

ORDINANCE NO. 871

AN ORDINANCE OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF WICKENBURG, MARICOPA COUNTY, STATE OF ARIZONA, AMENDING THE TOWN CODE OF WICKENBURG, CHAPTER 12 TRAFFIC BY RENAMING THE CHAPTER TRAFFIC AND STREETS AND ADDING A NEW SECTION, ARTICLE 12-4 STREET LIGHT REGULATIONS, CONSISTING OF SECTIONS 12-4-1 THROUGH 12-4-5 WHICH SET FORTH THE STREET LIGHT REGULATIONS AS FOLLOWS: 12-4-1 RESIDENTIAL AREAS; 12-4-2 MAJOR ARTERIALS; 12-4-3 REPLACEMENT LIGHTING; 12-4-4 IMPLEMENTATION; 12-4-5 REMOVAL/TURN-OFFS; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR PENALTIES

WHEREAS, the Wickenburg Common Council amended its Subdivision Code to eliminate the requirement for street lights in subdivisions having a minimum lot size of 35,000 square feet; and,

WHEREAS, this ordinance authorizes applications for street lights in residential areas except subdivisions which were approved after January 1, 1994; and,

WHEREAS, the Wickenburg Common Council has determined that the adoption of Street regulations is in the best interests of the Town and its citizens.

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

Section I. In General

1. The *Wickenburg Town Code*, Chapter 12 Traffic is hereby amended by renaming Chapter 12 TRAFFIC AND STREETS, and by adding a new section, Article 12-4 STREET LIGHT REGULATIONS as follows:

ARTICLE 12-4 STREET LIGHT REGULATIONS

Section 12-4-1 Residential Areas

Install 9,500 lumen high-pressure sodium lights on thirty foot (30') steel poles with mast arms. Install lights at all intersections and at mid-block, as necessary, keeping a spacing of approximately 374 feet using the apex of the property lines for position.

Section 12-4-2 Major Arterials

Install 30,000 HPS lights on thirty-eight and one-half foot (38.5') steel poles with mast arms on one (1) side of the street only. Spacing should be approximately 325 feet for one-sided lighting on up to four (4) lane streets.

- a. If wood pole distribution or transmission lines exist along a major arterial, which requires one-sided lighting, use these poles for lighting.
- b. For major arterials having more than four (4) lanes, lights should be installed on both sides using staggered spacing.

Section 12-4-3 Replacement Lighting

As replacements occur on the Town of Wickenburg system, they shall conform to these Street Light regulations.

Section 12-4-4 Implementation

On an annual basis, the Town Council may establish a dollar amount that is available for the installation of street lights in areas, which were not provided with them at the time the area was developed. The Council may accept applications for installation of street lights, which are accompanied by a petition bearing the signatures of at least fifty-one percent (51%) of the property owners on the street in the area to be serviced.

- a. The Council shall not accept applications to install street lights in subdivisions approved after January 1, 1994.

Section 12-4-5 Removal/Turn-Offs

Any light installed at the Town's expense shall not be removed and/or disconnected unless the same process is followed as required under Section 12-4-4 above. Any request for removal or disconnect must be approved by the Council.

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.

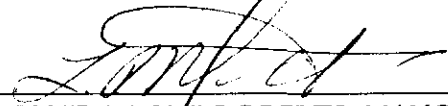
Section III. Providing For Severability

If any section, subsection, sentence, clause, phrase, or portion of this Ordinance 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 2nd DAY OF APRIL, 2001.

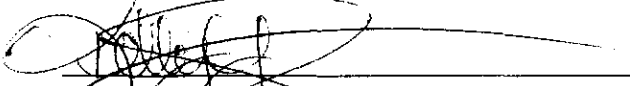

LARRY "ROACH" ROBERTS, MAYOR

Lon McDermott, Vice Mayor

ATTEST:


Donna Vivona, Town Clerk, Deputy
Tinnie Laimee

APPROVED AS TO FORM:


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

Number of Councilmembers Present: 6

Number of Votes For: 6

Number of Votes Against: 0

Number of Abstentions: 1

Date of Certification of Minutes of Council Meeting at which this Ordinance was adopted:

April 3, 2001