

ORDINANCE NO. 1010

AN ORDINANCE OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF WICKENBURG, ARIZONA AMENDING THE TOWN OF WICKENBURG CODE BY AMENDING CHAPTER 11 SUBDIVISIONS, ARTICLE 11-3 PLATTING PROCEDURES AND REQUIREMENTS, BY AMENDING SECTION 11-3-4 PRELIMINARY PLAT STAGE, SUBSECTION D SIGNIFICANCE OF APPROVAL, PARAGRAPH 1 TO AUTHORIZE THE ZONING ADMINISTRATOR TO APPROVE EXTENSIONS FOR PRELIMINARY PLATS; AND BY AMENDING ARTICLE 11-5 STREET AND UTILITY IMPROVEMENT REQUIREMENTS, SECTION 11-5-3 ENGINEERING PLANS RELATED TO FEES FOR REVIEW OF ENGINEERING PLANS; PROVIDING FOR PENALTIES; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; AND PROVIDING FOR SEVERABILITY

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

Section 1. In General.

The Code of Wickenburg, Chapter 11 Subdivisions, Article 11-3 Platting Procedures and Requirements, Section 11-3-4 Preliminary Plat Stage, Subsection D Significance of Approval, Paragraph 1 to read as follows (deleted text appears in ~~strikeout~~; new text in ALL CAPS):

Section 11-3-4 Preliminary Plat Stage

* * *

D. Significance of Approval

1. Approval of a Preliminary Plat constitutes authorization for the subdivider to proceed with the preparation of the Final Plat and engineering plans. Preliminary approval is valid for a period of twelve (12) months ~~from date, any~~ AND may be extended once for six (6) months ~~at the discretion of the Council~~ BY THE ZONING ADMINISTRATOR IF HE DETERMINES THAT THE SUBDIVISION HAS NOT BEEN ABANDONED. The subdivider may submit the Final Plat, or any part thereof, on or before the expiration date. If approval expires prior to filing

of Final Plat, the Preliminary Plat shall be resubmitted for approval as a new case, and a new fee paid.

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The Code of Wickenburg, Chapter 11 Subdivisions, Article 11-5 Street and Utility Improvement Requirements, Section 11-5-3 Engineering Plans to read as follows (deleted text appears in ~~strikeout~~; new text in ALL CAPS):

Section 11-5-3 Engineering Plans

- A. The subdivider shall be responsible for having a registered engineer prepare a complete set of engineering plans, satisfactory to the Town Engineer, for construction of required improvements. Such plans shall be based on the approved Preliminary Plat and be prepared in conjunction with the Final Plat. The engineer shall not be the Town Engineer nor any engineer retained by or operating as an independent contractor of behalf of the Town. Engineering plans shall have been approved by the Town Engineer prior to approval of the Final Plat and shall be within specifications of the Town and in accordance with good engineering practices.
- B. The subdivider shall pay a plan review fee of ~~fifty dollars (\$50.00) per page for all plans submitted pursuant to this Chapter~~ **AS ESTABLISHED BY RESOLUTION OF THE TOWN COUNCIL**. Said fees shall be paid upon submittal of the plans.

Section II. Repeal of Conflicting Ordinance.

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.

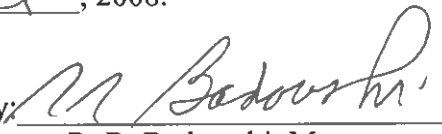
Section III. Providing for Severability.

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.

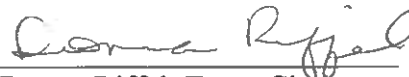
Section IV. Providing for Penalties.

Any person found guilty of violating any provision of this Ordinance shall be guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine not to exceed Two Thousand Five Hundred Dollars (\$2,500) or by imprisonment for a period not to exceed six (6) months, or both such fine and imprisonment. Each day that a violation continues shall be a separate offense punishable as herein described.

PASSED AND ADOPTED by the Town Council of the Town of
Wickenburg, Arizona, this 4 day of August, 2008.

By: 
R. R. Badowski, Mayor

ATTEST:

By: 
Donna Riffel, Town Clerk

APPROVED AS TO FORM:

By: 
Susan D. Goodwin, Town Attorney
Curtis, Goodwin, Sullivan,
Udall & Schwab, P.L.C.

Number of Councilmembers Present: 7
Number of Votes For: 7
Number of Votes Against: 0
Number of Abstentions: 0

CERTIFICATION

I HEREBY CERTIFY that the foregoing Ordinance Number 1010 was duly passed and adopted by the Common Council of the Town of Wickenburg, Arizona, at a regular meeting held on the 4 day of Aug 2008, and that a quorum was present at the meeting.


Donna Riffel, Town Clerk