

ORDINANCE NO. 903

AN ORDINANCE OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF WICKENBURG, MARICOPA COUNTY, ARIZONA, AMENDING SECTIONS 11-5-8, A. THROUGH F. OF CHAPTER 11 SUBDIVISION, OF THE TOWN CODE TO REQUIRE ALL CUL-DE-SACS TO HAVE A PAVED TURNING RADIUS OF 37.5 FEET TO ACCOMMODATE THE TURNING RADIUS OF FIRE FIGHTING EQUIPMENT AND REFUSE COLLECTION TRUCKS; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR PENALTIES.

WHEREAS, the Fire Chief and the Public Works Director of the Town of Wickenburg have determined that the minimum cul-de-sac streets need to be increased from thirty-two (32) feet to thirty-seven and one-half (37.5) feet to accommodate the turning radius template of fire fighting equipment and refuse collection trucks; and,

WHEREAS, the Planning and Zoning Advisory Commission has conducted a Public Hearing and have duly considered this request and has recommended that the text of Article 11 of the Town Code be amended to require cul-de-sacs to have an improved cross section with a radius of thirty-seven and one half (37.5) feet yielding a diameter of seventy-five (75) feet from face of curb to face of curb; and

WHEREAS, the Town Council has conducted a public hearing and found that the increase in the required minimum radius is in the best interest of the health, safety and general welfare of the residents of the Town of Wickenburg.

NOW THEREFORE BE IT ORDAINED by the Common Council of the Town of Wickenburg, Maricopa County, State of Arizona, as follows:

SECTION 1. In General

The Code of the Town of Wickenburg, Arizona, CHAPTER 11, SUBDIVISION, Be amended as follows:

Sections 11-5-8 A & B, 3 CUL-DE-SAC STREETS. a.

Strike: a. Fifty (50) foot right of way with turning circle right of way one hundred (100) feet diameter; thirty-two (32) foot pavement measured back to back of curb; turning circle pavement with forty-one foot outside radius; twenty-four (24) inch vertical curb and gutter.

REPLACE WITH: A. FIFTY (50) FOOT RIGHT OF WAY RADIUS WITH A PAVED TURNING CIRCLE HAVING A RADIUS OF THIRTY-SEVEN AND ONE HALF (37.5) FEET TO FACE OF CURB FOR A CURB FACE TO CURB FACE DIAMETER OF SEVENTY-FIVE (75) FEET. TWENTY-FOUR (24) INCH VERTICAL CURB AND GUTTER.

Sections 11-5-8 C, D & E 3. CUL-DE-SAC STREETS. a.

Strike: a. Fifty (50) foot right of way with turning circle right of way one hundred (100) feet diameter; thirty-two (32) foot pavement measured back to back of curb; turning circle pavement with forty-one foot outside radius; twenty-four (24) inch vertical curb and gutter or Ribbon Curb in accordance with Section 11-5-2, C.

REPLACE WITH: A. FIFTY (50) FOOT RIGHT OF WAY RADIUS WITH A PAVED TURNING CIRCLE HAVING A RADIUS OF THIRTY-SEVEN AND ONE HALF (37.5) FEET TO FACE OF CURB FOR A CURB FACE TO CURB FACE DIAMETER OF SEVENTY-FIVE (75) FEET. TWENTY-FOUR (24) INCH VERTICAL CURB AND GUTTER OR RIBBON CURB IN ACCORDANCE WITH SECTION 11-5-2, C.

Amend Section 11-5-8 F, 3. CUL-DE-SAC STREETS a.

A. FIFTY (50) FOOT RIGHT-OF-WAY RADIUS WITH A PAVED TURNING CIRCLE HAVING A SIXTY-FOUR (64) SEVENTY FIVE (75) FOOT DIAMETER WITH MARICOPA EDGE. CURBING OR CURB AND GUTTER AS REQUIRED BY THE TOWN ENGINEER AND PUBLIC WORKS DIRECTOR.

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.

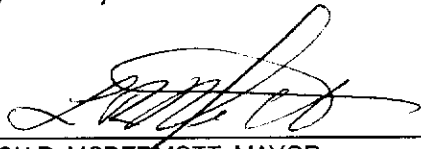
SECTION III. Providing For Severability

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 guilty of violating any provision of this Ordinance shall be subject to the violation and penalty provisions of Section 1-8 of the *Wickenburg Town Code*.

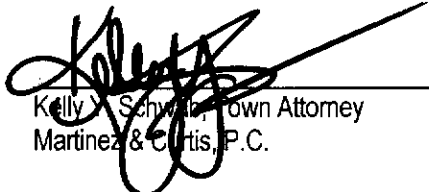
APPROVED, PASSED AND ADOPTED by the Mayor and Common Council of the Town of Wickenburg, Arizona, this 4th day of August, 2003.


LON R. MCDERMOTT, MAYOR

ATTEST:


Donna Vivona, Town Clerk

APPROVED AS TO FORM:


Kelly V. Schwab, Town Attorney
Martinez & Curtis, P.C.

Number of Councilmembers Present: 6
Number of Votes For: 6
Number of Votes Against: 0
Number of Votes Abstaining: 0

Date of Certification of Minutes of Council Meeting at which this Ordinance was adopted: 8-5-03