of \$1,000, and other criminal penalties as a result of a class 1 misdemeanor conviction.



## Option 4

# Planning & Zoning Commission Recommendation

(Within a 24 consecutive month period)	Zoning Violation Civil Penalty Fees	Property Maintenance Civil Penalty Fees
First Offense:	\$250	\$350
Second Offense:	\$500	\$600
Third Offense:	<del>\$750</del> Criminal fine not to exceed \$2500, and other criminal penalties as a result of a class 1 misdemeanor conviction.	Criminal fine <del>of \$1,000</del> not to exceed \$2500, and other criminal penalties as a result of a class 1 misdemeanor conviction.





# Summary

- **Option 1:** Match the two fee categories.
- **Option 2:** Increase both the fee categories to a higher value and make the third zoning offense within a 24 month consecutive period a class 1 misdemeanor.
- **Option 3:** No changes.
- **Option 4, P&Z Recommendation:** No changes to the penalty fees of the first and second violations but increasing the penalty of the third consecutive offense of both penalty types to a class 1 misdemeanor with a penalty fee not to exceed \$2500.





# Questions?

City Council Public Hearing – 11-5-2024



Agency	Zoning			Property Maintenance - Civil		
	1st Citation	2nd Citation	3rd Citation	1st Citation	2nd Citation	3rd Citation
City of Apache Junction	\$ 250	\$ 500	\$ 750	\$ 350	\$ 600	\$ 1,000
City of Mesa	\$ 150-1500	\$ 250-2500	\$ 500-2500	\$ 250-1500	\$ 350-2500	\$ 500-2500
Town of Queen Creek	\$ 250	\$ 500	\$ 2,000	\$ 250	\$ 500	\$ 2,000
City of Avondale	\$ 250	\$ 500	\$ 1,000	\$ 250	\$ 500	\$ 1,000
Town of Buckeye	\$ 100	\$ 100	\$ 200	Determined by the court		
City of Casa Grande	\$100 to \$500			\$100 to \$500, \$250 to 1000 for 'enterprises'		
City of Goodyear	\$ 500	\$ 750	\$ 1,000	\$50-\$300	\$300-\$500	\$550-\$1000
Town of Marana	Cannot exceed \$1000			Determined by the court		
City of Maricopa	\$ 250	\$ 500	\$ 1,000	\$ 100	\$ 200	\$ 400
Town of Gilbert	Up to \$500			\$ 100-500	\$ 100-500	"Habitual Offender": \$2500 max, 500 per count.
Town of Florence -Residential	\$500 per violation			\$ 250	\$ 500	\$ 750
Town of Florence -Commercial				\$ 750	\$ 1,500	\$ 2,000
City of Phoenix	\$ 100	\$ 250	\$ 500	\$ 100-2500	\$ 250-2500	\$ 500-2500
City of Tempe	\$100 to \$1000			Up to \$2000		