

ORDINANCE NO. 19-03

AN ORDINANCE OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF YOUNGTOWN, ARIZONA, AMENDING THE CODE OF YOUNGTOWN, ARIZONA, TITLE 16 SUBDIVISIONS, CHAPTER 16.08 PLATTING PROCEDURES AND REQUIREMENTS, SECTION 16.08.020 PRELIMINARY PLAT SUBMISSION AND REVIEW; RELATED TO ADOPTION OF FEES BY RESOLUTION; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR PENALTIES.

WHEREAS, the Town Council adopted Resolution 19-02 establishing the Community Development Department Fee Schedule; and

WHEREAS, the Town Council desires to resolve inconsistency between the Youngtown Town Code and Resolution 19-02.

NOW THEREFORE, BE IT ORDAINED by the Mayor and Common Council of the Town of Youngtown, Arizona, as follows:

Section I. In General.

The Code of Youngtown, Arizona, Title 16 Subdivisions, Chapter 16.08 Platting Procedures and Requirements, Section 16.08.020 Preliminary Plat Submission and Review is hereby amended to read as follows (additions in ALL CAPS; deletions in ~~strikeout~~):

16.08.020 Preliminary plat submission and review.

- A. Following the pre-application conference, the subdivider shall present to the commission six copies of the preliminary plat, ~~together with a completed application form, a two hundred dollar (\$200.00) application fee, and a waiver of diminution in value pursuant to A.R.S. § 12-1134,~~ AND THE APPLICATION FEE DESIGNATED BY TOWN COUNCIL RESOLUTION. The preliminary plat shall be presented at least fourteen (14) days prior to a meeting of the commission for study of the plat by the commission and other officials and agencies concerned. The commission shall act on the preliminary plat within forty (40) days after submission.

* * *

Section II. Providing for Repeal of Conflicting Ordinances.

All ordinances and parts of ordinances in conflict with the provisions of this Ordinance or any part of the Code adopted herein by reference are hereby repealed.

Section III. Providing for Severability.

If any section, subsection, sentence, clause, phrase or portion of this Ordinance or any part of the Code 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 person found responsible for violating any provisions of this Ordinance shall be responsible for a civil infraction, punishable by a fine not less than fifty dollars (\$50.00) nor more than five hundred dollars (\$500.00) for each violation in accordance with Youngtown Town Code Section 1.12.010. Each day that a violation continues shall be a separate offense punishable in accordance with Section 1.12.010.

PASSED AND ADOPTED by the Common Council of the Town of Youngtown, Arizona, this 7th day of March, 2019, by the following vote:

AYES: 6

NAYES: _____ ABSENT: 1

EXCUSED: _____ ABSTAINED: _____

APPROVED this 7th day of March, 2019.



Michael E. LeVault, Mayor

ATTEST:



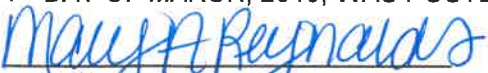
Mary Reynolds, Town Clerk

APPROVED AS TO FORM:



Gust Rosenfeld, P.L.C.
Town Attorneys
By Trish Stuhan

I, MARY REYNOLDS, TOWN CLERK, DO HEREBY CERTIFY THAT A TRUE AND CORRECT COPY OF THE ORDINANCE NO. 19-02 ADOPTED BY THE COMMON COUNCIL OF THE TOWN OF YOUNGTOWN ON THE 7th DAY OF MARCH, 2019, WAS POSTED IN THREE PLACES ON THE 8th DAY OF MARCH, 2019.



Mary Reynolds, Town Clerk