

ORDINANCE NO. 1452

AN ORDINANCE OF THE MAYOR AND CITY COUNCIL OF THE CITY OF APACHE JUNCTION, ARIZONA, AMENDING APACHE JUNCTION CITY CODE, VOLUME II, LAND DEVELOPMENT CODE, BY REPEALING CHAPTER 2: SUBDIVISION REGULATIONS IN ITS ENTIRETY; AND ADOPTING BY REFERENCE A NEW CHAPTER 2 AS MORE FULLY DETAILED IN THAT CERTAIN DOCUMENT ENTITLED "2017 AMENDMENTS TO THE APACHE JUNCTION CITY CODE, VOLUME II, CHAPTER 2: SUBDIVISION REGULATIONS"; REPEALING ANY CONFLICTING PROVISIONS; PROVIDING FOR SEVERABILITY; PROVIDING FOR PENALTIES; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the mayor and city council on February 16, 1983 adopted its first version of the City of Apache Junction Subdivision Regulations; and

WHEREAS, since that first version was adopted, there have been minor amendments thereto (see e.g. Ordinance No. 900 approved and adopted on August 4, 1994); and

WHEREAS, the provisions are in need of additional updates to be compliant with state law; and

WHEREAS, A.R.S. § 9-802 permits municipalities to enact the provisions of a code or public record theretofore in existence without setting forth such provisions in full text as long as the adopting ordinance is published in full text and at least one paper copy of the code changes or public record are filed in the office of the clerk of the municipality and one electronic copy is accessible on the city's website and made available for public inspection.

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

SECTION I IN GENERAL

1. Existing Apache Junction City Code, Volume II, Land Development Code, Chapter 2: Subdivision Regulations, is hereby repealed in its entirety.
2. That certain document containing the amended and new Chapter 2

code provisions relating to subdivision regulations, entitled "2017 Amendments to the Apache Junction City Code, Volume II, Land Development Code, Chapter 2: Subdivision Regulations", one paper copy and one electronic copy which are accessible on the City's website and filed in the office of the city clerk, which document was made a public record by Resolution No. 17-28 of the City of Apache Junction, is hereby referred to, adopted and made a part hereof as if fully set out in this ordinance, pursuant to A.R.S. § 9-802.

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 or any part of the codes or regulations adopted herein by reference 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 IV PROVIDING FOR PENALTIES

Any violation of the provisions adopted herein shall be punishable as a class one misdemeanor consistent with Apache Junction City Code, Volume I, Chapter 1: GENERAL, ARTICLE 1-1: GENERAL, § 1-1-11, PENALTY.

PASSED AND ADOPTED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF APACHE JUNCTION, ARIZONA, THIS _____ DAY OF _____, 2017.

SIGNED AND ATTESTED TO THIS _____ DAY OF _____, 2017.

JEFF SERDY
Mayor

ATTEST:

KATHLEEN CONNELLY
City Clerk

APPROVED AS TO FORM:

RICHARD J. STERN
City Attorney