

ORDINANCE NUMBER 021-003

AN ORDINANCE OF THE CITY OF SAFFORD, GRAHAM COUNTY, ARIZONA AMENDING TITLE 17, ZONING, CHAPTER 17.28 – R1-10 SINGLE FAMILY RESIDENTIAL DISTRICT, SECTION 17.28.020 – USE REQUIREMENTS AND CHAPTER 17.40 A-R AGRICULTURAL RESIDENTIAL DISTRICT, SECTION 17.40.020 USE REQUIREMENTS – PERMITTED USES OF THE CITY OF SAFFORD MUNICIPAL CODE RELATING TO VIETNAMESE POT-BELLIED PIGS AND CUSTOMARY HOUSEHOLD PETS IN CERTAIN ZONING DISTRICTS

WHEREAS, *Arizona Revised Statute §9-462.01* provides that the legislative body of any municipality by ordinance may in order to conserve and promote the public health, safety, and general welfare regulate the use of buildings, structures, and land as between agriculture, residence, industry, business and other purposes; and,

WHEREAS, *Arizona Revised Statute §9-462.01* provides that the legislative body of any municipality by ordinance may in order to conserve and promote the public health, safety, and general welfare regulate the location, height, bulk, number of stories and size of buildings and structures, the size and use of lots, yards, courts and other open spaces, the percentage of a lot that may be occupied by a building or structure, access to incident solar energy and the intensity of land use; and,

WHEREAS, The City of Safford has adopted Title 17, Zoning for the above stated purpose; and,

WHEREAS, the Planning & Zoning Commission held a public hearing on November 30, 2020 and December 21, 2020 and voted unanimously to recommend City Council approve adding Vietnamese pot-bellied pigs as a customary household pet in certain zoning districts; and,

WHEREAS, the City Council desires to amend Title 17, Zoning to add Vietnamese pot-bellied pigs as a customary household pet in certain zoning districts; and,

WHEREAS, the City Council desires to amend Title 17, Zoning to correct an oversight regarding customary household pets in the A-R Agricultural Residential District; and,

WHEREAS, the effective date of the amendment, dated February 22, 2021 shall be March 22, 2021, or upon completion of publication and posting as provided by law, whichever is later.

NOW THEREFORE, BE IT ORDAINED, by the Mayor and City Council of the City of Safford Graham County, Arizona, that Chapter 17.40 A-R Agricultural Residential District and Chapter R1-10 Single Family Residential District of the Municipal Code of the City of Safford as contained in Title 17, Zoning, is amended as stated below.

Chapter 17.28 – R1-10 Single Family Residential District, Section 17.28.020 – Use Requirements is hereby amended as follows:

- 8. Animals which are considered customary household pets with the following limitations:
 - a. Up to three (3) dogs, cats, or other small mammals exclusive of animals under the age of six (6) months, provided that horses, cows, goats, and other hoofed animals, **EXCEPTING "C" BELOW**, shall not be permitted;
 - b. Up to twelve (12) birds, six (6) of which may be chickens (roosters are not allowed) provided they are kept within a fully enclosed building or accessory building, and which do not create odor or sound which is detectable on an adjoining lot.

C. UP TO TWO (2) VIETNAMESE POT-BELLIED PIGS PROVIDED THAT MALES ARE NEUTERED AND FEMALES ARE SPAYED.

Chapter 17.40 A-R Agricultural Residential District, Section 17.40.020 Use Requirements – Permitted Uses is hereby amended as follows.

T. ANIMALS WHICH ARE CONSIDERED CUSTOMARY HOUSEHOLD PETS WITH THE FOLLOWING LIMITATIONS:

1. UP TO THREE (3) DOGS, CATS, OR OTHER SMALL MAMMALS EXCLUSIVE OF ANIMALS UNDER THE AGE OF SIX (6) MONTHS.

2. UP TO TWELVE (12) BIRDS, SIX (6) OF WHICH MAY BE CHICKENS (ROOSTERS ARE NOT ALLOWED) PROVIDED THEY ARE KEPT WITHIN A FULLY ENCLOSED BUILDING OR ACCESSORY BUILDING, AND WHICH DO NOT CREATE ODOR OR SOUND WHICH IS DETECTABLE ON AN ADJOINING LOT.

3. UP TO TWO (2) VIETNAMESE POT-BELLIED PIGS PROVIDED THAT MALES ARE NEUTERED AND FEMALES ARE SPAYED.

PASSED AND ADOPTED BY THE MAYOR AND CITY COUNCIL of the City of Safford this 22nd day of February 2021, with an effective date of March 22nd, 2021.

Jason Kouts, Mayor
City of Safford

APPROVED AS TO FORM:

William J. Sims, III
City Attorney

ATTEST:

Tamara Webster, CMC
City Clerk

STATE OF ARIZONA
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) ss
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County of Graham

CERTIFICATION

I HEREBY CERTIFY, that the foregoing Ordinance Number O21-003 was duly passed and adopted by the Mayor and City Council of the City of Safford, Graham County, Arizona, at a regular council meeting held February 22, 2021 with an effective date of March 22, 2021. A quorum of the Council was present at the meeting.

Tamara Webster
Tamara Webster, CMC
City Clerk

February 22, 2021
Date: