

**ORDINANCE NO. O2019-023**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF YUMA, ARIZONA, AMENDING TITLE 21, CHAPTER 210, SECTION 09 OF THE YUMA CITY CODE RELATING TO CONSTRUCTION STANDARDS AND ADOPTING BY REFERENCE CONSTRUCTION STANDARD DETAIL DRAWINGS, DATED MAY 2019, FOR THE CONSTRUCTION OR ALTERATION OF STREETS, PUBLIC UTILITIES, PUBLIC RIGHTS-OF-WAY AND OTHER PUBLICLY OWNED PROPERTIES WITHIN THE CITY LIMITS OF THE CITY OF YUMA AND PROVIDING PENALTIES FOR VIOLATIONS THEREOF**

WHEREAS, orderly development of land necessitates installation and/or modification of public improvements; and,

WHEREAS, construction of public improvements in accordance with established minimum standards of quality is necessary for the protection of health, property, safety and welfare of the general public in the City of Yuma (City); and,

WHEREAS, it is necessary to periodically review and update the minimum standards of construction of public improvements to coincide with changes in technology, procedures and common engineering and construction practices; and,

WHEREAS, Yuma City Code Title 21, Chapter 210, Section 09 authorizes and directs the City Engineer to establish and periodically review minimum standards of construction so that construction standards for the City will comply with current standardized and recognized practices and will be compatible, within reason, with similar standards adopted by other governmental entities; and,

WHEREAS, the City's adoption of this Ordinance will also repeal and replace that certain document entitled "Construction Standard Detail Drawings, Dated February 2009," established by Resolution No. R2009-13, with that certain document entitled "Construction Standard Detail Drawings, Dated May 2019," which was declared a public record through Resolution R2019-014.

WHEREAS, from January 14, 2019 to February 4, 2019, the City conducted public outreach regarding its intent to update the Construction Standard Detail Drawings and addressed the comments and concerns of the respondents; and,

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

**SECTION 1:** That Yuma City Code Title 21, Chapter 210, Section 09, Paragraph (A) is amended to read as follows where strike through indicates deletions and underline represents additions:

The "Construction Standard Detail Drawings, dated ~~February 2009~~May 2019," and current revisions thereto, by this reference made a part hereof, is adopted for the City of Yuma. The "Maricopa Association of Governments Uniform Standard Specifications and Details for Public Works Construction dated January 2015," and current revisions thereto ~~dated January 2018,~~ and the "City of Yuma Supplement to MAG Uniform Standard Specifications for Public Works Construction effective May 15, 2016," and current

revisions thereto, each by this reference made a part hereof, are adopted as the Construction Specifications for public improvements for the City of Yuma, Arizona.

SECTION 2: That Resolution No. R2009-13, entitled “Construction Standard Detail Drawings, Dated February 2009,” is hereby repealed in its entirety and replaced by that certain document entitled “Construction Standard Detail Drawings, Dated May 2019,” three copies of which are on file as public record in the office of the City Clerk of the City of Yuma, that was declared a public record through Resolution R2019-014 and is hereby adopted by reference and made a part hereof.

SECTION 3: The standards in this Ordinance shall take precedence over any conflicting provisions. All ordinances or parts of ordinances not amended or repealed by the provisions of this Ordinance shall remain in full force and effect.

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 a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions thereof.

SECTION 5: Violations of this Ordinance are subject to the following penalties:

Unless otherwise specifically provided for in this Chapter 210, any person or corporation who shall violate any provision of this Chapter 210 shall be deemed guilty of a class 3 misdemeanor, and shall be punished as provided in § 10-99 of the Yuma City Code.

ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

APPROVED:

\_\_\_\_\_  
Douglas J. Nicholls  
Mayor

ATTEST:

\_\_\_\_\_  
Lynda L. Bushong  
City Clerk

APPROVED AS TO FORM:

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Richard W. Files  
City Attorney