

ORDINANCE N^o 11-80

AN ORDINANCE OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF DEWEY-HUMBOLDT, COUNTY OF YAVAPAI, ARIZONA, AMENDING THE TOWN CODE BY AMENDING TOWN CODE CHAPTER 150 § 150.01(B)(107.1) AND TOWN CODE CHAPTER 153 § 153.036 (B) (8); PROVIDING THAT THIS ORDINANCE SHALL BE EFFECTIVE AFTER ITS PASSAGE AND APPROVAL ACCORDING TO LAW; PROVIDING FOR A SAVINGS CLAUSE; AND PROVIDING FOR REPEAL OF ANY ORDINANCE OR PART OF ORDINANCES OR CODE PROVISIONS IN CONFLICT THEREWITH.

Whereas, the Mayor and Council deem it necessary to adopt certain regulations to protect, enhance and promote the health, safety and welfare of the Town of Dewey-Humboldt and its residents;

Whereas, the Mayor and Council desire to allow for on-site temporary housing during the duration, as defined by Town Code, for the original permitted construction of a permanent dwelling; and

Whereas, the Mayor and Council find that these changes to the Town Code will benefit and aid citizens establishing new residences in the community.

Now, Therefore, Be it ordained by the Mayor and Common Council of the Town of Dewey-Humboldt, Arizona, as follows:

1. Amendment of Town Code. No portion of the Town Code is amended hereby, except as follows.

1.1. Town Code § 150.01(B) Subsection 107.1 is hereby amended as follows:

General. Is hereby amended to read: The building official is authorized on behalf of the Community Development Director or Zoning Administrator, to issue a permit for temporary housing while constructing a permanent dwelling pursuant to Town Code Section 153.036 (B) (8). In addition, the building official is authorized to issue a permit for temporary structures and temporary uses such as on-site construction office trailers or storage units (not intended to serve as living quarters). Such permits shall be limited as to time of service subject to a valid building permit for a principal structure but shall not be permitted for more than 180 days. In such cases, the building official is authorized to grant extensions for demonstrated cause.

1.2. Town Code § 150.036 (B) (8) is hereby amended as follows:

Occupancy of temporary housing, including travel trailers, recreational vehicles and single-wide manufactured homes during the construction of a permanent dwelling is allowed during the 24-month period after the issuance of a building permit (and the building permit remains valid). A permit for the temporary housing must be obtained prior to occupancy of the temporary dwelling unit. One extension of time for use of a recreational vehicle, travel trailer or single-wide manufactured home as temporary housing may be granted at the discretion of the Community Development Director or Zoning Administrator or his/her designee for a period not to exceed the maximum life of

the original building permit for the permanent dwelling which is 30 months from its issuance date (24 months plus one 6-month extension). Further extensions will require a use permit.

2. Effective Date. That this Ordinance shall be effective at the soonest date after its passage and approval, according to law.

3. Savings Clause. If any section, subsection, sentence, clause, phrase, or portion of this Ordinance as amended 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 remainder of this Ordinance.

4. Repeal. All other code provisions, ordinances, or parts of ordinances in conflict with the provisions of this Ordinance are hereby repealed as of the effective date hereof.

PASSED AND ADOPTED by the Mayor and Common Council of the Town of Dewey-Humboldt, Arizona, this 1st day of February 2011.

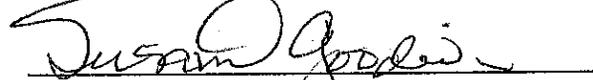


Len Marinaccio, Mayor

ATTEST:


Judy Morgan, Town Clerk

APPROVED AS TO FORM:


Susan Goodwin, Town Attorney

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