

**ORDINANCE NO. 2015-13**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FLAGSTAFF, ARIZONA, AMENDING THE FLAGSTAFF CITY CODE: TITLE ELEVEN: *GENERAL PLANS AND SUBDIVISIONS*; TITLE NINE, *TRAFFIC*; TITLE EIGHT, *PUBLIC WAYS AND PROPERTY*; TITLE SIX, *POLICE REGULATIONS*; AND TITLE ONE, *ADMINISTRATIVE*; BY ADOPTING THE “2015 MINOR AMENDMENTS TO THE FLAGSTAFF CITY CODE” AS SET FORTH IN THAT PUBLIC RECORD ON FILE WITH THE CITY CLERK RELATING TO PROVIDING FOR CORRECTIONS TO THE REGIONAL PLAN, REPEALING REGULATIONS OF THE LAKE MARY AREA, REPEALING REGULATIONS REGARDING DAMAGE TO PUBLIC WAYS, PROVIDING A PENALTY FOR UNLAWFUL PARKING, AND ALLOWING THE CLERK TO MAKE FORMATTING AND TECHNICAL CORRECTIONS TO CITY ORDINANCES; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE**

**RECITALS:**

WHEREAS, from time to time the City Attorney’s Office brings to Council some proposed revisions to the City Code for the purpose of making minor technical changes; and

WHEREAS, Title Eleven of the City Code, General Plans and Subdivisions, is not consistent with the City’s General Plan, also known as the Regional Plan, regarding which amendments to the Plan are major versus minor; and

WHEREAS, Title Eleven of the City Code, General Plans and Subdivisions, does not provide a simple, expedient process for map corrections to the Regional Plan; and

WHEREAS, Title Eleven of the City Code, General Plans and Subdivisions, does not have language that encompasses the possibility of a non-regulatory specific plan; and

WHEREAS, Title Nine of the City Code, Traffic, prohibits illegal parking in City parking lots, but the reference to the penalty for the violation is incorrect; and

WHEREAS, Title Eight of the City Code, Public Ways and Property, regulating hunting, fishing and recreation at the Lake Mary area is more properly regulated by the federal government and the State; and

WHEREAS, Title Six of the City Code, Police Regulations, regulating damage to public ways and property is adequately regulated by State statutes; and

WHEREAS, Title One of the City Code, Administrative, does not give authority to the City Clerk to make technical corrections to ordinances.

**ENACTMENTS:**

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF FLAGSTAFF AS FOLLOWS:**

SECTION 1. In General.

The Flagstaff City Code Titles Eleven, Nine, Eight, Six, and One are hereby amended by adoption of the amendments set forth in that document known as "2015 MINOR AMENDMENTS TO THE FLAGSTAFF CITY CODE" declared a public record by Resolution Number 2015-23 and on file with the City Clerk.

SECTION 2. Repeal of Conflicting Ordinances.

All ordinances and parts of ordinances in conflict with the provisions of the code adopted herein are hereby repealed.

SECTION 3. Severability.

If any section, subsection, sentence, clause, phrase or portion of this ordinance or any part of the code adopted herein by reference is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions thereof.

SECTION 4. Effective Date.

This ordinance shall be effective thirty (30) days following adoption by the City Council.

PASSED AND ADOPTED by the City Council and approved by the Mayor of the City of Flagstaff this 2<sup>nd</sup> day of June, 2015.

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MAYOR

ATTEST:

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CITY CLERK

APPROVED AS TO FORM:

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CITY ATTORNEY