

ORDINANCE NUMBER 15-002

AN ORDINANCE OF THE CITY OF SAFFORD, GRAHAM COUNTY, ARIZONA, AMENDING TITLE 17 OF THE MUNICIPAL CODE OF THE CITY OF SAFFORD BY MODIFYING SECTION 17.16.020, NONCONFORMING BUILDINGS AND USES.

WHEREAS, two years ago the City of Safford went through a comprehensive rewrite of the Zoning Ordinance, Title 17. One item that was added to the Municipal Code of the City of Safford was Section 17.16.020, Nonconforming Buildings and Uses; and,

WHEREAS, Section 17.16.020(B), requires revising eliminating restrictions to the use of properties in the event of a fire, flood, or other calamity or act of nature.

NOW THEREFORE BE IT RESOLVED, by the Mayor and City Council of the City of Safford, Graham County, Arizona, that **Section 17.16.020** of the Municipal Code of the City of Safford as contained in Title 17, Zoning, is amended as stated below:

~~B. A nonconforming building or structure and a building or structure occupied by a nonconforming use which is damaged or destroyed by fire, flood, other calamity or act of nature, to an extent greater than fifty (50) percent of its reconstruction or replacement value, as determined by three (3) competent appraisers, shall not be restored or reconstructed and said building or structure and the use of the land shall conform to all regulations for the zoning district in which said building or structure is located. The services of the three (3) appraisers shall be retained by the owner of the building or structure after the three (3) appraisers are mutually agreed upon by the city and the owner of the building or structure.~~

~~BC. In the event that r~~Restoration of a building or structure occupied by a nonconforming use which is damaged or destroyed by fire, flood, other calamity or act of nature ~~is allowed, such restoration~~ shall be started within a period of six (6) months from the date of destruction and shall be diligently prosecuted to completion. Such restoration shall not increase the floor space devoted to the nonconforming use over that which existed at the time the building became nonconforming.

~~DC.~~ A nonconforming building or structure or portion thereof or a lot occupied by a nonconforming use which is, or hereafter becomes, abandoned or is discontinued for a continuous period of six months or more shall not thereafter be occupied, except by a use which conforms to the regulations of the zone in which it is located.

~~DE.~~ Any nonconforming use or nonconforming building which has been changed to a conforming use or building shall not thereafter be changed back to a nonconforming use or building.

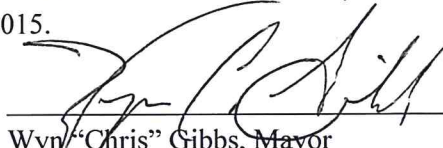
~~EF.~~ A nonconforming use of a building or lot shall not be changed to another nonconforming use whatsoever. Changes in use shall be made only to a conforming use.

~~FG.~~ The provisions pertaining to nonconforming uses of land and buildings shall also apply to land and buildings which hereafter become nonconforming due to an amendment in this title.

~~GH.~~ Notwithstanding the issuance of a permit therefor, no building which becomes nonconforming upon the passage of the ordinance codified in this title or which becomes nonconforming due to amendment to this title shall be built unless construction has taken place thereon to the extent of at least five hundred dollars (\$500.00) in replaceable value by the date on which the ordinance codified in this title or said amendment becomes effective. "Replaceable value" means the expenditure necessary to duplicate the materials and labor at market prices. (Ord. 96-347 § 1(11-4-2); Ord. No. 13-004, 4-8-2013)

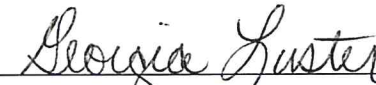
Ordinance Number 15-002
Municipal Code Amendment 17.16.020
Adopted: March 23, 2015
Effective: April 23, 2015

PASSED AND ADOPTED BY THE MAYOR AND CITY COUNCIL of the City of Safford
this 23rd day of March, 2015 with an effective date of April 23, 2015.




Wyn "Chris" Gibbs, Mayor
City of Safford

ATTEST:



Georgia Luster, MMC
City Clerk

APPROVED AS TO FORM:

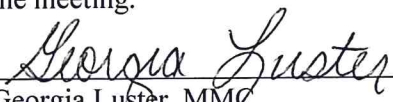


William J. Sims, III
Interim City Attorney

CERTIFICATION

STATE OF ARIZONA)
) ss
County of Graham)

I HEREBY CERTIFY, that the foregoing Ordinance Number 15-002 was duly passed and adopted by the Mayor and City Council of the City of Safford, Graham County, Arizona, at a special council meeting held March 23, 2015 with an effective date of April 23, 2015. A quorum of the Council was present at the meeting.



Georgia Luster, MMC
City Clerk

March 23, 2015

Date: