

**ORDINANCE NO. 23-26**

**AN ORDINANCE OF THE MAYOR AND CITY COUNCIL OF THE CITY OF MARICOPA, ARIZONA, ESTABLISHING THE CITY COUNCIL AS THE BOARD OF ADJUSTMENTS FOR THE CITY OF MARICOPA.**

**WHEREAS**, pursuant to Section 2.15.130(A)(2)(d) of the Maricopa City Code, the Board of Adjustments is a council established standing board; and

**WHEREAS**, on April 4, 2023, City Council approved Ordinance 23-17 which included the creation of a hearing officer to provide relief from the terms of the zoning code by variance applications and to hear and decide appeals from decisions of the zoning administrator as allowed by A.R.S. §9-462.06(A); and

**WHEREAS**, pursuant to A.R.S. §9-462.06(A), the right of appeal from the decision of a hearing officer to the board of adjustment shall be preserved; and

**WHEREAS**, A.R.S. §9-462.06(A) also allows the legislative body to be established as the board of adjustment; and

**WHEREAS**, the Maricopa City Council believes that it is in the best interest of the City of Maricopa to establish the City Council as the Board of Adjustment to hear appeals from the decision of the hearing officer.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and City Council of the City of Maricopa, Arizona, that the City Council is hereby established as the Board of Adjustment for the City of Maricopa.

**PASSED AND ADOPTED** by the Mayor and Council of the City of Maricopa, Arizona, this 18<sup>th</sup> day of April, 2023.

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Nancy Smith  
Mayor

ATTEST:

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Vanessa Bueras, MMC  
City Clerk

APPROVED AS TO FORM:

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Denis Fitzgibbons  
City Attorney