



ORDINANCE NUMBER 14-003

AN ORDINANCE OF THE MAYOR AND CITY COUNCIL OF THE CITY OF SAFFORD, ARIZONA, GRAHAM COUNTY, ARIZONA BY ADDING TO THE CITY OF SAFFORD MUNICIPAL CODE SECTION 13.24.090 REGARDING THE CONTINUED COLLECTION OF DEVELOPMENT FEES AND ADDING NECESSARY DEFINITIONS IN SECTION 13.24.020.

WHEREAS, the City Council of the City of Safford hereby is phasing out the collection of development fees except for the continuation of certain fees as permitted by A.R.S. § 9-463.05; and

WHEREAS, the City Council of the City of Safford has contracted for the preparation of that certain **“Land Use Assumptions: Water and Wastewater Capacity Fee Study” dated December 3, 2013 and Infrastructure Improvements Plan and Capacity Fees: Water and Wastewater Facilities” dated December 3, 2013**, and such plan has been prepared and delivered to the City of Safford; and

WHEREAS, the City Council of the City of Safford desires to continue the collection of certain fees as permitted by A.R.S. § 9-463.05.

NOW THEREFORE, BE IT ORDAINED BY THE MAYOR AND THE COUNCIL OF THE CITY OF SAFFORD, GRAHAM COUNTY, ARIZONA:

- A. Section 13.24.020 Definitions** of the City of Safford Code is amended by adding the following definitions:
1. “Category of Necessary Public Service” means a category of Necessary Public Services for which the City is authorized to assess development fees as defined in A.R.S. § 9-463.05.
 2. “Capital Facility” means a capital asset having a useful life of three or more years that is a component of Necessary Public Services provided by the City.
 3. “Necessary Public Services” means those “necessary public services” defined in A.R.S. § 9-463.05
- B.** The City of Safford Municipal Code is amended to add the following section.

Section 13.24.090 Carry-over of Previously Established Development Fees and Grandfathered Facilities. Development impact fees adopted by the City prior to July 1, 2014 shall continue in effect as follows:

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Municipal Code Implementation, Section 13.24.020 and
Section 13.24.090
Adopted: April 14, 2014
Effective: July 1, 2014
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1. Until July 1, 2014 development fees established prior to January 1, 2012 shall continue in full force and effect to the extent that the development fee is used to provide a Category of Necessary Public Services that is authorized by A.R.S. § 9-463.05 Development fees collected prior to July 1, 2014, shall be expended on Capital Facilities within the same Category of Necessary Public Services for which they were collected.

- C. If any phrase or part of this ordinance is held invalid or unconstitutional for any reason, the remaining portion of the ordinance shall remain valid and enforceable.

PASSED AND ADOPTED BY THE MAYOR AND CITY COUNCIL of the City of Safford this 14th day of April 2014 with an effective date of July 1, 2014.

Wyn "Chris" Gibbs, Mayor
City of Safford

ATTEST:

APPROVED AS TO FORM:

Georgia Luster, MMC
City Clerk

William J. Sims III
Interim City Attorney

CERTIFICATION

STATE OF ARIZONA)
) ss
County of Graham)

I HEREBY CERTIFY, that the foregoing Ordinance Number 14-003 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 April 14, 2014 with an effective date of July 1, 2014. A quorum of the Council was present at the meeting.

Georgia Luster, MMC
City Clerk

April 14, 2014

Date: