

**ORDINANCE NO. 23-35**

**AN ORDINANCE OF THE MAYOR AND CITY COUNCIL OF THE CITY OF MARICOPA, ARIZONA, ADOPTING THOSE CERTAIN DOCUMENTS FILED WITH THE CITY CLERK AND ENTITLED “2023 AMENDMENTS TO SECTION 18.050.060: INTRODUCTORY PROVISIONS, SECTION 18.95.050: PROHIBITIONS, SECTION 18.120.240: GROUP HOMES, SECTION 18.140.160: INTERPRETATIONS, SECTION 18.160: VARIANCES, AND SECTION 18.205.020: LIST OF DEFINITIONS” BY REFERENCE TO AMEND THOSE SECTIONS OF THE MARICOPA CITY CODE AND PROVIDING FOR SEVERABILITY AND THE EFFECTIVE DATE THEREOF.**

**WHEREAS**, the City previously adopted Ordinances which established rules and regulations for a Hearing Officer to be the initial decision maker in certain circumstances, rather than a Board of Adjustments; and

**WHEREAS**, after review, City staff determined that the Maricopa City Code needed to be updated related to the role of the Hearing Officer; and

**WHEREAS**, the Mayor and City Council of the City of Maricopa believe, after consultation with its staff, that amending Section 18.050.060: Introductory Provisions, Section 18.95.050: Prohibitions, Section 18.120-240: Group Homes, Section 18.140.160: Interpretations, Section 18.160: Variances, and Section 18.205.020: List of Definitions, of the City Code to update the rules and regulations related to the role of the Hearing Officer would be in the best interest of the City of Maricopa; and

**WHEREAS**, A.R.S. §9-802 allows a City to adopt a public record by Ordinance as a means to reduce publication costs while ensuring that the public gets fair notice and opportunity to review its operative provisions.

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

**SECTION 1.** Those certain documents filed with the City Clerk and entitled “2023 Amendments to Section 18.050.060: Introductory Provisions, Section 18.95.050: Prohibitions, Section 18.120-240: Group Homes, Section 18.140.160: Interpretations, Section 18.160: Variances, and Section 18.205.020: List of Definitions” as set forth in Exhibits A through L, attached hereto and incorporated herein by reference, is hereby declared a public record. One paper copy and one electronic copy of Exhibits A through L shall be maintained in compliance with A.R.S. § 44-7041 and available for public inspection during normal business hours in the Office of the City Clerk and shall be available on the City’s website at: [www.maricopa-az.gov](http://www.maricopa-az.gov).

**SECTION 2.** Section 18.050.060: Introductory Provisions, Section 18.95.050: Prohibitions, Section 18.120-240: Group Homes, Section 18.140.160: Interpretations, Section

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18.160: Variances, and Section 18.205.020: List of Definitions of the Maricopa City Code are hereby amended as set forth in Exhibits A through L, and that the amendments depicted therein are hereby approved and adopted.


**SECTION 3.** 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 4.** 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.

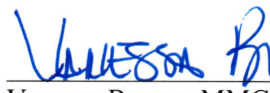
**SECTION 5.** This Ordinance shall become effective thirty (30) days from the date of adoption by the City Council for the City of Maricopa.

PASSED AND ADOPTED by the Mayor and Council of the City of Maricopa, Arizona, this 18<sup>th</sup> day of July, 2023.

APPROVED:


  
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Nancy Smith  
Mayor

ATTEST:

  
\_\_\_\_\_  
Vanessa Bueras, MMC  
City Clerk



APPROVED AS TO FORM:

  
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Denis Fitzgibbons  
City Attorney

**Pursuant to A.R.S. 9-802(A), EXHIBITS A through L are on file at:**

**Office of the City Clerk, City of Maricopa and  
[www.maricopa-az.gov](http://www.maricopa-az.gov).**