

ORDINANCE NO. 2010-11

AN ORDINANCE OF THE TOWN OF CAREFREE, MARICOPA COUNTY, ARIZONA, ADOPTING AMENDMENTS TO THE TOWN OF CAREFREE ZONING ORDINANCE AMENDED THROUGH JUNE 25, 2010, ARTICLE VIII SIGNS PERMITTED; PROVIDING FOR REPEAL OF CERTAIN PROVISIONS OF THE TOWN OF CAREFREE ZONING ORDINANCE; PROVIDING FOR SEPARABILITY; AND DECLARING THAT THE IMMEDIATE OPERATION OF THE PROVISION OF THIS ORDINANCE IS NECESSARY FOR THE IMMEDIATE PRESERVATION OF THE PUBLIC PEACE, HEALTH AND SAFETY, THAT AN EMERGENCY EXISTS, AND THAT THIS ORDINANCE SHALL BE EFFECTIVE IMMEDIATELY AND IN FULL FORCE AND EFFECT FROM AND AFTER ITS PASSAGE, ADOPTION AND APPROVAL BY THE MAYOR AND COMMON COUNCIL OF THE TOWN AS REQUIRED BY LAW AND DIRECTING THE TOWN CLERK OF THE TOWN OF CAREFREE TO INCORPORATE THIS AMENDMENT INTO THE TOWN OF CAREFREE ZONING ORDINANCE.

BE IT ORDAINED BY THE MAYOR AND COMMON COUNCIL OF THE TOWN OF CAREFREE, MARICOPA COUNTY, ARIZONA, AS FOLLOWS:

- Section 1: That certain document known as "The Town of Carefree Zoning Ordinance, amended through June 25, 2010," is hereby amended as stated below in Section 4 (the "Amendments"), in order to (1) conserve and promote the public health, safety and general welfare; (2) assist businesses within the Commercial and Garden Office Zoning Districts promote economic viability of their businesses within the Commercial and Garden Office Zoning Districts at the request of many such business owners; and (3) at the same time, improve the visual environment for the citizens of and visitors to the Town of Carefree.
- Section 2: The amended copy shall be known as "The Town of Carefree Zoning Ordinance, amended through November 3, 2010" and is hereby declared to be a public record. Three copies of said amendment are hereby placed and ordered to remain on file in the Office of the Town Clerk.
- Section 3: All ordinances and portions of ordinances in conflict with the provisions of this Ordinance, or inconsistent with the regulations of this Ordinance, are hereby repealed to the extent necessary to give this Ordinance full force and effect.
- Section 4: The Amendments are made to Article VIII. Signs Permitted of the Town of Carefree Zoning Ordinance, adopted March 2, 2004 and amended through June 25, 2010 as follows (added language is shown in **Bold**, deleted language is shown ~~crossed out~~).

ARTICLE VIII. SIGNS PERMITTED

SECTION 8.03 ADDITIONAL REQUIREMENTS AND CLARIFICATIONS

(1) - (11) No changes.

(12) SIDEWALK SIGNS shall require a temporary sign permit, comply with all provisions of Article VIII, and meet the following standards (*Ord. #2010-06, #2010-11*):

(A) A sidewalk sign shall only be allowed when a banner sign is not feasible, as determined by the Zoning Administrator. However, between ~~June 25, 2010~~ and September 30, 2010 **and January 31, 2012** a sidewalk sign may be permitted by the Zoning Administrator in his discretion and without regard to whether or not a banner sign is feasible if provisions (B) thru (H) hereafter are met, no banner sign is used, a temporary sign **permit** application is completed and a flat administrative fee of \$15 for the ~~June 25-September 30, 2010~~ **to January 31, 2012** time period is paid to the Town.

(B) Each sidewalk sign must be removed at close of each business day.

~~(B)~~(C) No more than one (1) sidewalk sign is allowed for each business.

~~(C)~~(D) Sidewalk signs shall be constructed as follows:

1) Of a minimum one-half ($\frac{1}{2}$) inch high density exterior grade compressed wood, including but not limited to Omega or Medium Density Overlay board.

2) Of sufficient weight so as to resist wind gusts, storms, etc.

3) Sidewalk signs shall not be constructed of paper, poster board, or cardboard.

~~(D)~~(E) A sidewalk sign shall be placed on the subject property in which the business is located.

~~(E)~~(F) A sidewalk sign shall not obstruct any pedestrian walkway or public right-of-way.

~~(F)~~(G) The maximum allowed size shall be three and one-half (3.5) feet high and two and one-half (2.5) feet wide.

~~(G)~~(H) No sidewalk sign shall be illuminated.

~~(H)~~(I) ~~A maximum of four (4) temporary sign permits may be issued per calendar year for sidewalk signs.~~

Section 5: If any section, subsection, sentence, clause, phrase or portion of this Ordinance or any part of the amendments 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 6: The immediate operation of the provision of this Ordinance is necessary for the immediate preservation of the public peace, health and safety; an emergency is hereby declared to exist; and this ordinance shall be effective immediately and in full force and effect from and after its passage, adoption and approval by the Mayor and the Common Council of the Town of Carefree as required by law.

PASSED, ADOPTED AND APPROVED BY THE MAYOR AND COMMON COUNCIL OF THE TOWN OF CAREFREE, ARIZONA, this 3rd day of November, 2010.

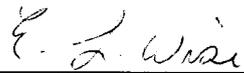
Ayes 5 Noes 0 Abstentions 0 Absent 2

TOWN OF CAREFREE



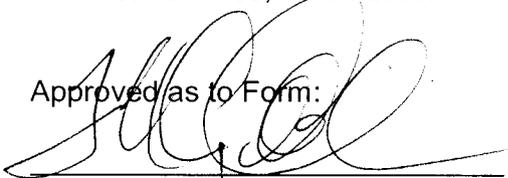
David Schwan, Mayor

Attest:



Elizabeth L. Wise, Town Clerk

Approved as to Form:



Tom Chenal, Town Attorney