

**ORDINANCE NUMBER 12-03**

**AN ORDINANCE OF THE MAYOR AND CITY COUNCIL OF THE CITY OF MARICOPA, ARIZONA, AMENDING SECTION 10-1-2(B)(3), SECTION 10-1-7(B)(1), SECTION 10-1-12(B)(1)(b) AND ARTICLE 10-2 OF THE MARICOPA CITY CODE AND PROVIDING FOR SEVERABILITY AND THE EFFECTIVE DATE THEREOF.**

**WHEREAS**, on June 1, 2004, the City of Maricopa adopted Chapter 10 Offenses as part of the City Code; and

**WHEREAS**, the Mayor and City Council of the City of Maricopa believe, after consultation with its staff, that amending Chapter 10 by striking the language in Section 10-1-2(B)(3), Section 10-1-7(B)(1) and Section 10-1-12(B)(1)(b) in their entirety and adopting substitute language and striking Article 10-2 in its entirety would be in the best interest of the City of Maricopa.

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

**SECTION 1.** That the language contained in Section 10-1-2(B)(3) of the Maricopa City Code regarding exceptions to the prohibition of unsheltered storage, and all amendments thereto are hereby repealed in its entirety and replaced with the following:

3. The provisions of paragraph A of this section shall not apply in any areas specifically identified by the city council as either “Special Rural” or “Special Development” as specially designated for exemption from this subsection or other sections of this Chapter 10. Such exemption is subject to expiration on June 30, 2013. Three copies of a map of all such areas identified by the council as either Special Rural or Special Development shall be maintained by the city clerk as a public record, and all such maps are hereby incorporated by reference as if set forth fully herein.

**SECTION 2.** That the language contained in Section 10-1-7(B)(1) of the Maricopa City Code regarding exceptions to the restriction of the use and maintenance of certain fences, and all amendments thereto are hereby repealed in its entirety and replaced with the following:

1. Property designated as “Special Rural property” by the city council for the purposes of this Chapter may continue to maintain any existing fences, either electric or barbed wire, unless specifically prohibited by the provisions of the zoning code. This exception is subject to expiration on June 30, 2013.

**SECTION 3.** That the language contained in Section 10-1-12(B)(1)(b) of the Maricopa City Code regarding exemptions to prohibited nuisances, and all amendments thereto are hereby repealed in its entirety and replaced with the following:

- (b) Construction materials stored on property designated as Special Rural or Special Development as specially designated for exemption from this subsection or other sections of this chapter 10. This exemption is subject to expiration on June 30, 2013.

**SECTION 4.** That the language contained in Article 10-2 of the Maricopa City Code regarding exemptions to prohibited nuisances, and all amendments thereto are hereby repealed in its entirety.

**SECTION 5.** To the extent of any conflict between other City Ordinances and this Ordinance, this Ordinance shall be deemed to be controlling; provided, however, that this Ordinance is not intended to amend or repeal any existing City Ordinance, Resolution or regulation except as expressly set forth herein.

**SECTION 6.** If any section, subsection, sentence, clause, phrase 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.

**SECTION 7.** This Ordinance shall become effective thirty (30) days from the date of adoption by the City Council for the City of Maricopa.

**PASSED AND ADOPTED** by the Mayor and Council of the City of Maricopa, Arizona, this 17th day of April, 2012.

APPROVED:

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Anthony Smith  
Mayor

ATTEST:

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Vanessa Bueras, CMC  
City Clerk

APPROVED AS TO FORM:

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Denis Fitzgibbons  
City Attorney