

**ORDINANCE NUMBER O21-012**

**AN ORDINANCE OF THE CITY OF SAFFORD, GRAHAM COUNTY, ARIZONA AMENDING TITLE 17, ZONING, CHAPTER 17.12 – SUPPLEMENTARY REQUIREMENTS AND PROCEDURES, SECTION 17.12.170 – TEMPORARY USES AND STRUCTURES OF THE CITY OF SAFFORD MUNICIPAL CODE RELATING TO MOBILE FOOD VENDORS**

**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 June 21, 2021 and voted unanimously to recommend City Council approve modifying the requirements for mobile food vendors; and,

**WHEREAS**, the City Council desires to amend Title 17, Zoning to modify the requirements for mobile food vendors; and,

**WHEREAS**, the effective date of the amendment, dated August 9, 2021 shall be September 9, 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 17.12 – Supplementary Requirements and Procedures of the Municipal Code of the City of Safford as contained in Title 17, Zoning, is amended as follows:

**Zoning Ordinance Chapter 17.12 – Supplementary Requirements and Procedures**

**17.12.170 – Temporary Uses and Structures.**

The following regulations shall govern the operation and use of certain temporary, transitory or seasonal uses:

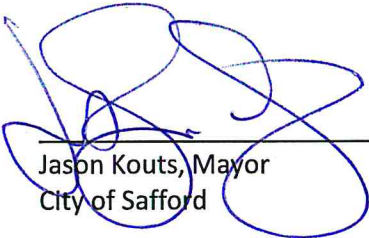
C. The following temporary uses are permitted in any commercial or industrial zone subject to approval by the zoning administrator. The zoning administrator may establish specific regulations in addition to the regulations of any zone in which the use is located:

1. Mobile food vendor under the following conditions:
  - a. May occupy a property for a period of time not longer than ~~forty-eight (48) hours~~ **THREE CONSECUTIVE DAYS** and may not occupy the same property ~~more than ten (10) times~~ **FOR MORE THAN FIFTY-TWO (52) DAYS** in a calendar year.

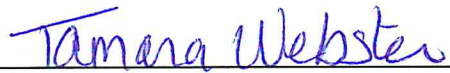
- b. Must display sufficient access, parking and maneuvering space at the site at which the mobile **FOOD** vendor will operate.
- c. Must have written permission of the owner of the property to be used.
- d. Trash receptacles must be provided for customers to dispose of trash related to the mobile **FOOD** vendor and the vendor is responsible for removing all trash, litter and refuse from the site at the end of each business day.
- e. **TEMPROARY USE PERMITS FOR A GIVEN PROPERTY SHALL BE RENEWED ON AN ANNUAL BASIS. A SEPARATE TEMPORARY USE PERMIT IS REQUIRED FOR EACH PROPERTY ON WHICH A MOBILE FOOD VENDOR IS TO BE LOCATED.**

2. Farmers market.


**PASSED AND ADOPTED BY THE MAYOR AND CITY COUNCIL** of the City of Safford this 9<sup>th</sup> day of August, 2021, with an effective date of September 9, 2021.

  
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 Jason Kouts, Mayor  
 City of Safford

ATTEST:

  
 \_\_\_\_\_  
 Tamara Webster, CMC  
 City Clerk

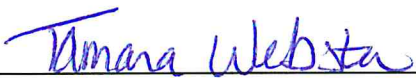
APPROVED AS TO FORM:

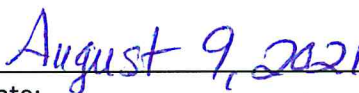
  
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 William J. Sims, III  
 City Attorney

CERTIFICATION

STATE OF ARIZONA                    )  
   ) ss  
 County of Graham                    )

I HEREBY CERTIFY, that the foregoing Ordinance Number O21-012 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 August 9, 2021 with an effective date of September 9, 2021. A quorum of the Council was present at the meeting.

  
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 Tamara Webster, CMC  
 City Clerk

  
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 Date: