

RESOLUTION NO. 21-31

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF APACHE JUNCTION, ARIZONA, DECLARING AS A PUBLIC RECORD THAT CERTAIN DOCUMENT FILED WITH THE CITY CLERK AND ENTITLED "AUGUST 2021 AMENDMENTS TO THE APACHE JUNCTION CITY CODE, VOLUME II, ZONING ORDINANCE, ARTICLE 1-5: ZONING BULK AND USE REGULATIONS, SECTION 1-5-2: RESIDENTIAL BULK REGULATIONS, TABLE 5-2: FOOTNOTES 7, 8, 9, and 10; ARTICLE 1-6: SUPPLEMENTAL REGULATIONS, SECTION 1-6-5: ACCESSORY STRUCTURES; 1-6-8: CARGO CONTAINERS, AND ARTICLE 1-17: DEFINITIONS" REPEALING ANY CONFLICTING PROVISIONS; PROVIDING FOR SEVERABILITY AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, Arizona Revised Statutes Annotated (hereinafter "A.R.S.") § 9-802 permits municipalities to enact the provisions of a code or public record in existence without setting forth such provisions in full text as long as the adopting ordinance is published in full text, one paper copy is filed with the city clerk and one electronic copy is accessible on the city's website with both therefore available for public use and inspection; and

WHEREAS, pursuant to A.R.S. §§ 9-801(1) and 9-802, such codes include land development regulations include the zoning code; and

WHEREAS, a work session on August 2, 2019 and a public hearing on August 17, 2021 were held to discuss the proposed amendments; and

WHEREAS, city staff has identified such provisions herein, and it is the intent of the city to declare such documents and compilations as public records, on file in the office of the city clerk.

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

SECTION I            IN GENERAL

1. That certain document entitled, "August 2021 Amendments to the Apache Junction City Code, Volume II, Land Development

Code, Chapter 1: Zoning Ordinance, Article 1-5: Zoning Bulk and Use Regulations, Section 1-5-2: Residential Bulk Regulations, TABLE 5-2: Footnotes 7, 8, 9, and 10; Article 1-6: Supplemental Regulations, Section 1-6-5: Accessory Structures, Section 1-6-8: Cargo Containers; and Article 1-17: Definitions", one electronic copy which is accessible on the city's website ([www.ajcity.net](http://www.ajcity.net)) and one paper copy which is filed in the office of the city clerk, is hereby declared to be a public record and shall be made available for public use and inspection.

SECTION II            REPEALING ANY CONFLICTING PROVISIONS

All resolutions and parts of resolutions in conflict with the provisions of this resolution or any part of the codes adopted herein, are hereby repealed.

SECTION III        PROVIDING FOR SEVERABILITY

If any section, subsection, sentence, phrase, clause or portion of this resolution or any part of the codes or regulations adopted herein 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            ESTABLISHING AN EFFECTIVE DATE

The provisions of this ordinance shall be effective beginning January 2, 2022.

PASSED AND ADOPTED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF APACHE JUNCTION, ARIZONA, THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2021.

SIGNED AND ATTESTED TO THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2021.

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WALTER "CHIP" WILSON  
Mayor

ATTEST:

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JENNIFER PENA  
City Clerk

APPROVED AS TO FORM:

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RICHARD J. STERN  
City Attorney

