

ORDINANCE NO. O2017-024

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF YUMA, ARIZONA, AMENDING CHAPTER 154 OF THE YUMA CITY CODE RELATING TO LANDSCAPE REGULATIONS, ADOPTING THE CHANGES TO THE ZONING CODE BY REFERENCE, AND PROVIDING PENALTIES FOR VIOLATIONS THEREOF

WHEREAS, from time to time it may be desirable to modify the zoning code keeping within the context of a dynamic and growing community; and,

WHEREAS, the City of Yuma Planning and Zoning Commission held a public hearing on May 22, 2017 in Zoning Case No: ZONE-17535-2017 in the manner prescribed by law for the purpose of amending the City of Yuma Zoning Code; and,

WHEREAS, due and proper notice of the public hearing was given in the time, form, substance and manner provided by law, including publication of notice of the hearing in the Yuma Sun on April 28, 2017; and,

WHEREAS, at the June 21, 2017 regular City Council Meeting, City Council continued the introduction of this ordinance to allow City staff time to make additional changes that were recommended through public meetings and City Council discussion; and,

WHEREAS, the changes have been incorporated into a document titled, *Landscape Regulations*, which has been declared a public record by Resolution No. R2017-012; and,

WHEREAS, the City Council has considered the recommendation of the Planning and Zoning Commission to approve the zoning code text amendment in Case No: ZONE-17535-2017 as well as the document titled, *Landscape Regulations*, and finds that the zoning code text amendment supports the goals and objectives of the Yuma General Plan, and is in basic harmony with the goals and objectives of the City of Yuma Zoning Code.

NOW THEREFORE, BE IT ORDAINED by the City Council of the City of Yuma as follows:

SECTION 1: That a certain document, declared a public record by Resolution No. R2017-012, three (3) copies of which are on file in the office of the City Clerk of the City of Yuma, entitled *Landscape Regulations*, is hereby adopted by reference and made a part hereof as if fully set out in this ordinance. Such document shall be codified in the Yuma City Code, Title 15, Chapter 154, at Sections 1 and 20.

SECTION 2: It shall be unlawful for any person, firm or corporation to violate, or cause the violation of, any provision of the ordinance. **Unless otherwise specifically provided for in this chapter**, any person, firm or corporation violating any of the provisions in this ordinance shall be guilty of a class 1 misdemeanor, and upon conviction thereof shall be punished by a fine not to exceed \$1,000 or by imprisonment for not more than ten days or both fine and imprisonment.

Each separate day or part thereof during which such violation of this ordinance occurs or continues shall be deemed to constitute a separate offense, and upon conviction thereof shall be punishable as herein provided.

Adopted this _____ day of _____, 2017.

APPROVED:

Douglas J. Nicholls
Mayor

ATTESTED:

Lynda L. Bushong
City Clerk

APPROVED AS TO FORM:

Richard W. Files
City Attorney