

WORK SESSION AGENDA
AMENDED

CITY COUNCIL WORK SESSION
TUESDAY
SEPTEMBER 27, 2022

COUNCIL CHAMBERS
211 WEST ASPEN AVENUE
3:00 P.M.

All City Council Meetings are live streamed on the city's website
(<https://www.flagstaff.az.gov/1461/Streaming-City-Council-Meetings>)

*****PUBLIC COMMENT*****

Verbal public comments may be given through a virtual public comment platform or in-person

If you want to provide a verbal comment during the Council Meeting, use the link below to join the
virtual public comment room.

VIRTUAL PUBLIC COMMENT WAITING ROOM

Written comments may be submitted to publiccomment@flagstaffaz.gov. All comments submitted
via email will be considered written comments and will be documented into the record as such.

1. **Call to Order**

NOTICE OF OPTION TO RECESS INTO EXECUTIVE SESSION

Pursuant to A.R.S. §38-431.02, notice is hereby given to the members of the City Council and to the general public that, at this work session, the City Council may vote to go into executive session, which will not be open to the public, for legal advice and discussion with the City's attorneys for legal advice on any item listed on the following agenda, pursuant to A.R.S. §38-431.03(A)(3).

2. **ROLL CALL**

NOTE: One or more Councilmembers may be in attendance through other technological means.

MAYOR DEASY
VICE MAYOR SWEET
COUNCILMEMBER ASLAN
COUNCILMEMBER HOUSE

COUNCILMEMBER MCCARTHY
COUNCILMEMBER SALAS
COUNCILMEMBER SHIMONI

3. Pledge of Allegiance, Mission Statement, and Land Acknowledgement

MISSION STATEMENT

The mission of the City of Flagstaff is to protect and enhance the quality of life for all.

LAND ACKNOWLEDGEMENT

The Flagstaff City Council humbly acknowledges the ancestral homelands of this area's Indigenous nations and original stewards. These lands, still inhabited by Native descendants, border mountains sacred to Indigenous peoples. We honor them, their legacies, their traditions, and their continued contributions. We celebrate their past, present, and future generations who will forever know this place as home.

4. Public Participation

Public Participation enables the public to address the council about items that are not on the prepared agenda. Public Participation appears on the agenda twice, at the beginning and at the end of the work session. You may speak at one or the other, but not both. Anyone wishing to comment at the meeting is asked to fill out a speaker card and submit it to the recording clerk. When the item comes up on the agenda, your name will be called. You may address the Council up to three times throughout the meeting, including comments made during Public Participation. Please limit your remarks to three minutes per item to allow everyone to have an opportunity to speak. At the discretion of the Chair, ten or more persons present at the meeting and wishing to speak may appoint a representative who may have no more than fifteen minutes to speak.

5. Proclamation: Law Enforcement Suicide Awareness Day

6. Review of Draft Agenda for the October 4, 2022 City Council Meeting

Citizens wishing to speak on agenda items not specifically called out by the City Council may submit a speaker card for their items of interest to the recording clerk.

7. City Manager Report

Information Only

A. Appointment of City Liaison to High Country Humane Board of Directors

8. Update to the Brownfields Route 66 Coalition Revitalization Program

Informational only, presentation with updates to City Council and answer questions.

9. Discussion regarding Parklets

Receive direction from Council regarding whether to initiate City Code requirements for the introduction of Parklets in Flagstaff.

10. Discussion and direction on a potential Property Care Ordinance.

Staff is seeking direction on how to proceed regarding the maintenance and care of property.

11. Public Participation

12. Informational Items To/From Mayor, Council, and City Manager; future agenda item requests

13. Adjournment

CERTIFICATE OF POSTING OF NOTICE

The undersigned hereby certifies that a copy of the foregoing notice was duly posted at Flagstaff City Hall on _____, at _____ a.m./p.m. in accordance with the statement filed by the City Council with the City Clerk.

Dated this _____ day of _____, 2022.

Stacy Saltzburg, MMC, City Clerk

CITY OF FLAGSTAFF STAFF SUMMARY REPORT

To: The Honorable Mayor and Council
From: Stacy Saltzburg, City Clerk
Date: 09/23/2022
Meeting Date: 09/27/2022



TITLE:

City Manager Report

DESIRED OUTCOME:

Information Only

EXECUTIVE SUMMARY:

These reports will be included in the City Council packet for regularly scheduled Work Session meetings. The reports are intended to be informational, covering miscellaneous events and topics involving the City organization.

INFORMATION:

Attachments: [City Manager Report](#)
[City Engineering August Report](#)
[Capital Project Map](#)
[Economic Vitality August Report](#)
[PROSE September Newsletter](#)

City Manager's Report

September 23, 2022

Council and Colleagues, greetings. These reports will be included in the City Council packet for regularly scheduled Council Work Sessions. The reports are intended to be informational, covering miscellaneous events and topics involving the city organization. We are calling out one item for discussion, regarding appointment of City liaison to High Country Humane Board.

Also, appended to this report are the monthly updates from City Engineering & Capital Projects, Economic Vitality and PROSE. Please note that the Capital Projects Update is preceded by a map to assist you with locations.

In no particular order ...

Fire Department

- Fire Department personnel participated in trauma, triage and tourniquet training with other members from the Greater Flagstaff Region.
- FFD responded to a large trash fire at the Waste Management plant on Flag Ranch Road. A member of the Streets department arrived along with Waste Management representatives to coordinate efforts with heavy equipment for suppressions support.



- Community Risk Reduction and Fire Suppression personnel were working to preplan the new building for Elara at Sawmill.
- And in the category of community giving, the *Fill the Boot* fundraising event for the Muscular Dystrophy Association has officially begun (thanks to those individuals, and dogs, who are helping in this important fundraiser).



- Neil Chapman attended the federal Wildland Fire Mitigation and Management Commission meeting on September 14th and 15th. This meeting will focus on aviation resources and the national cohesive strategy. We are honored to have Flagstaff at the table for this Commission, and you can expect periodic updates from Neil!
- Fire personnel attended CCC Safety Resources Day, Little Ropers Child Enrichment Center, and Sechrist Elementary School for public education.
- Honoring the fallen. Members from Flagstaff Fire, Flagstaff Police, Summit Fire and Medical, and NAU ROTC honor guards did an excellent job at City Hall for the 9-11 flag ceremony.



- Congratulations to department personnel newly promoted to the rank of Captain – Colin Challifour (center, below), Wesley Forbach (shown on right with family) and Bob Oberly (bottom photo, center).



Police Department

- Great work by all involved in the suspicious death investigation where the homicide suspect was located and arrested!
- Police personnel worked with local partners on the High-Country Training Academy, NAU Dean of Students on student related issues, Rule 11 task force subcommittee of the CJCC, Southside Community Association, Salvation Army, and Little Ropers to deliver a *Stranger Danger* class to preschoolers.
- Congratulations to Officers Ty Webster and Chris Wesley for their lifesaving medal in recognition of their efforts in providing life saving techniques to a female who was not breathing or showing signs of life! Due to their efforts this individual survived.

Public Works

- Sidewalk repairs, asphalt patching and signs and markings continue throughout the community. Slowly taking shape.
- Cell D expansion boring is being completed for creating a construction cost of the Cell (see photo).
- Bulky operations will be in Section 4 and 5 this week. We are trying hard to catch up!
- Facilities have worked on the USGS drinking fountain replacement, NACE ADA door repair and roof leak, repairs at Jay Lively on glass and fire panel, main library restroom, Aquaplex valves and exhaust fans at East Flag Water Services. Whew!



Meetings, Etc.

- We attended a meeting at Murdoch Center on the 20th to discuss bad parking behavior in the Southside neighborhood, large parties, and related. NAU had representatives at the meeting to aid the discussion. Stay tuned.
- The Flagstaff Downtown Business Alliance meeting was held on Sept 22nd, and we enjoyed a presentation by a PAC advocating for the Housing Bond question.
- We met to discuss the HCH contract on the 21st. Thanks to Christina Parry and Chief Musselman, and others, for their diligence in getting the contract amendments finalized. Stay tuned on this one.

- The City Council Candidates forum with City staff was conducted on the 21st. Our leaders did an excellent job in discussing their respective divisions, and we chatted about management philosophies. The four candidates that were present also introduced themselves to the staff.
- There will be an Alliance meeting on September 30th. Stay tuned for agenda and outcomes.
- Our Leadership Team retreat on the 19th was quite successful. There were many notable outcomes, including increased efforts by the City Managers Office to visit work facilities throughout the organization, enhance our weekly meetings with hot topics and emerging issues, and overall relationship building. We would like to share with you the Leadership Team Statement of Intent:

NEW LEADERS INTENT

Our intent is to lead by building strong relationships throughout the organization, engaging in meaningful conversations, creatively solving complex problems, and exercising strategic forward thinking, all for the betterment of our community.

Recruitments

- The Library Director meet and greet was successfully held on Sept 19th with three finalists. Thanks to Heidi Hansen for orchestrating. Stay tuned for an announcement on this important hire.
- We are in the process of making an offer for our new City Engineer. Stay tuned on that. Also, we will wrap up our interviews for Water Services Director on Sept 23rd and will be hosting a meet and greet for Monday, October 3rd. Would love to have you attend if possible.
- We will soon be pursuing the recruitment for the Deputy City Manager position.

High Country Humane

See letter dated Sept 16th that follows on the next page. We would like Council to select a City Liaison to sit on this Board.



HIGH COUNTRY HUMANE

Operated by Paw Placement of No. Arizona
A non-profit, 501(c)(3) organization
Tax ID # 45-2912962
11665 N. Highway 89 • Flagstaff, AZ 86004
928-526-0742
www.HighCountryHumane.org

September 16, 2022

Liz Olson
Executive Director

Board of Directors

Kenneth R. Lamm,
Board Chair
Sam Wheeler, Vice-Chair
Liz Bohler, Treasurer
Mandy Metzger, Secretary
Diane Jarvis,
President Emerita/Director
Ali Applin, Director
Brenda Carter, Director
Becky Daggers, Director
Joanne Keene, Director
Brian Landauer, Director
Kimberly Ott, Director
Kelly Tenselink, Director

Advisory Committee

Dr. Toni Barnes
Cheryl Blume
Dr. Cheryl Dyer
Winnie Hameth
Mark Lamberson
Mike Loven
Glady May
Dr. Loretta Mayer
Kay McConagha
Molly Munger
Pamela Tharp

Mr. Greg Clifton
City Manager
211 West Aspen Avenue
Flagstaff, AZ 86001

Dear Greg,

Per our Intergovernmental Agreement & Third Party Agreement with the City of Flagstaff and Coconino County, High Country Humane invites the Board of Supervisors and City Council to each name one person per entity to join the High Country Humane Board of Directors.

As requested and agreed upon prior to the signing of our contract, we believe this governing board status will further facilitate the giving and receiving of information to all parties of our contract as your Animal Welfare Independent Contractor.

As voting members of the High Country Humane Board of Directors, your designee will receive notifications and invitations to all regularly scheduled board meetings.

As is the Independent Contractor's practice, it will confirm the City and County representative membership by vote of its board of directors. We look forward to providing a facility tour and an onboarding information session for the two new Board members selected per your City and County procedures.

Sincerely,

Ken Lamm
Chairman of the Board
High Country Humane
cc: Mandy Metzger

That is all for now. Thank you.



CITY ENGINEERING DIVISION
Capital Improvements Section

Monthly Capital Projects Report
August 2022

Honorable Mayor, Vice Mayor and Council,

The August report was completed by our Project Managers on September 2nd and includes project updates for the month of August.

The attached map is a comprehensive view of all active capital improvements projects in our community that are assigned to the Capital Improvements Section of the City Engineering Division, inclusive of projects that are in planning, design, and construction phases.

We have tried to reduce the extent of information provided and focused on only those projects that had substantive progress from previous months or have key milestones to share.

If you would like to receive more information on a specific project, please reach out and we'd be glad to share more detailed information.

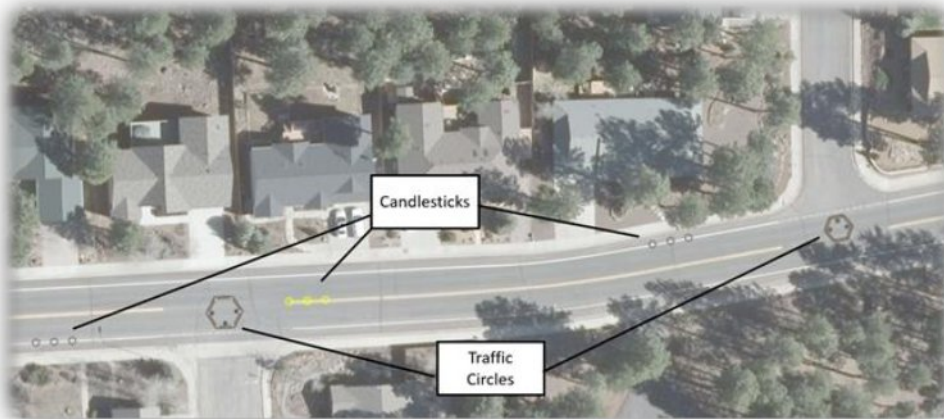
Boulder Point - University Ave Traffic Calming (DESIGN PHASE)

FUND: TRANSPORTATION TAX

Description – The Transportation Commission approved the traffic circle design at the intersections of University Ave/Majestic Rd and University Ave/Tombaugh Way on June 1st, 2022. This design, in temporary form, lowered the 85th percentile speed on University Ave to 27 mph, down from 31 mph. This brings the speeds down to a level that are below the threshold for traffic calming based on the worksheets in the Guidebook for Residential Traffic Management.

Project Update:

- The estimate for the permanent traffic calming in Boulder Pointe, which includes two traffic circles, bump outs, and raised crosswalks is \$387,600.
- A funding source has been identified, and the next step is to hire a designer to complete the final design. The final design must address concerns from citizens in the neighborhood regarding the traffic circle design, including vehicles traveling in the bicycle lane and sight distance issues for northbound vehicles on Majestic Rd.
- The design and construction of this project will be incorporated into the Woody Way improvements.



W University Ave Traffic Circles

Fremont Blvd Restriping (DESIGN PHASE)

FUND: TRANSPORTATION TAX

Description – The Transportation Commission approved investigating traffic calming measures on Fremont Blvd on February 2nd 2022. Staff determined that restriping the road from two lanes in each direction to one lane in each direction with additional parking and bike buffers was an appropriate solution. The new cross section can be seen below. Staff is currently working on finalizing the estimated cost of the restriping.



Fremont Blvd New Striping Configuration

Spruce Wash – Cedar to Dortha and Dortha Inlet (CONSTRUCTION PHASE)

FUND: STORMWATER

Description – Consists of improvements to the Spruce Wash Channel from Cedar Avenue to south of Dortha Avenue. This work is in response to the damage that occurred during the 2021 monsoon flooding from the Museum Fire burn scar.

Project Update:

- The project is substantially complete and Dortha Avenue is open to through traffic.
- Real estate acquisition for the drainage easement is proceeding.



Dortha Avenue - looking west

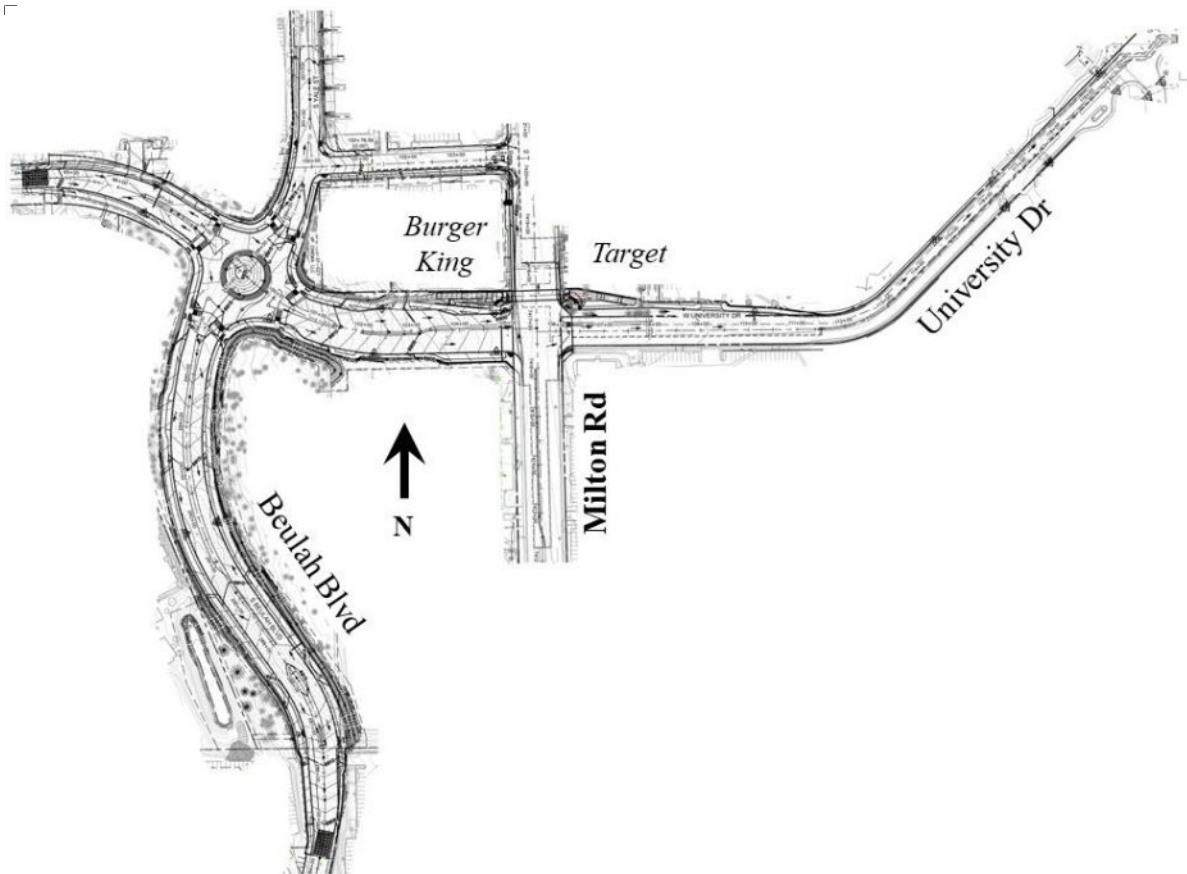
Beulah Boulevard Extension/University Drive Realignment (DESIGN PHASE)

FUND: TRANSPORTATION TAX (STREETS)

Description – This roadway improvement project extends the northern terminus of Beulah Boulevard to connect with University Avenue. Furthermore, University Avenue (west of Milton) will be realigned to match up with University Drive (east of Milton). A new roundabout will be constructed where Beulah Boulevard and University Avenue will intersect. Additionally, this project will also be constructing a new pedestrian underpass beneath Milton Road, just south of Burger King across to Target. Construction is expected to begin in spring 2023 and conclude in late 2024.

Project Update:

- Shephard-Wesnitzer, Inc. (SWI) is the design engineer.
- Eagle Mountain Construction (EMC) is the CMAR (Construction Manager at Risk) contractor.
- SWI has completed the final design plans.
- Value Engineering workshop with SWI, EMC, and City Staff is scheduled for 8 September. This meeting is to discuss and implement ways to reduce construction costs.
- Appraisals for right-of-way and easements are currently underway.



Extent map of new Beulah and University Roadway Project – taken from final plans.

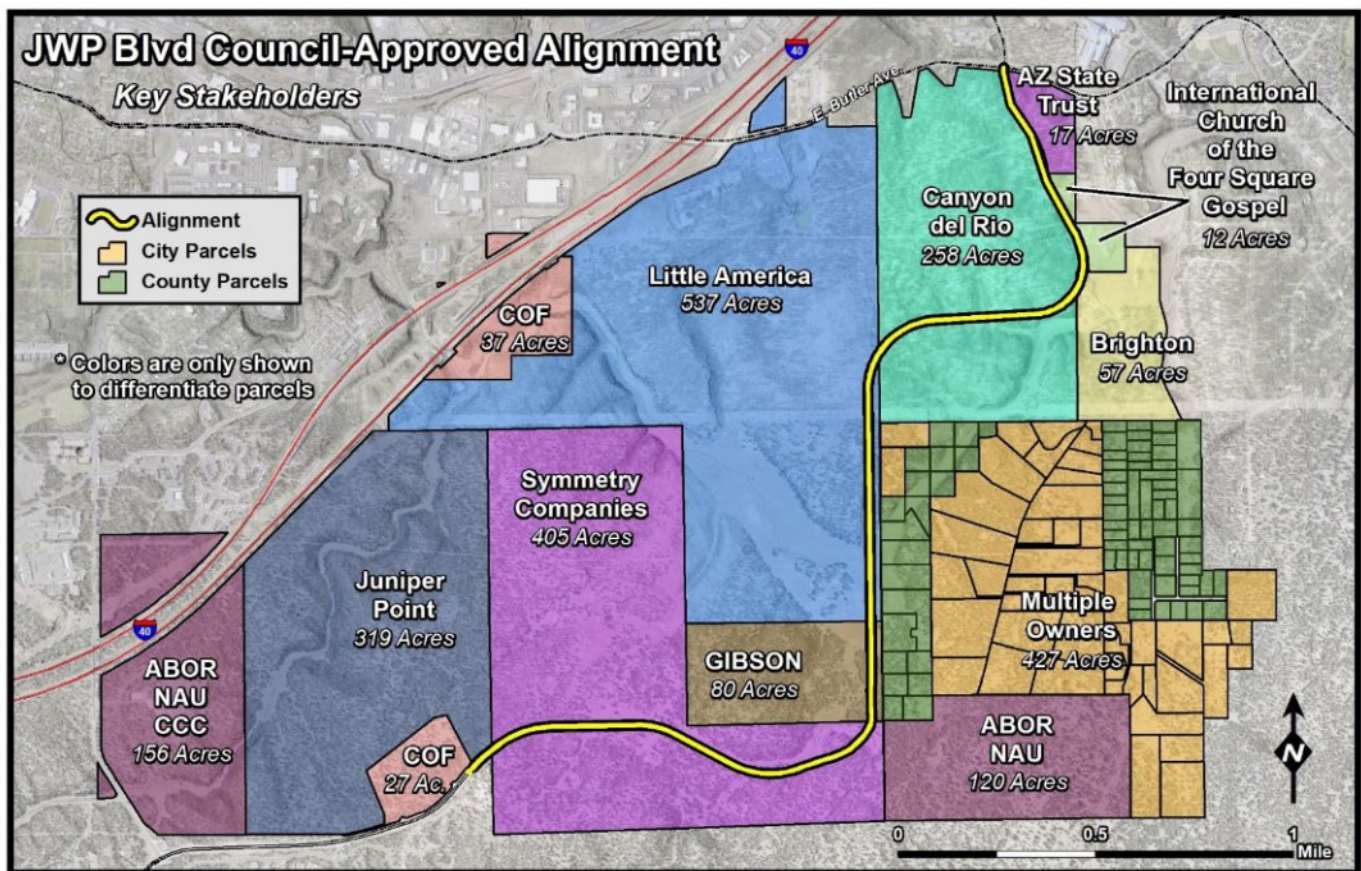
J.W. Powell Specific Plan Study (PLANNING PHASE)

FUND: GENERAL GOVERNMENT & TRANSPORTATION TAX

Description – The purpose of the John Wesley Powell Specific Plan Study (Study) is to develop a specific plan to guide the future private development of public infrastructure, utilities, and facilities. Phase 1 of the project is the conceptual design of the future public infrastructure (roads), public utilities and facilities location analysis. The conceptual design is required to meet the full City infrastructure standards including street improvements, potable water, sanitary sewer mains, storm drain systems, street lighting and associated appurtenances. Phase 1 of the Study includes a sanitary sewer system master plan for the area. A water system master plan was previously developed for the area. Phase 2 of the Study is development of the planning elements necessary to gain City Council approval of a Specific Plan.

Project Update:

- City Staff is working with Peak Engineering and their subconsultant, Swaback, to scope Change Order 5. This Change Order will come to Council in mid-October and the scope of work will be the Specific Plan.
- City Council selected the alternative alignment (shown below) as the final alignment on 7 July 2022.



Council-Approved alignment of new J.W. Powell Boulevard and Fourth Street; denoted by yellow line

Coconino Estates Improvements Phase I (CONSTRUCTION PHASE)

FUND: ROAD REPAIR & STREET SAFETY

Description – This is a utility and roadway improvements project located in the Coconino Estates neighborhood on Beal Road from Rockridge to Fort Valley, Navajo Drive from Navajo Road to Murray, Whipple Road from Navajo Drive to McMillan, and Navajo Road from Navajo Drive to Fort Valley. Improvements on the streets generally consist of replacing existing infrastructure with new, including water and sewer mains, water and sewer services, fire hydrants, storm drains, streetlights, the entire asphalt roadway, and defective select edge improvements (curb & gutter, sidewalk, etc.), except for Whipple Road which will only receive a new water main. There will also be new infrastructure added consisting of underground electric lines for streetlighting and sidewalk on both sides of the street where it does not currently exist on Beal Road, Navajo Drive south of Beal, and on Navajo Road. For additional information visit the Project website at www.coconinoestates.com.

Contractor – Eagle Mountain Construction

Project Update:

A new way of communicating project information has been started with the installation of a new project sign and banner prototype that include a QR code for the public to scan and view more information on the Project website.

Navajo Road and Navajo Drive south of Beal (Construction Zones #1 and #2)

- Utility and roadway improvements are complete including landscape restorations.
- Navajo Road and Navajo Drive south of Beal are open to all traffic.

Beal Road east of Rio de Flag (Construction Zone #3)

- Utility and roadway improvements are complete including landscape restorations.
- Minor striping improvements will be corrected at a later date.
- Beal is currently closed from Aztec to Navajo for construction activities in Zone #5.

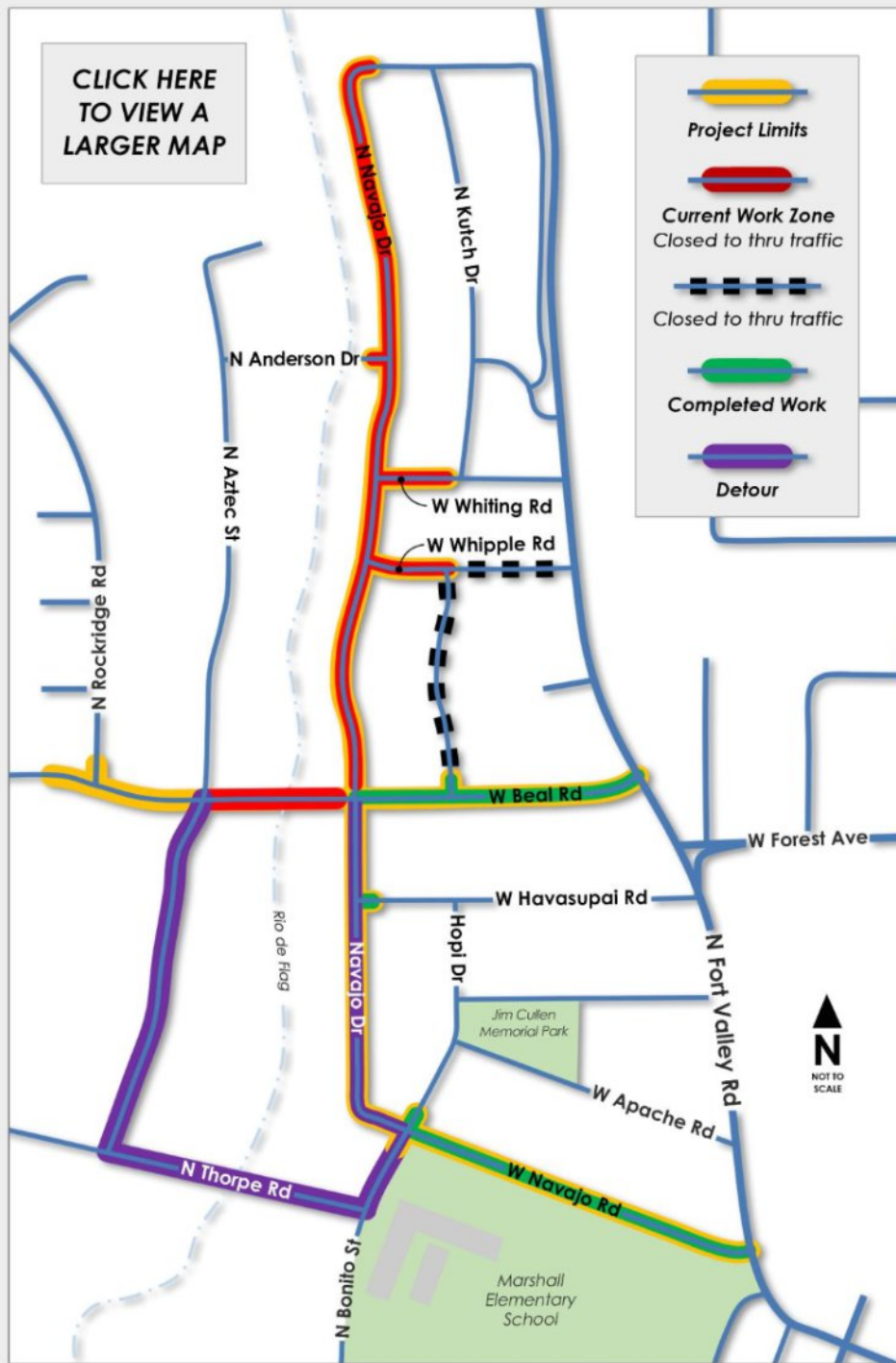
Navajo Drive north of Beal (Construction Zone #4)

- Utility improvements are complete from Beal to Murray and on Whipple from Navajo to McMillan.
- Underground power lines for streetlights are complete from Beal to Murray and new streetlight installations near completion.
- Concrete curb installations are complete from Beal to Murray.
- Concrete driveway installations continue from Beal to Murray.
- Significant roadway subgrade stabilization operation, currently at Whiting as of 9/1/2022, continues north prior to preparing the roadway for asphalt paving.
- The August 7th Pipeline Fire West Floodwaters brought a significant amount of flood waters, 6-8-inches above the newly installed top of curb, onto the project site resulting in cleanup and removal of flood debris, re-working ABC at curb locations, and potentially over saturating and further destabilizing the already unstable subgrade soils below the roadway area.
- Navajo from Beal to Murray is closed to thru traffic and closed to all traffic at the subgrade stabilization operation.
- Whiting from Navajo to Kutch is closed to thru traffic.
- Whipple from Navajo to HWY 180 is closed to thru traffic.
- McMillan from Beal to Whipple is closed to thru traffic.

Beal Road west of Rio de Flag (Construction Zone #5)

- Sewer main installations resumed the week of August 29th from the Rio de Flag working west.
- Beal is currently closed from Aztec to Navajo, with detours posted around the closure.

CLICK HERE
TO VIEW A
LARGER MAP



For general questions
and project
information, call the
**Project Hotline at
(928) 255-5153**
or email
news@coconinoestates.com



Residential access for mail, deliveries, trash,
recycling, and emergency services will be
maintained. No Mountain Line bus routes
are affected during this time.

Project Map with current road closures and detours



N Navajo Dr. at Whiting Rd., looking north at streetlight installations.



N Navajo Dr. at Murray Rd., looking north at completed curb installations up to Murray.



N Navajo Dr. at Murray Rd., looking at water and sewer installations.



Navajo Dr. at Whiting Rd., looking north at the concrete curb and gutter installations

Coconino Estates Improvements Phase II (CONSTRUCTION PHASE)

FUND: ROAD REPAIR & STREET SAFETY & AGING WATER AND SEWER INFRASTRUCTURE REPLACEMENT PROGRAMS

Description This is a utility and roadway improvements project located on several streets in the Coconino Estates neighborhood as seen in the map below. Improvements on the streets generally consist of replacing all existing utility and roadway infrastructure. The utility improvements include replacing the existing water and sewer mains, water and sewer services, fire hydrants, and manholes. The roadway improvements include replacing the existing asphalt roadway, replacing rolled curb with vertical curb, constructing driveway ramps at driveway entrances, and replacing select sidewalk only where it currently exists on Crescent Drive. Sidewalk will **NOT** be installed where it does not currently exist. For additional information visit the Project website at www.coconinoestates.com

Contractor – Standard Construction Company

Project Update:

Crescent Drive and Meade Lane

- Utility improvements are complete.
- Concrete curb installations are complete.
- Significant roadway subgrade stabilization operation is complete.
- Concrete driveway ramp installations will occur after roadway paving.
- The original roadway paving date of July 27-29 was canceled and delayed through August due to rain and is currently anticipated for September 7-9, pending weather conditions.
- Roadway paving limits are from Meade north around to the Talkington/Louise intersection and up Louise to HWY 180.
- Once roadway paving is complete the traffic control and concrete barriers on HWY 180 at Louise will be removed.
- The July 29th and August 7th Pipeline Fire West Floodwaters did not impact Crescent.
- Crescent is closed to non-residential traffic from Meade to Talkington.

Navajo Drive and Elizabeth Road

- Utility improvements are complete.
- Concrete curb installations are complete from Louis to Hazel continuing south to Meade.
- Concrete driveway ramp installations are anticipated to occur after roadway paving.
- The August 7th Pipeline Fire West Floodwaters made it down the west side of Navajo resulting in cleanup and removal of flood debris, re-working ABC at curb locations, and potentially over saturating and further destabilizing the already unstable subgrade soils below the roadway area. The July 29th Pipeline Fire West Floodwaters did not impact Navajo.
- Navajo is closed to non-residential traffic.

Talkington Drive and Side Streets

- Utility improvements are complete.
- Concrete curb installations are complete to approximately Hazel including side streets off Talkington.
- Concrete driveway ramp installations are anticipated to occur after roadway paving.
- The July 29th and August 7th August 7th Pipeline Fire West Floodwaters significantly impacting the Talkington and side streets portion of the project resulting in cleanup and removal of flood debris, removing and replacing compromised muddy ABC in roadway and curb trenches, resetting traffic control, checking and resetting survey stakes, removing and replacing compromised eroded curb, and potentially over saturating and further destabilizing the already unstable subgrade soils below the roadway area.
- Talkington Drive is closed to non-residential traffic from Meade to Crescent.

For questions and project information, call the
Project Hotline at (928) 255-5153
or email news@coconinoestates.com

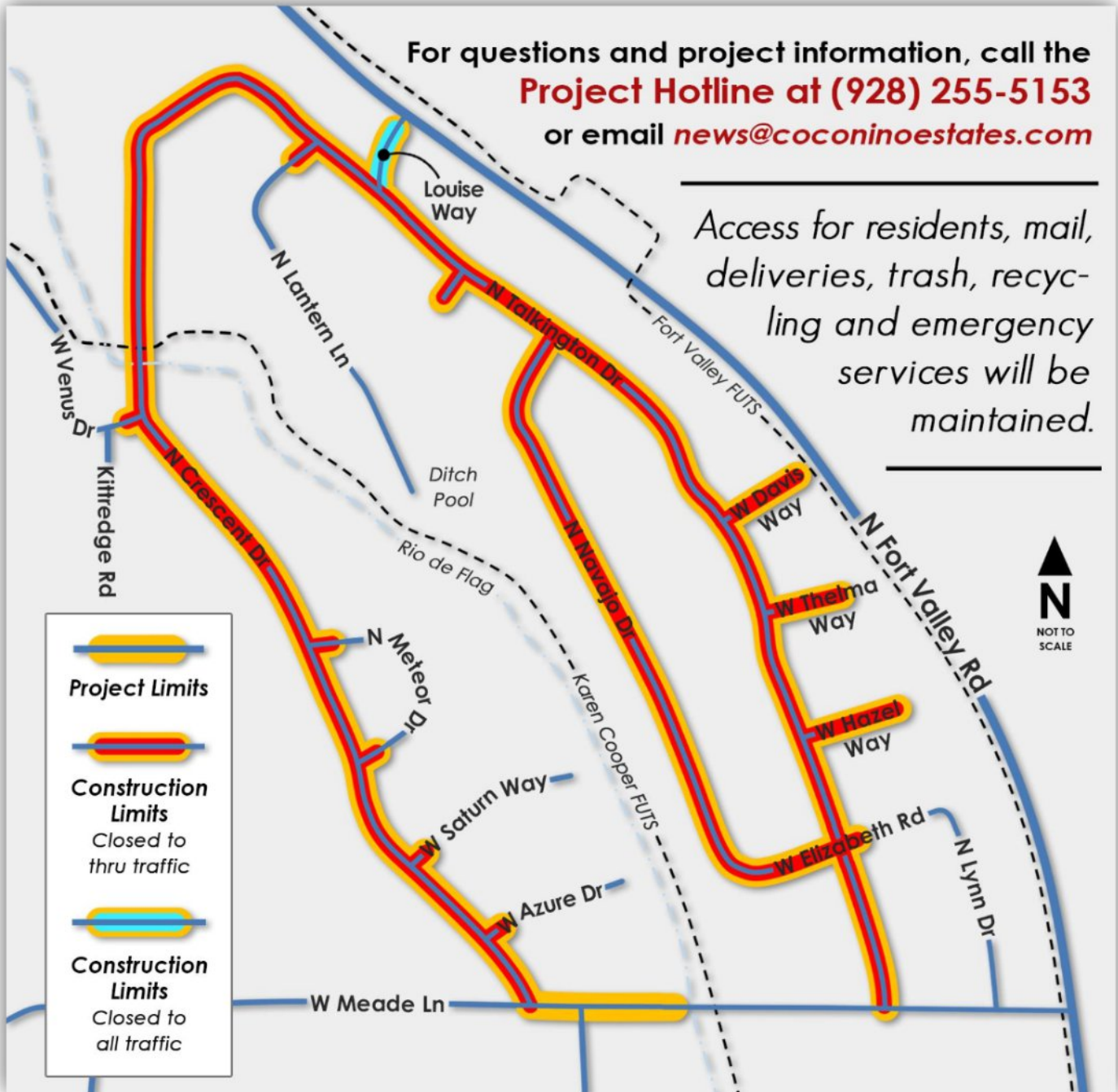
Access for residents, mail,
deliveries, trash, recyc-
ling and emergency
services will be
maintained.



Project Limits

Construction Limits
Closed to
thru traffic

Construction Limits
Closed to
all traffic



Coconino Estates Improvements Phase II Project Map



Crescent/Azure intersection, looking north at final roadway grading prior to roadway paving on September 7-9



Talkington/Elizabeth intersection, looking south at concrete curb installations



Davis Way east of Talkington, looking west at August 7th floodwaters on Davis and Talkington.



Talkington at Thelma, looking north at August 7th floodwaters on Talkington

Flagstaff Downtown Mile Safety and Connectivity Improvement Project (PLANNING AND DESIGN PHASE)

FUND: TRANSPORTATION, STORMWATER, AGING INFRASTRUCTURE, BNSF RAILWAY, METROPLAN, GRANTS

Description – The Downtown Mile Project consists of a group of City and local agency projects located in Downtown Flagstaff and surrounding the BNSF Railway corridor. They include:

- The Rio de Flag Flood Control Project
- The Rio de Flag Pedestrian Tunnel
- The Lone Tree Overpass
- The Florence to Walnut Pedestrian Underpass
- The Milton Bridge Reconstruction
- The Mountain Line Downtown Connection Center (DCC)



The city has partnered with ADOT, BNSF Railway, Mountain Line, Amtrak, and the Army Corps of Engineers for the overall Downtown Mile Project to coordinate existing funding, plan construction efficiencies surrounding the BNSF corridor, investigate multimodal connectivity, and to seek grant funding for unfunded BNSF mitigation measures to deliver these projects for the Flagstaff community.

In May 2022, the City applied for a Multimodal Program Discretionary Grant through the USDOT INFRA/Rural program for the Downtown Mile Safety and Connectivity Improvement Project to fund construction of the suite of projects, including a BNSF Railway corridor realignment and expansion. This grant will also facilitate completion of our Rio de Flag flood Control Project and integrate pedestrian and rail improvements with the Lone Tree Overpass Project and the future Mountain Line Downtown Connection Center.

The total project cost is estimated at \$56M and the amount of federal funding requested is \$32.5M (60%). The non-federal match (40%) is being provided from the City of Flagstaff in the amount of \$12.8M, which is funded through Proposition 419 partnership funding and allocated Transportation and Stormwater funding, and BNSF Railway is contributing \$11M in private funds. BNSF also provided expert consultant services in order to make this grant application possible. This contribution from BNSF demonstrates unprecedented support and partnership for our community.

Project Update:

- The Design Phase Services Contract scope and fee is under review with City staff, MetroPlan, and BNSF Railway.
- This item is tentatively scheduled for Council consideration on October 4.
- Legal and Grants Management staff coordinated development of the IGA with MetroPlan to execute receipt of a \$490,000 funding contribution that was approved for the project planning and design effort.
- On August 12, BNSF, City of Flagstaff, and the Army Corps held their regular coordination meeting for the Lone Tree Overpass, the Rio de Flag, and the overall Downtown Mile Project improvements.
- Award notifications of the Multimodal Program Discretionary Grant is anticipated before October 1.

The current updates for the projects included in the Downtown Mile are as follows:

Rio de Flag Flood Control Project (Design Phase)

FUND: STORMWATER & AGING INFRASTRUCTURE

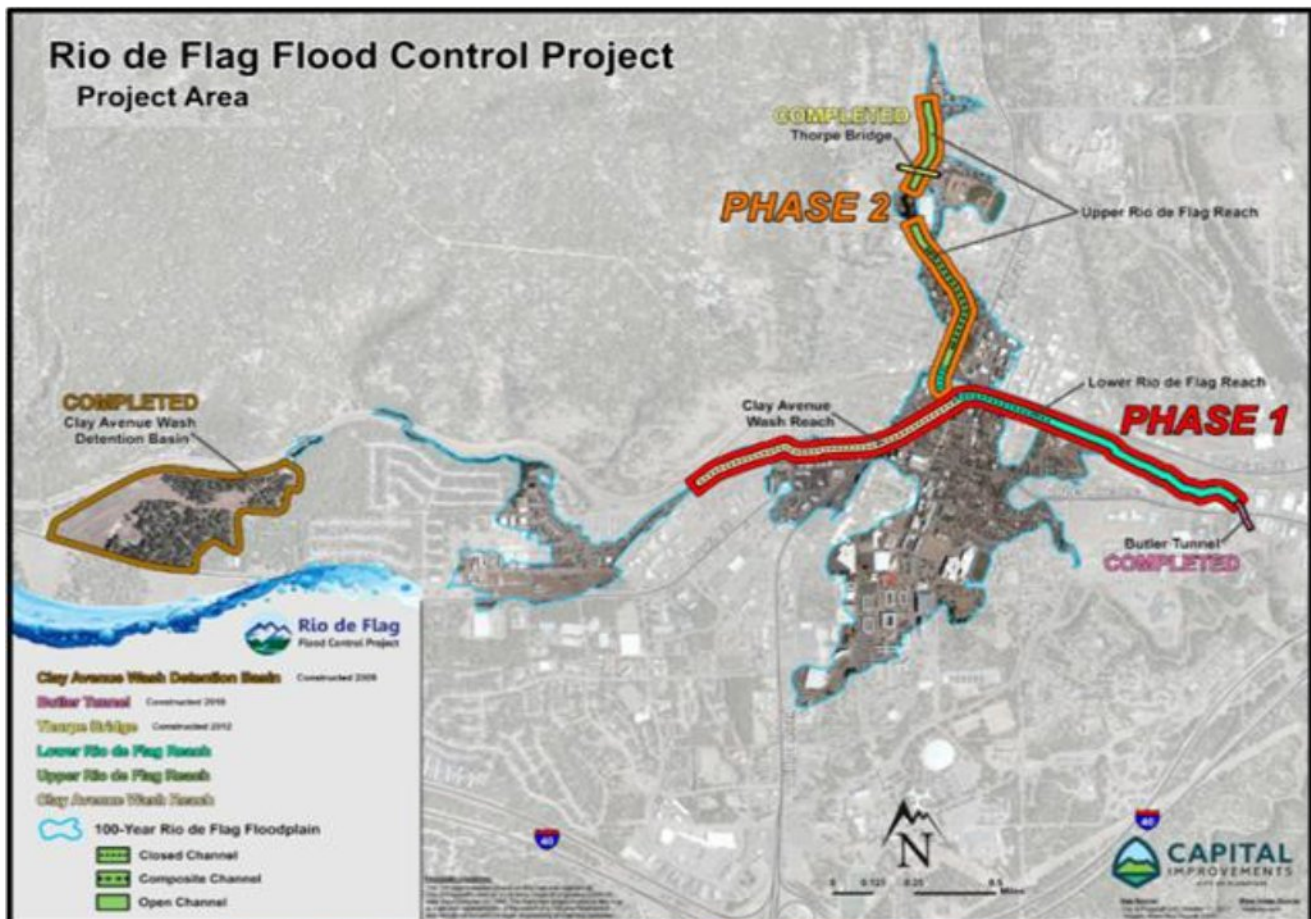
Description – Design consists of channel improvements along both the Rio de Flag and Clay Avenue Wash channels through central Flagstaff and includes a combination of underground concrete box culverts, open channel, and composite channel. The composite channel section has both an underground culvert to carry large volumes of water and a smaller open channel on top, which will provide an aesthetic element of flowing surface water during rainfall events. Total project length is approximately 15,000 feet.

The purpose of the Rio de Flag Flood Control Project is to remove the hazards associated with the hundred-year storm event, which include property damage, life safety concerns, and community economic impacts. From research conducted by the Army Corps, it was determined that a significant flood would damage approximately 1,500 structures valued at over \$916M and cause \$93M in economic damages, for a total impact of over \$1B.

Project Update:

- Work continued this month on refinement of the design plans and the real estate documents.
- The draft BNSF Construction and Maintenance Agreement is under review with City and Army Corps legal staff.
- On August 9, BNSF Director of Real Estate met with City staff to discuss the project property acquisition.

- On August 15, City and Army Corps staff met with local franchise utilities to review the utility relocation plan.
- On August 12, BNSF, City of Flagstaff, and the Army Corps held their bi-weekly coordination meeting for the Lone Tree Overpass, the Rio de Flag, and the overall Downtown Mile Project improvements.
- On August 24 and 25, the City held an all-agency workshop in Flagstaff to review the final project design and discuss coordination of the Lone Tree Overpass and the Rio de Flag.
- On August 31, Michael Connor, Assistant Secretary of the Army for Civil Works, visited Flagstaff with the LA District's Colonel Julie Balten. Councilmember Jim McCarthy and staff from Senator Mark Kelly's office were also in attendance. The City presented the Environmental Infrastructure Section 595 Projects and the Rio de Flag Flood Control Project to the group.



Assistant Secretary to the Army, Civil Works, Michael Connor with Flagstaff Councilmember Jim McCarthy

Lone Tree Overpass Project (DESIGN PHASE)

FUND: TRANSPORTATION

Description – The Lone Tree Overpass Project will provide a grade-separated crossing over the future Rio de Flag drainage and the BNSF Railway corridor from Butler Avenue to Route 66. Funding for this project is provided through voter approved bonds as designated in the 2018 Proposition 420. The project will also include improvements from Butler south to Sawmill Road, which will be funded by Proposition 419. The project will be delivered via the Design-Build process and the team includes Ames as the contractor and WSP as the prime design consultant.

Project Update:

- Work continued this month on project design in anticipation of the 60% design submittal scheduled for September 26.
- On August 9, BNSF Director of Real Estate met with City staff to discuss the project property acquisition.
- On August 9, Capital staff, Legal staff, and City Transportation Engineer Associate David Lemke participated in an Arizona Corporation Commission hearing with BNSF Railway to execute closure and removal of an unused rail spur on Cottage Avenue in the Southside neighborhood. Mr. Lemke provided testimony to support the closure and removal, which will facilitate future property acquisition of the roadway, development opportunity, and City transportation improvements. BNSF will be covering cost to remove the spur and reconstruct the asphalt.
- On August 24 and 25, the City held an all-agency workshop in Flagstaff to review project design and discuss coordination of the Lone Tree Overpass and the Rio de Flag.
- Additional information is posted on the project website. [Lone Tree Overpass Project](#)



Mountain Line Downtown Connection Center (Design Phase)

FUND: GRANT

Description – The Downtown Connection Center is included in the Downtown Mile project report due to the City’s partnership with Mountain Line for developing the site and the opportunity to plan the facility with multimodal connections with the rest of the Downtown Mile projects. There are also current discussions for future co-location of the Amtrak Station.

Project Update:

- The city is facilitating coordination of the DCC site improvements with the future Rio de Flag construction.
- Mountain Line continues its effort to the NEPA work as required by the Federal Transit Authority.
- Staff has begun to prepare an IGA that will be negotiated with Mountain Line following the completion of the NEPA. Mountain Line hopes to have the IGA before the City Council in May 2022 for approval.
- Mountain Line plans to begin construction of its building in Phase I this Summer (2022).

East Route 66 and El Paso Flagstaff Waterline Extension (CONSTRUCTION PHASE)

FUND: AGING INFRASTRUCTURE

Description – A utility improvements project that extends the 12" ductile iron waterline approximately 2,500 linear feet from approximately the intersection of Test Dr. and Rt. 66 to the intersection of El Paso Flagstaff Rd. The waterline extension continues north, up El Paso Flagstaff Road towards the Wildcat Hill Wastewater Treatment plant, with approximately 1,600 linear feet of new 8" ductile iron waterline. The project also calls for a repaving of El Paso Flagstaff Road for the extents of the waterline extension.

Contractor Scholz Contracting, LLC

Project Update:

- The Project was determined to be substantially complete on August 14th.
- Staff is working to schedule a walkthrough with the Contractor in the next couple of weeks to develop a final project punch list.



E. Rt. 66, Installation of fiber conduit bank for IT's Fiber Masterplan

Library Entrance (CONSTRUCTION PHASE)

FUND: BBB - BEAUTIFICATION

Description – Project to bring Library Entrance into ADA compliance with new handicap ramp and new overall vision for the entrance. Public art will be incorporated into project and an artist is being brought onto the design team. Project includes upgrades to landscaping, handicap-accessible parking, parking lot, and hardscape.

Project Update:

- City Council awarded the construction contract to Scholz Contracting at the July 5th City Council meeting.
- The project is currently underway and working to establish a temporary alternate Library Entrance that will be utilized throughout construction. Closure of the main Library entrance is expected after Labor Day.
- ADA parking spaces and additional parking spaces will be signed in the City Hall parking lot and a pedestrian route to the alternate Library entrance will be established.



Library Entrance Project-Rendering of selected concept plan

LMWTP Flocculation and Sediment Basin Rehabilitation (DESIGN PHASE)

FUND: DRINKING WATER

Description – The flocculation and sedimentation basin structures and equipment that have been in operation for approximately 60 years are in deteriorated condition and require replacement and rehabilitation. The project consists of constructing a new static mixer installation, rehabilitation of the flocculation/sedimentation basin structures, replacement of electrical systems, and replacement of miscellaneous valves and piping.

Project Update:

- Staff is working with Brown and Caldwell to finalize 100% Construction Documents and bid package.
- The project will be advertised for bids in Fall of 2022 with construction spanning two years and starting in the Spring of 2023



Staff and Brown and Caldwell taking a tour of the LMWTP basins

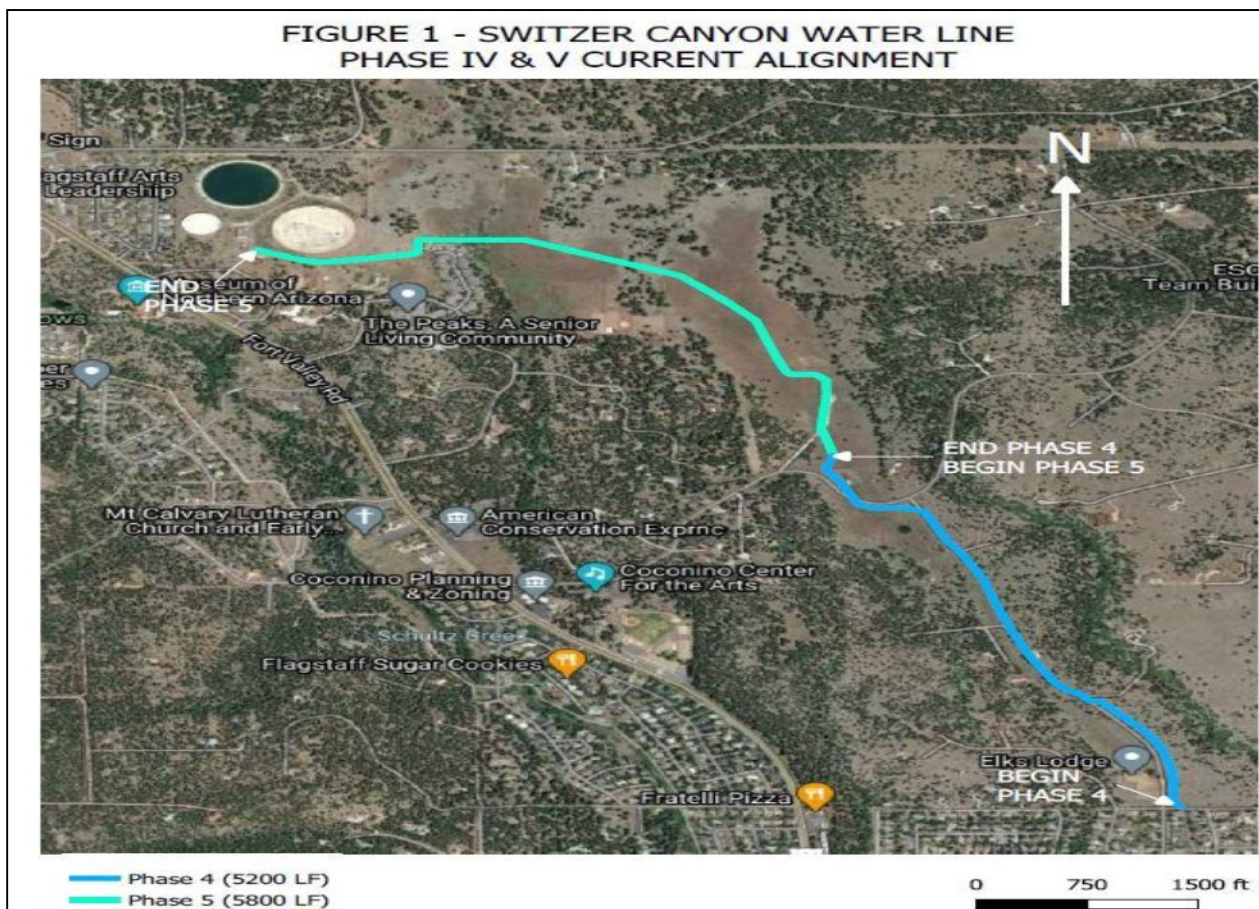
Switzer Canyon Transmission Main Phase IV & V (Design Phase)

FUND: AGING INFRASTRUCTURE

Description – The Project consists of installing two new water transmission mains, 24" and 16", that will complete the distribution system, zone A and B, from the Downtown area to the City Reservoirs near Elden Lookout Road. The length of Phase IV and V is approximately 11,000 feet. The project area extends outside City limits. Included in the project will be the two water mains with appurtenances and fire hydrants.

Project Update:

- Decision made in December of 2021 to not exchange water service for property rights.
- Proposal requested for remaining Engineering services needed for completion of project in preparation for Contract Change Order.
- On September 6, 2022, approval will be sought for resolution to file condemnation proceedings for Phase IV property rights.
- Osprey nest will impact construction during breeding season (April through July) for 1,400 feet of Phase IV.
- Construction of Phase IV is currently planned for Spring of 2023 through Winter of 2023.
- Phase V is in the planning phase to define the final alignment.
- Construction of Phase V is anticipated for 2024.



Protected Intersections at Butler/Beaver and Butler/San Francisco (Design Phase)

FUND: UNKNOWN

Description – The Project consists of feasibility designs of protected intersections at two locations on Butler Avenue, Beaver Street and San Francisco. Protected intersections separate bicycle traffic from vehicular traffic.

Project Update:

- WSP Global, Inc. was chosen as Engineering firm for 15% designs protected intersections.
- WSP submitted proposal for design services.
- Final deliverables consist of Technical Memorandum and 15% level conceptual plans
- Expected completion is two months from Notice to Proceed.



Beaver Street and Butler Avenue



San Francisco Street and Butler Avenue

Wildcat Hill Wastewater Treatment Plant (WHWWTP) Digester Complex (DESIGN PHASE)

FUND: WATER SERVICES-SEWER

Description – Project includes the design and construction of one 60-ft concrete anaerobic digesters with a digester control building and gas handling system. The digester control building would include new boilers, heat exchangers, digested sludge pumps, and other appurtenances to support the increased capacity of the new digester facilities. The Wildcat Hill WRP treats residual solids from both the Rio De Flag and Wildcat facilities. These new digesters will increase solids treatment train capacity to accommodate the solids produced from the treatment at both facilities.

Project Update:

- A design contract with Carollo Engineers is up for consideration of approval on the September 20th Council meeting.
- Design is scheduled for 12 months with Construction starting in the Spring of 2024, and completion anticipated in the Fall of 2025.



Existing Wildcat Plant, red circles represent possible locations of the new digester

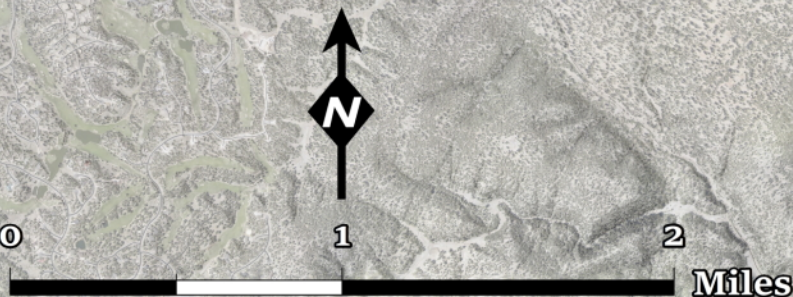
Capital Improvements Projects



● **Pre-Construction**
◆ **Under Construction**

July 2022

No.	Project Name	
1	J.W. Powell Specific Plan Study	
2	USGS Flagstaff Science Center Campus - Build to Suit	
3	LMWTP Flocculation and Sediment Rehabilitation	
4	Beulah Boulevard Extension / University Drive Realignment	
5	Coconino Estates Improvements Phase II	
6	West Flag Improvements - David and Hutcheson	
7	West Flag Improvements - Canyon Terrace	
8	Coconino Estates Improvements Phase I	
9	Lockett/Fourth Roundabout	
10	Lone Tree Overpass Project	
11	Library Entrance	
12	East Route 66 and El Paso Flagstaff Waterline Extension	
13	Boulder Pointe - University Avenue Traffic Calming	
14	Switzer Canyon Transmission Main Phase IV & V	
15	Route 66 at Fanning - Landscaping	
16	Rio de Flag Flood Control Project	
17	Steves Boulevard Wash at Soliere	
18	Wildcat Hill Wastewater Treatment Plant (WHWTP) Digester Complex	
19	Butler-Fourth Improvements	
20	Museum Fire Flood Mitigation/Division D	
21	Spruce Wash - Cedar to Dortha & Dortha Inlet	
22	Park Basins	
23	Downtown Mile	
24	Woody Way	
25	Protected Bike Lane Pilot Projects (Butler Ave. & Beaver St.)	
ATMP (Citywide) See website: www.flagstaff.az.gov/atmp		



Economic Vitality Division

Enhancing Quality of Life 365 Days a Year

AIRPORT • COMMUNITY INVESTMENT

LIBRARY • TOURISM

AUGUST 2022



AIRPORT

AIRPORT HAPPENINGS:

AIRPORT TERMINAL TENSION FABRIC DISPLAYS:

- A tension fabric display advertisement for Lowell Observatory was installed above baggage claim.
- Three additional digital displays (terminal wall, second floor seating area, hold room) have been installed throughout the airport to stream advertising.



THUNDER OVER FLAGSTAFF EVENT: Thunder Over Flagstaff was held on Saturday, August 27. The event, hosted by EAA Chapter 856, to benefit youth interest in aviation was a soaring success. Approximately 7,500 people attended along with an impressive display of military aircraft. Staff was present at the event sharing information on the airport, connecting with the community, and handing out promotional items.



Gallerv: Thunder over Flaestaff



AIRPORT ADVERTISING (EXTERNAL):



ELECTRIC VEHICLE CHARGING STATIONS: The Electric Vehicle (EV) charging stations have been certified by APS and are now open for public use. YAY!



CARES ACT PROJECTS CONTINUE: Projects funded by CARES Act grants made significant progress in August. The work completed included:

- **RESTRIPING:** Restriping the commercial aircraft parking ramp:
- **PAVEMENT MARKINGS:** Applying new pavement markings to the terminal curb front. These markings include designated spaces for loading, taxis, rental cars, and emergency vehicles and have assisted with customer wayfinding and traffic control.
- **BIKE LANES:** The installation of new "Bike Lane: No Parking" signs to help prevent rental cars from being left in the airport's new bike lane.



- **PARKING LOT DECORATIVE FENCE:** Installation of the new decorative fence around the Terminal Parking Lot has started and is expected to be complete in September. The reconstruction of the Wiseman Aviation Parking lot is ongoing and should also be finished next month.

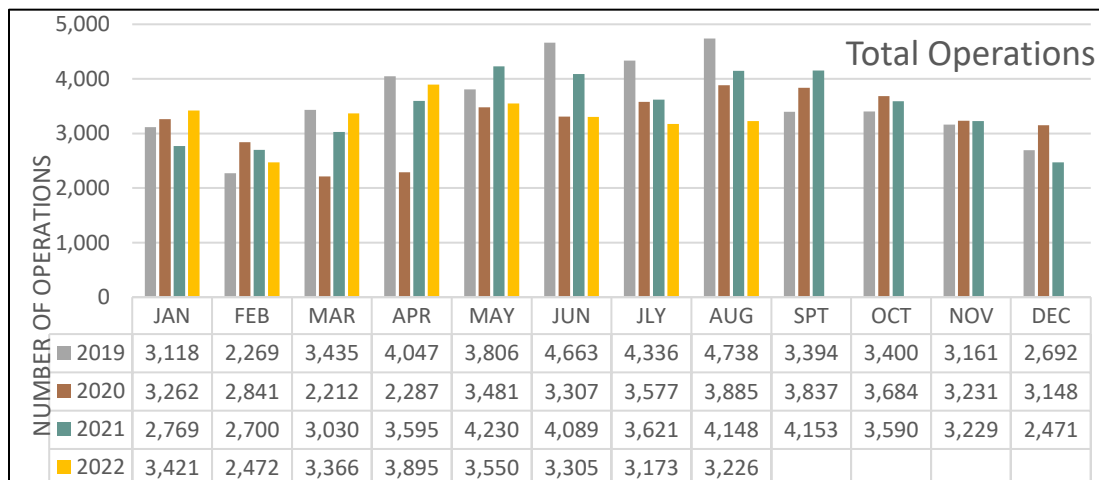
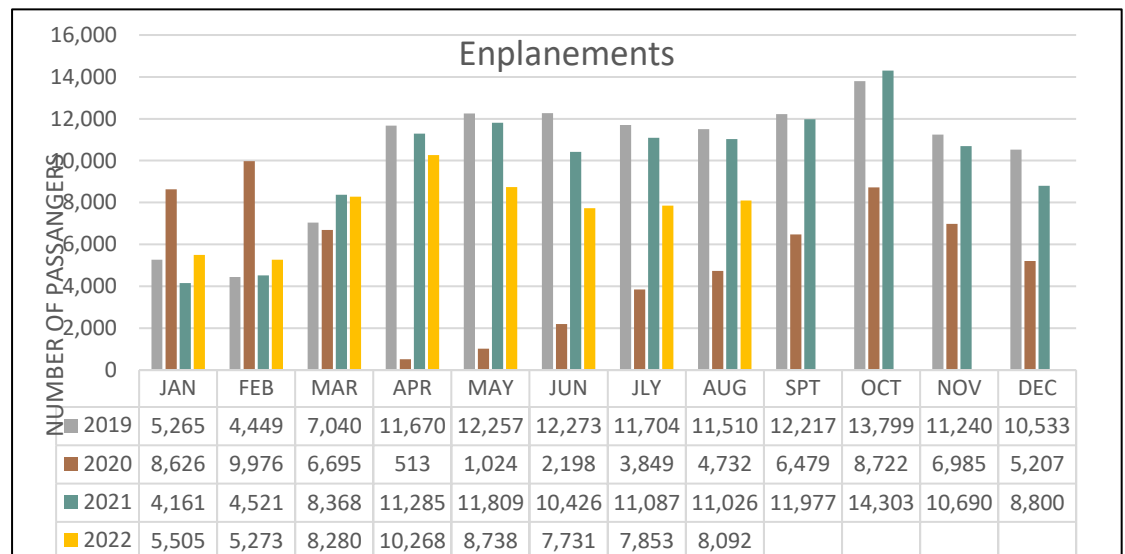
AIRCRAFT RESCUE FIRE FIGHTING:

- ARFF crews attended the 3rd Quarter Greater Flagstaff Regional (GFR) Emergency Medical Services (EMS) training this month. This quarter's GFR EMS training was topics included Trauma, Triage, and Tourniquet application. The training scenario was done as a crew working together to provide patient care.
- The Airport Ops/ARFF Manager attended an online training related to operating in a contaminated or irradiated environment. This training also focused on the basic characteristics of radiation and the levels of danger it poses. The training was put on by the Department of Energy and the Federal Bureau of Investigation.
- With all the rain that occurred this month, Ops/ARFF crews continued to work hard on keeping up with the airfield maintenance with mowing and foreign object debris (FOD)

ENPLANEMENTS & TOTAL

OPERATIONS

GRAPHS: August figures remained steady...





CHOOSE
FLAGSTAFF

COMMUNITY INVESTMENT

BEAUTIFICATION AND ARTS & SCIENCE:

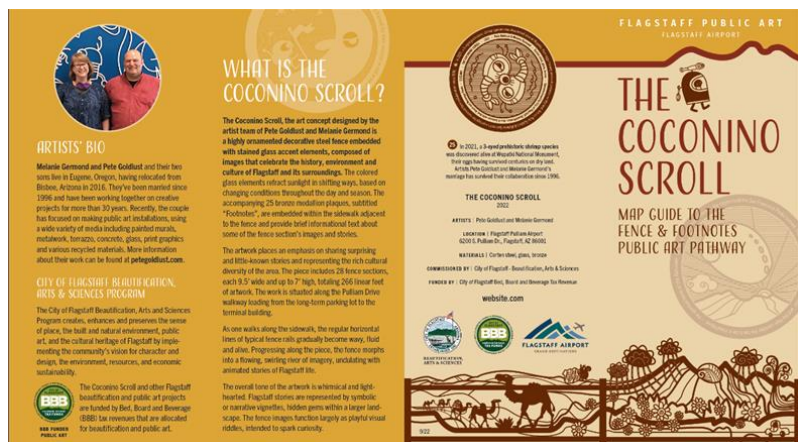
COMPLETED PROJECT

Beautification in Action Grant: The Grand Canyon Youth Center, whose project was delayed by the pandemic, finished their project in June/July but didn't report until August. Using 30 volunteers over 7 volunteer days, GCYC beautified the exterior of their Sunnyside property. Included were low stone and brick perimeter walls to ward off future flooding, flagstone to make shaded areas more useable, water harvesting and pollinator gardens.



ONGOING PROJECTS:

- Airport Art, *Coconino Scroll*:** Notice to proceed given to fence fabricator with schedule review: milestones include steel cutting commencement week of September 12th; RFP for installer week of September 19th; submit glass order week of September 26th; Selection panel for installer week of October 17th; fabrication completion first week of November, with shipping and installation to fit around Thanksgiving

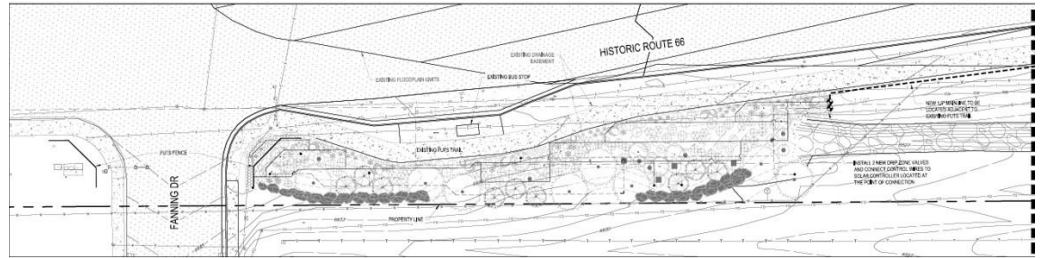


Holiday. Inspection of the “footnote” medallions after installation revealed less than aesthetics results and concerns to rectify. The set down was deeper than anticipated by staff. Contractor ground the cement edges to smooth revealing the aggregate in the concrete, which now frames the medallions. The deeper inset, though, means that there will be standing water longer on the medallions when it rains. More maintenance long term will result. The immediate margins around the medallions are ragged with crumbled concrete and plastic sticking out (medallions were wrapped in plastic to protect, which was removed on the top portion only). Staff initiated scope for a bronze specialist to clean and rewire the medallions to restore patina and to seek proposals to address the margins. Discover Flagstaff sent a draft brochure to review. This foldout brochure, only partially shown right, will both inform about the art and connect to the locations and cultural amenities referenced in the artwork.

- **Aspen Avenue Library Entry:** City Team worked on ADA issues for the alternate entrance to the library that will be needed during construction. Public works added their assistance to keep the project on track. Design team held three to four sessions to finalize colors for the plaza furniture: with paints in umber +light greys, with some chairs in lemon yellow) and wood accents in unfinished jatoba. Quite the consensus building exercise! Furniture ETA is 10-12 weeks. Staff working on option for library doors, after receiving news that the library contractor didn't find a subcontractor to do the sandblasting of artist design. Will cost extra in both time and money to replace the glass later. Library may be unwilling to have 2nd disruption. Staff to review whether this is a priority with upper management.
- **Courthouse's Among Trees:** Project plaque received from fabricator. Held installation meeting and Court Administrator's concerns identified for proposed location. Installation reset for September.
- **Downtown Connection Center:** Mountain Line Design Team sent their elevations and site plans to the artist team. The sculpture location in the plaza is potentially compromised. Artist team sent list of concerns. Staff met with artist team and came up with design options for the greater design team meeting on August 25th that still incorporates the glass art and sculpture in the plaza. Staff participated in design team meeting which resulted with no resolution on the placement of the sculpture, but art glass coordination went forward. Staff met with both Mountain Line and with Artist team on way forward with better renderings, possibly a model of the sculpture. These will be used to further the location discussion with the design team and to show the artwork with modifications to upper management, prior to BPAC approval, to ensure consensus on the design itself.
- **Flowers and Enhanced Landscaping:** Staff worked with Streets to get two additional brackets installed for hanging baskets (one downtown and one on the southside) as per the plan for this season.
- **Holiday Lighting:** Contract for wreathes and lights is in place for Holiday Cheer. Confirming number of barrels with solar lights, the number of replacement-wreathes required, and the map for wreath locations.
- **Indigenous Representation – Sawmill Art Park:** Staff held working-group kick-off meeting on site. Working group is made up from multiple city and county cultural councils. Working group toured the site and participated in cultural guidelines discussion for project. Co-led with Rose Toehe, Coordinator for Indigenous Initiatives. Big thanks for Creag Znetko for all his assistance in set up and take down!



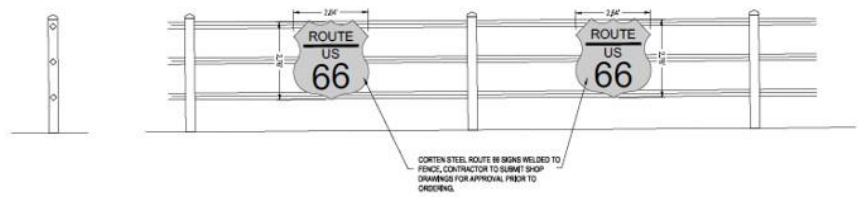
- **Lone Tree Overpass:** Staff gave design team thoughts and guidance on approach that creates a mural niche that might be part of the future Southside Civic Space for a future local artist



opportunity; highlighting need to have BPAC approval and have it in the 5 yr. plan for FY26.

- **Route 66 and Fanning Landscape:**

Reviewed final plans. Solicitation to go out this Fall. Project may be underfunded



by \$20,000 but will assess when bids come in. Work to be completed in April 2023.

- **Southside Community Garden:** Staff met with contracted artist to discuss creative vision, design, and next steps after reviewing community feedback gathered in a survey; then reviewed updated design concepts from the artists with a list of desired beautification/landscaping components. Staff reviewed design with risk management and got approval to go ahead. Decorative gravel ordered for front entry and planning commenced for a community workday in early October.

PROGRAMS & OUTREACH:

- **AmeriCorps/VISTA Close Out Meetings and Tasks:** Staff conducted final meetings with MacKenzie to ensure all her files are moved and info is captured in a 'Sustainability Document' that gathers how-to directions and information for staff and future AmeriCorps members. MacKenzie conducted Mailchimp training for staff. Staff hosted farewell HH for MacKenzie and invited BPAC.
- **Beautification in Action Grants:** Staff met with potential applicants and answered questions for the upcoming round (due date is September 15th) and conducted outreach to attend September 1st workshop. Staff met with Sustainability and Historic Preservation concerning the new location at Murdoch Center for BIA grant funded landscaping. 20'x20' area around the sign okayed by all parties.
- **Creative Flagstaff:** BPAC approved \$50,000 for ArtX festival start-up funding with a set of deliverables at the August 8th Commission meeting. Festival Committee met and reviewed the solicitation for ArtX festival Director. Staff attended Creative Flagstaff reception for arts and sciences non-profits who were awarded operating grants (\$317,000 distributed to appx 25 organizations) which are funded by our Arts & Sciences program at the Coconino Center for the Arts on August 11th. Council Member Salas was in attendance. Staff attended organizing meetings for project grants, which opened with a workshop for applicants. BPA Commissioner Zecher and BAS Program Manager Weldon will both be voting members for these grants.

- **Project Administrator Position:** Staff requisitioned HR for this position and the opening was posted. It closes on September 16th.
- **Quarterly Meeting with Sustainability:** Reviewed BIA grants at Murdoch center and potential collaboration on a pollinator garden capital project at Thorpe Park to possibly tie in with City's Monarch Initiative.
- **Regional Plan:** Staff conducted outreach for a series of Visioning Workshops, conducted by the City and the County, across the regional planning area throughout the months of August, September, October, and November.

HIGHLIGHTED EVENT IN JULY BY A NONPROFITS SUPPORTED BY BBB TAX FUNDS

Dog Bone Neck Pillow: Kids Workshop

Presented by Threaded Together

Sew and stuff a comfy pillow with a fun shape!

Make a cool pillow to rest your neck while you read or hang out. You'll see the dog bone shape appear as you cut the pieces, sew them together on a sewing machine, and then of course fill it full of stuffing. Note: grumpy cat not included (but you can make one in a different class). This class is great for beginners and experienced young sewers alike. All materials and tools are included!

Recommended for ages 8+



PARKFLAG:

NEW TEAM MEMBER: Heather Frantz has joined us here at ParkFlag all the way from Big Bear California. Heather is our new Lead Parking Aide, she has experience in both law enforcement and management, and brings with her exceptional organizational skills and experience in the field. She has already proven herself to be a valuable team asset.

LOADING ZONES:

- After more than a year of discussion and planning, ParkFlag began the installation of loading zones downtown.
- The loading zones are set to go in on N. Leroux, E Aspen Avenue and on E Birch Avenue.
- Signs have been installed and some curbs painted. The zones will coincide with the current loading located on W Aspen Avenue; hours of use are from 6 AM until 10 AM Monday through Friday. The project will also include repainting the existing zone.



KIOSK MAINTENANCE:

- Team members continue to trouble shoot event notices for needed repairs to on street kiosks. The event notices include communication errors, card reader errors and paper faults. These error notices are common and relatively normal. Parking Aides have become quite equipped to resolve event notice errors with and without technical assistance from Parkeon. Currently, ParkFlag has one out of order kiosk in the paid district, a support ticket has been entered and we are awaiting assistance.
- Team ParkFlag removed two kiosks, both located on W Aspen Ave, in preparation for demolition and construction for the Library Entrance Project.

COMMUNITY OUTREACH: ParkFlag worked with the FDBA to update shared files available to all downtown businesses. The FDBA's shared drive now includes a parking file, within the file is information on how to obtain an employee permit, how to become a VIP commuter, FAQs about parking, the annual report and much more.

NAU MOVE-IN: Students are back in town! During move in weekend staff members offered information on where and how to park to multiple parking patrons especially on the south side. ParkFlag received many phone calls and email throughout August related to available parking for NAU students, unfortunately at this time we have no available permits for students in multi residential housing units.

BUSINESS ATTRACTION:

ATTRACTION EFFORTS:

Woodsyn – City staff met with a new company this month that has a progressive solution to affordable housing and fire mitigation. Woodsyn is looking to have several new plants located in the Northern Arizona region that will take small diameter and other additives to make affordable building materials. This business would be an excellent fit for Flagstaff and has the potential to assist with excess lumber from forest thinning efforts and create additional affordable housing options. Staff lead Woodsyn on a site tour this month and they are now considering several possible locations.

Stratus – Is a fledgling technology company that is developing a solution that has practical uses for fire mitigation. They will be meeting with key stakeholders across the region over the next few weeks to determine how they can test their product in Northern Arizona for this application. Stratus has the potential to have immense positive impact on the health of the Coconino National Forest.

Bowlskis – City staff was able to attend a tour of this newly constructed attraction located in the Flagstaff Mall. They are wrapping up the finishing touches and plan to have an official opening within the next few weeks. We are excited to welcome Bowlskis to our community and look forward to visiting the fun new environment they have created, that will provide additional recreation options to our residents.



Conferences, Trainings & Professional Development:

- The Arizona Association for Economic Development (AAED) hosted their Business Attraction Academy course this August. City staff helped to coordinate the course and presented on various topics related to economic development. Gail Jackson, President/CEO of ECoNA also presented alongside Steve Ayers, Economic Development Director of Camp Verde to help round out the event. These partners highlighted Northern Arizona and showcased that our region has been moving the dial in a variety of economic development efforts.
- ICSC (International Council of Shopping Centers) will host their western regional event in San Diego at the end of September. Staff will be attending to gain new partnerships and connections that will hopefully spur the arrival of new retail, restaurant, and hospitality-based businesses to Flagstaff.
- AAED has scheduled their Fall Forum for 10/26 – 10/28 in the Valley this year. This is an excellent event to become more familiar with current economic development trends and network with various professionals in the industry. If you would like to view the forum's agenda to learn more about this great opportunity, please visit: [Arizona Association For Economic Development \(AAED\)](#)

Incentive Updates:

- The Sustainable Automotive Sales Tax Rebate program has seen significant use over the last two months. With a flurry of new applications, the program has now awarded over \$19,500 to 33 purchasers of fuel-efficient vehicles. To learn more about the program please visit: [Sustainable Automotive REBATE PROGRAM - Choose Flagstaff the City of Innovation](#)

Other Attraction Highlights:

- The former Bed Bath & Beyond location is currently being transformed to welcome their new tenant, Home Goods. There has not been an official opening date released yet, but it is estimated that they will be open before the end of the year.

Our partners in the Community Development division have released the newest version of their Development Status Report (May 2022). This comprehensive list of ongoing/planned development can be found here: [Development-Status-Report-May-2022 \(az.gov\)](#)

BUSINESS RETENTION & EXPANSION:

PROJECT UPDATES:

INNOVATE WASTE: THE CARBON NEUTRALITY CHALLENGE: Staff met with Sustainability staff to discuss the recent round of the collaborative entrepreneurial challenge to build upon the successes of the last three years. One primary result of the meeting is the name. As last year, there were a few iterations of the name that contained many of the same words, but it was clunky. The program will now be known as "Innovate Waste: The Carbon Neutrality Challenge". The name honors the beginnings of the program

which focused on diverting material from the landfill and broaden the focus to include all variety of carbon reduction and carbon sequestration efforts.

ECoNA BR&E TEAM: The ECoNA BR&E Team met with the new team at IML Containers and to tour the new facility in Bellemont.

- The new facility was completed in 2019 and the BR&E Team meeting was a chance for IML to show off their expanded operations.
- The forklift in the picture to the right is self-driving by way of digital markers in the floor.

ARIZONA TECH COUNCIL TOUR: Business Attraction Manager Jack Fitchett and ECoNA President and CEO Gail Jackson invited the Arizona Tech Council to tour Flagstaff to learn more about the businesses and the ecosystem that is advancing technology in the region. The tour started at Northern Arizona University, then up to NACET for lunch and presentations from Katalyst Space Technologies and W.L. Gore & Associates, then to City Hall for a presentation from UACJ Whitehall, and finally concluded at the new location of Northern Arizona Healthcare's Regional Wellness Village.

(Diana White presenting to the Arizona Tech Council)

(John Saltonstall introducing UACJ Whitehall)





LIBRARY | CITY & COUNTY

AUGUST 2022 LIBRARY STATS:

		Aug-22	Aug-21	Difference
Circulation	Downtown	25,834	21,210	46.39%
	East Flagstaff	10,521	6,338	66.00%
	TOTAL	36,355	27,548	31.97%
Value of Loaned Materials	Downtown	\$487,442.25	\$392,423.81	24.21%
	East Flagstaff	\$204,578.95	\$112,473.48	81.89%
	TOTAL	\$692,021.20	\$504,897.29	37.06%
In-House Use	Downtown	21,767	17,332	46.39%
	East Flagstaff	7,258	5,016	44.70%
	TOTAL	29,025	22,348	29.88%
Door Count	Downtown	26,929	12,057	123.35%
	East Flagstaff	13,671	8,678	57.54%
	TOTAL	40,600	20,735	95.80%
Wi-Fi Use	Downtown	3,525	2,290	53.93%
	East Flagstaff	1,999	1,131	76.75%
	TOTAL	5,524	3,421	61.47%
Public Computer Use	Downtown	3,204	1,153	177.88%
	East Flagstaff	2,259	304	643.09%
	TOTAL	5,463	1,457	274.95%
Number of Programs	Downtown	12	5	140.00%
	East Flagstaff	-	1	-100.00%
	TOTAL	12	6	100.00%
Program Attendance	Downtown	131	98	33.67%
	East Flagstaff	-	2	-100.00%
	TOTAL	131	100	31.00%
Reference Help	Downtown	3,288	3,014	9.09%
	East Flagstaff	1,886	1,068	76.59%
	TOTAL	5,174	4,082	26.75%

LET'S TALK ABOUT IT BOOK CLUB: We hope that everyone will be able to participate in our NAPEBT-wide book club! The first book is *Palaces for the People* by Eric Klinenberg. Discussions will be online Wed 9/28 at 5p and Fri 9/30 at 12:30p.

EFCL RAINBOW LIBRARY GRANT: Felicia Fiedler applied for and was awarded a free collection of LGBTQ+ affirming books from the [Rainbow Library!](#) These will be housed at EFCL once they arrive.

EFCL SEED LIBRARY PATRON INSTAGRAM REEL: a patron posted a reel on [Instagram of all the flowers she grew from the EFCL seed library!](#)

EFCL WORK ANNIVERSARY – LAURAN MCMILLAN: Lauran McMillan has been a PT Temporary Clerk at the East Flagstaff Community Library for 7 YEARS!! She is a wealth of knowledge, and we are lucky to have her. Congrats on your work anniversary!



LGBTQ VIRTUAL RESOURCE GUIDE PROPS: The City's [Commission on Diversity Awareness](#) used our [digital LGBTQ resource guide](#) as a great example of how to share resources online.

LIBRARY OF THINGS: Interested in arts and crafts? Science? Gardening? Home improvement? Outdoor adventure? Check out the tools, equipment, and other items in our new [Library of Things collection!](#) New items are continuously being added – including new Citizen Science Kits coming this fall!



DIGITAL LITERACY WORKSHOP INCENTIVE: The Downtown Library's Reference Department was recently awarded a Digital Literacy Workshop Incentive grant from the Public Library Association to teach digital literacy workshops and purchase accompanying technology. Classes will begin this fall and run through March 2023!

BARDS AND NOBLES: Youth Services will be adding a new program entitled Bards and Nobles: Dungeons and Dragons for Teens. It will begin Sept. 15th and will run once a month.

- **New Employees:** Nick Sones and Miranda Mann have joined the Youth Services team as Library Specialist. Youth Services is now fully staffed for the first time since 2019.

LET'S TALK ABOUT IT BOOK CLUB

For all employees & volunteers of NAPEBT: City of Flagstaff, CCC, Coconino County, Coconino County Accommodation School District, FUSD, Kachina Village Improvement District, & Mountain Line!

We're reading:
Palaces for the People
by Eric Klinenberg

how social infrastructure can help fight inequality, polarization, and the decline of civic life

Online discussions via teams:

Wednesday, September 28, 2022 from 5:00-6:00 PM
<https://bit.ly/LTA/palaces1>

Friday, September 30, 2022 from 12:30-1:30 PM
<https://bit.ly/LTA/palaces2>

Borrow a copy of the book:

- Flagstaff City-Coconino County Public Library (either Downtown or East) - audiobooks available! Contact barb at btait@flagstaffpubliclibrary.org to reserve a paperback copy.
- City of Flagstaff Sustainability Office - contact Jenna Ortega - Jenna.Ortega@flagstaffaz.gov

To request a reasonable accommodation for any type of disability, please call 928-213-2331. Three days prior notice is requested.

BARDS & NOBLES

Dungeons & Dragons for Teens
 Community Room Ages 12-18
 3rd Thursdays 5:00-7:30PM
 September 15th - November 17th

Flagstaff City-Coconino County Public Library
 300 W Aspen Ave • Flagstaff, AZ 86001
 928-213-2381 www.flagstaffpubliclibrary.org

The program is a reasonable accommodation for any type of disability. Please call 928-213-2331. Three days prior notice is requested.



TOURISM & VISITOR SERVICES

TOURISM METRICS: AUGUST 2022

Demand was high in August as occupancy beat the previous year by over 4%. The RevPAR figures were good with an increase of 3% over previous year.

Discover Flagstaff continued to share the things to do in our community as well as asking our visitors to be safe and responsible while in market.

Following is a snapshot of the metrics for August 2022:

AUGUST	2021	2022	Diff
OCC	69.1%	72.1%	4.3%
ADR	\$126.99	\$125.39	-1.3%
RevPAR	\$87.78	\$90.39	3.0%

MARKETING & MEDIA RELATIONS: *August 2022*

August marketing results highlights include:

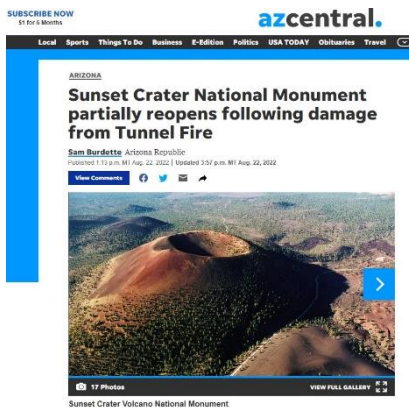
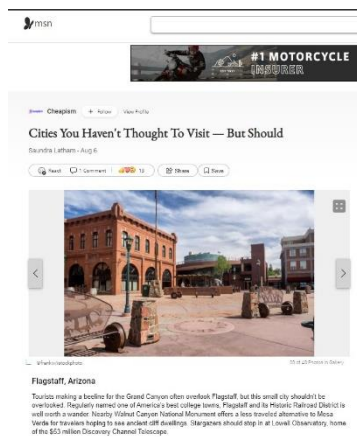
- Average time on discoverflagstaff.com site increased 17 seconds
- Social media influencer's Flagstaff content received 30,000 views
- Two film permits issued in August
- Email open rate for Discover Flagstaff was 44%
- Sweepstake's entries are up 74% -- the best results in our history
- Discover Flagstaff Facebook engagement rate exceed benchmark by .15%
- Media coverage included stories published in print, digital and broadcast. The re-opening of Sunset Crater Volcano National Monument was a welcome story in the Arizona Republic and azcentral.com as well as the Valley networks and local media channels.
- Digital featured Flagstaff on many "best" lists on yahoo.com, travelawaits.com, lonelyplanet.com, msn.com, familydestinationguides.com, and worldpursuit.com.
- Media contacts (Roger Naylor and Shanti Lerner) at azcentral.com published Labor Day activities and their stories were also picked up by Yahoo. Naylor also published a fantastic foodie article in collaboration with foodie writer, Nikki Buchanan, about Proper Meats and Provisions using images provided by Discover Flagstaff in the articles "Check out the counter at Proper Meats and Provisions in Flagstaff" and "For the best pastrami sandwich, drive north."
- Lowell Observatory garnered attention about Pluto's planet status, asteroids, Saturn's ringed planet and the *Make-a-Wish* foundation.
- Meteor Crater was in the news at wanderwisdom.com.
- And working with travel writer, Teresa Traverse, the article "7 great restaurants worth traveling for" was published at coppercourier.com.

- Hosted travel writer, Marilyn Jones, published a piece on travelgumbo.com titled “The Arboretum at Flagstaff, Arizona.”
- Hosted Southwest Sampler influencer, Andrea Blake, delivered content on Instagram and TikTok covering downtown music and the Orpheum theater resulting in 30,000 views on social media.
- The top social echo digital articles in August were from newsexplorer.net, pointsguy.com, lonelyplanet.com and archynewsy.com.
- Although not earned media it is important to note in August that Flagstaff won Green Living Magazine’s “Best of” in the Weekend Getaway category! The article will publish in September and Trace Ward will attend the Green Living Awards gala in Phoenix. Enjoy more highlights and links below.
- Discover Flagstaff procured 4 stories and had 9 media assists in the month of August.
- Print (circ: 727k/value: \$39k) Broadcast (reach: 16.5m/value: \$154K) Digital (reach: 1.9b/value: \$12.2m) International Coverage (circ: 60m/value: \$553k). August 2022 resulted in a 577% increase in AVE and 574% increase in REACH compared to 2019. There were 6,702 digital article social echo shares on Facebook, Twitter and Redditt.

Enjoy more highlights:

- **Sunset Crater National Monument partially reopens following damage from Tunnel Fire**
<https://www.azcentral.com/story/news/local/arizona/2022/08/22/sunset-crater-national-monument-reopens-road-some-trails/7868331001/>
- **Check out the counter at Proper Meats + Provisions in Flagstaff**
<https://www.azcentral.com/picture-gallery/entertainment/dining/2022/08/12/check-out-counter-proper-meats-provisions-flagstaff/10235911002/>
- **35 BEST Places to Visit in September (in the WORLD)**
<https://theworldpursuit.com/best-places-to-visit-in-september/>
- **The 15 Most Beautiful Places to See Fall Foliage In 2022**
<https://www.travelawaits.com/2790901/fall-foliage-2022-rv-camping/>
- **7 Flagstaff Restaurants Worth Traveling For**
<https://coppercourier.com/story/flagstaff-dining-must-visit/>
- **10 Best Hiking Trails in Flagstaff According to The Locals**
<https://www.travelawaits.com/2791430/best-hikes-flagstaff-arizona/>
- **Best Brunch in Flagstaff, AZ (2022) — 20 Top Places!**
<https://familydestinationsguide.com/best-brunch-in-flagstaff-az/>
- **Labor Day weekend 2022 road trips: These Arizona events are worth the drive**
<https://www.yahoo.com/now/labor-day-weekend-2022-road-130037626.html>
- **The Best Arizona Golf Courses for Expert Design and Stunning Views**
<https://www.travelandleisure.com/best-arizona-golf-courses-6504248>
- **Last-minute Labor Day weekend 2022 ideas: Try one of these Arizona getaways**
<https://www.yahoo.com/news/last-minute-labor-day-weekend-145100596.html>
- **50 Amazing Places in the U.S. You've Got to Take Your Kids**
<https://www.msn.com/en-us/travel/tripideas/50-amazing-places-in-the-u-s-you-ve-got-to-take-your-kids-to/ss-AAQ47AY?li=BBnbkIE>
- **Cities You Haven't Thought to Visit — But Should**

<https://www.msn.com/en-us/travel/tripideas/cities-you-haven-t-thought-to-visit-but-should/ss-AAZNINK>



FILM:

- Film Commissioner continues to assist Belgium TV producer Lana Van Vaerenbergh at Woestijnvis NV. Lana's team is scheduled to film their game show program in November and is seeking nine nights with 35 rooms for the crew. Jessica Young is gathering bids from Flagstaff properties for the producer and the economic impact is estimated to exceed \$50,000.
- Film Commissioner assisted Figure 8 Films with contacts and resources. And assisted a location scout with contacts and information for a commercial filming project with Thor Industries RV.
- Film Commissioner finalized AFM registration partnering with Film Tucson and secured state office support with the use of the go film AZ booth backdrop.
- Film Commissioner secured AFM conference lodging for two rooms and two people (staff/Austin Aslan.)
- Film Commissioner is working on updating the film webpages at Discover Flagstaff and training fellow staff member, Sabrina Beard, with film activities as well as introducing her to film industry contacts and participating in film meetings.
- Film Commissioner presented a film update to the Flagstaff City Council.
- **Two film permits were issued in August:**
 - Bryan Bukovec's short film "Roadtrip"
 - Chiaramonte Films project "The Young and The Cursed."



WEBSITE:

Analytics compare 2022 to pre-Covid 2019:

- Domestic sessions were slightly up by 1.32%. This increase was lead from our #1 drive market which is up 4.4%, TX was up similarly at 4.3% primarily from Dallas, CO/FL/NV are also showing increases.
- International sessions had positive numbers, too: UK was up 26% following last month being down a slight 1.7%, and Germany was up nearly 6%. MX was down -34%.
- Pages most visited include Webcams which were up 68%, events/festivals increased 13%, fall events increased 60%, Leaf-ometer has already received 2,075 views.
- Average time on page increased 17 seconds or 17.76% compared to 2021.
- Referring websites increased 61% which is so good for search engine ranking, organic search was also up.
- 1,885 outbound links to partners and stakeholders.
- Plan Your Trip/Visitor Guide request page average time on page increased 11.49% from 1:37 to 1:48 and most of that came at the end of the month.
- 289 visitor guide requests were received from the website. 202 newsletter sign-ups were opted in. Booking engine had 1,350 click thru to accommodation sites and average length of stay searched was 2.8 nights. Friday, Saturday, and Monday were highest check-in dates.

EMAIL CAMPAIGN:

- Email campaign benchmarks are set at 20% open rate by trustworthy sources such as Constant Contact, Mail Chimp and Campaign Monitor. The August email was sent to our master list of 21k contacts with a heavy focus on the airport and local events, as well as a link to the new Discover Flagstaff Astro tourism landing page.
 - August 2021
 - Reach 16,566
 - Open Rate 30%
 - August 2022
 - Reach 21,001
 - Open Rate 44%
 - Reach % in/dec: 27%
 - Open Rate % in/dec: 47%
- The Flagstaff Local e-newsletter continues to perform strongly with people continuously scrolling to the bottom of the newsletter, with the click-through rate to prove it. A send-time of 9am is performing the strongest over any other launch time for this email campaign. Content routinely focuses on community support, engagement, and action.
 - August 2021
 - Reach 842
 - Open rate 34%
 - August 2022
 - Reach 830

- Open 48%
 - Reach % in/dec: -1.1%
 - Open Rate % in/dec: 41%

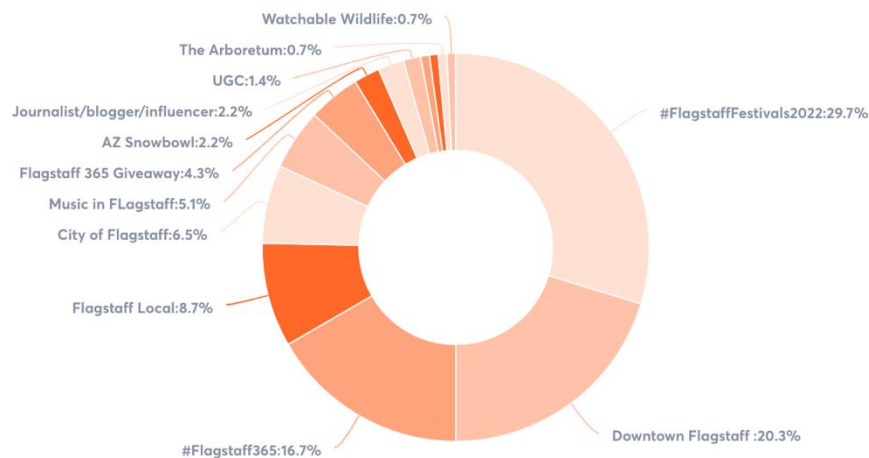
SWEEPSTAKES:

- Sweepstakes are a way of creating hype and buzz, whether that's for an event or a business. Now we are running an ongoing festival sweepstakes from April-October 2022. We are comparing results to 2019 "by this time" due to this being our previous benchmark year. Now that the 2022 sweepstakes has surpassed 2019 entries "by this time", it is now our top performing sweepstakes.
 - 2019 Entries "by this time"
 - 10,713
 - 2022 Entries
 - 19,351
 - % in/dec: 74%

SOCIAL MEDIA:

Along with the Discover Flagstaff business platforms, our staff is also responsible for Flagstaff local and has, as of this year, taken on full responsibility of Flagstaff 365 platforms. We have established a new CRM platform for social media with Agorapulse and hope to not only track likes/follows but also track engagement and compare with industry benchmarks.

Publishing

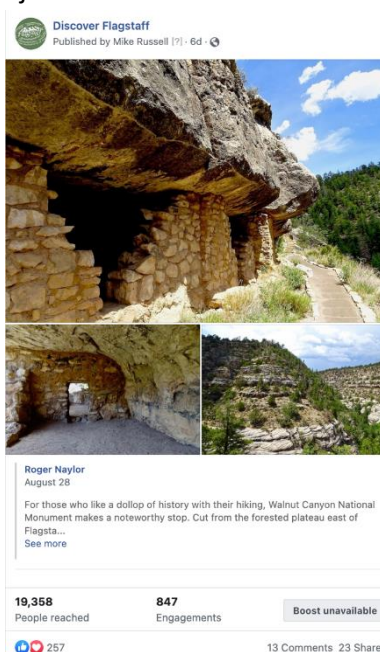


- Discover Flagstaff shows an engagement rate of .36% compared to the industry benchmark of .21%. Flagstaff Local is below engagement rate with .18% compared to the industry benchmark of .21%. Flagstaff 365 is below engagement rate with .16% compared to the industry benchmark of .21%.

- YouTube - shows an engagement rate of 1.25% compared to the industry benchmark of .03% Note: this is a benchmark based on YouTube overall not just Travel Tourism as above.

- Instagram - likes are back up with the use of "reels" but engagement is still low .51% compared to the industry benchmark of 1.13%.
- Twitter - engagement is good at .06% compared to the industry benchmark of .03%.

- TikTok - is above industry standard engagement at 6.15% compared to the industry benchmark 3.25%.
- Flagstaff Happenings has exceeded 2019 numbers.
- Flagstaff 365 Page views have grown by 33% and the Discover Flagstaff Events page has grown by 3% since 2021 and **has moved to the top 5th page searched for in August.**



SALES:

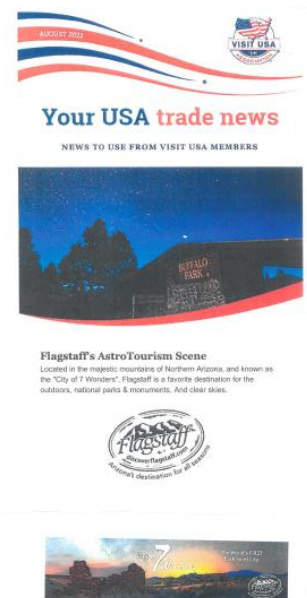
International Travel Trade:

MEETINGS/EVENTS:

- Met w/NEW Hyatt Place executives
- Flagstaff Sister Cities Meeting
- Destination America Site Inspection
- Brand USA MegaFam November itinerary submitted to AOT
- Sonora/Flagstaff meeting
- BrandUSA Travel Week Frankfurt – Appointment Scheduling
- BrandUSA multi-cultural webinar
- PleasureBent Tours dining lead
- Grueninger Tours dining lead
- Sunset Crater post-fire site inspection
- Brix group space site inspection

MARKETING & MEDIA:

- Annual Report content
- Visit USA UK August Trade newsletter content
- Visit USA UK September Consumer newsletter content
- Visit USA Belgium October newsletter content



Meetings/Conference/Events:

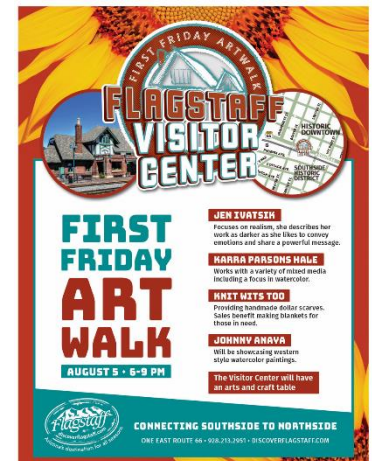
CONFERENCE/ROOMS LEADS/BOOKINGS: 1 Lead was sent in the month of August for a total of 280 room nights and total estimated economic impact of \$83,720.

MEETINGS/CONFERENCE SERVICES: Staff attended Creative Flagstaff Board Meetings and Retreat, FLP Board Meetings, EAC Meetings, Tourism Commission and had meetings/Site Visits with Hyatt Place, Mormon Lake Lodge, and Arizona Snowbowl.

VISITOR SERVICES:

August	2020	2021	2022	+/- 2021	+/- 2020
Walk-ins	7,231	8,806	10,820	23%	50%
Retail Sales	18,488	\$23,957	\$27,577	15%	49%

- **WALK-INS & RETAIL:** Continued to increase in August...great numbers!
- **MODEL TRAIN:** The Model Train was repaired at the Visitor Center on August 12th and ran 100 times during the month of August.
- **BREWERY TRAIL:** Visitor Center gave out 181-pint glasses for brewery trail redemptions!
- **ARTWALK:** Visitor Center participated in First Friday Artwalk, we hosted 5 artists and had 238 Walk-ins during the event.
- **INDIGENOUS ART MARKET:** Market continued this month with 1-3 indigenous artisans selling their jewelry and other artwork in the Visitor Center parking lot or inside the visitor center on weekends this market will continue through the summer.
- **EV CHARGING STATIONS:** construction continued electric vehicle charging station in the west parking lot of the Visitor Center, the next portion of construction requires a power outage that will need to be coordinated with APS and surrounding businesses that will be affected.
- **STAFFING:** Visitor Center continued recruitment efforts to bring on more staff in August we had one new staff member begin at the Visitor Center, welcome Emily Davalos, a visitor services assistant working weekends, to Team Flagstaff.

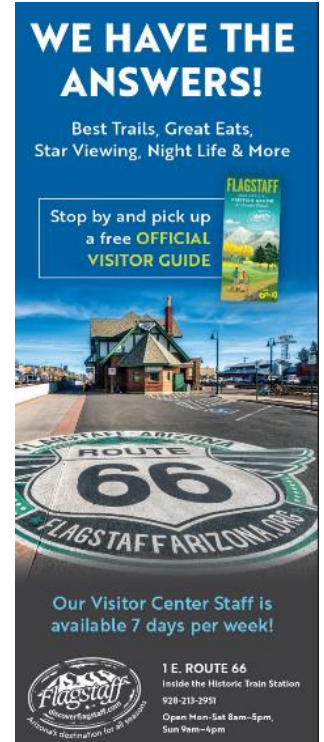


CREATIVE SERVICES:

ADVERTISING:

- **VISITOR CENTER ARTWALK FLYER:** Designed and printed the August ArtWalk flyers
- **VISIT. DISCOVER. GROW.:** Finalized the 2022 VDG publication
- **AIRPORT TSA WINDOW DESIGN:** Worked on the TSA window designs for the Flagstaff Airport
- **VISIT USA UK AD:** Designed the Visit USA UK digital banner

- **CHAMBER COMMUNITY MAP AD:** Designed the Chamber Community Map ad promoting the Visitor Center
- **LOCAL PRINT ADS:** Created the Arizona Daily Sun and Flagstaff Business News ads for September
- **HIGHLANDS LIVING LAYOUT:** Designed the Highlands Living October PSA layout
- **DIGITAL ADVERTISING (DRIVE MARKET/OUT-OF-STATE):** Created campaigns for August **Datafy** supporting: September/October Flagstaff Festivals, Flagstaff Festival Sweepstakes, 8 National Parks & Monuments, Leaf-ometer/Fall colors, and Orpheum concerts
- **DIGITAL ADVERTISING (ASTROTOURISM MARKETING GRANT):** Created special grant campaign for August **Datafy**
- **PRINT ADVERTISING (DRIVE MARKET/OUT-OF-STATE):** Created print ads for *Phoenix New Times* and *National Park Journal-Grand Canyon edition*
- **FY22 ANNUAL REPORT:** Layout in progress
- **COCONINO SCROLL BROCHURE:** Layout draft out for review
- **PARTNERSHIPS-FLAGSTAFF TRAILS INITIATIVE:** Attended the Flagstaff Regional Trails Coordination Meeting
- **PHOTOGRAPHY:** Attended Thunder Over Flagstaff and took photos for future promotion
- **SUSTAINABILITY:** Met with sustainability to site tour and brainstorm an info wall at the Visitor Center
- **ADVERTISING:** Continued work on the Route 66 100th Anniversary logo
- **ADVERTISING:** Provided multiple assets for the TravelZoo advertorial
- **ASTROTOURISM:** Secured videographers for Astro tourism video



CITY JOBS:

- **CITY RECRUITMENT ADS:** Designed career ads for the AZ Daily Sun, Navajo Hopi Observer, and Flagstaff Business News
- **COMMUNITY WELCOME POSTCARD:** Updated the Community Welcome postcard for Off-Campus Life & Neighborhood Liaison
- **BOND OUTREACH:** Created the Bond 2022 logo
- **BOND OUTREACH:** Assisted with various Prop 441 & 442 marketing campaign materials
- **AIRPORT:** Continued work on the Airport Media Kit
- **HOUSING** Assisted housing with updating an info graph with Spanish
- **RECRUITMENT:** Created and ordered promotional pens for the City Recruitment campaign
- **BBB:** Started wireframe for BBB landing page

WEBSITE:

- **ASTROTOURISM CONTENT:** Created the Astro tourism landing page on DiscoverFlagstaff.com



- **PICKIN IN THE PINES CONTENT:** Added a Pickin' in the Pines blog page on DiscoverFlagstaff.com
- **MUSIC FESTIVAL CONTENT:** Added the Flagstaff Music Festival and updated festival content on DiscoverFlagstaff.com
- **DISCOVER FLAGSTAFF:** Added a blog to the DF website from a [TravelZoo article](#)

Calendar of Events

Autumn 2022

Festivals





October

1 Flagstaff Oktoberfest

7-16 Flagstaff Shakespeare Festival

29-30 Celebraciones de la Gente




For a complete festival calendar, visit flagstaffarizona.org/events/festivals

Toast the season



Wine Bar/Craft Cocktail Lounge/Meadery

- ☐ Atmos Cocktail Lounge
- ☐ Briz Restaurant & Wine Bar
- ☐ Drinking Horn Mead Hall
- ☐ ELG Terroir Wine Bar & Bistro
- ☐ Karma Soda Bar & Grill
- ☐ Monte Vista Cocktail Lounge
- ☐ Oakroom at Continental Country Club
- ☐ Oeno Wine Lounge
- ☐ Ramdomness at Hink! Monte Vista

Bar/Nightclub/Music Venue

- ☐ Altitudes Bar & Grill
- ☐ Bonddets
- ☐ Brews & Cuts Pool Hall
- ☐ Hop on Birch
- ☐ Majestic Marketplace
- ☐ Monte Vista Cocktail Lounge
- ☐ Pop N' Take Downtown Market
- ☐ Southside Tavern
- ☐ The Gopher Hole Pub
- ☐ The Runway Nightlife & Eat
- ☐ Uptown Pubhouse
- ☐ Yucca North
- ☐ Zinc Grey Bar & Ballroom



For a complete list of restaurants, breweries and bars, visit discoverflagstaff.com/dining.




BE FIRE AWARE | STAY & PLAY RESPONSIBLY

8 NATIONAL PARKS AND MONUMENTS + 7 ARIZONA STATE PARKS

WITHIN A 2-HOUR DRIVE OF FLAGSTAFF—YOUR PERFECT HUB WITH ACCOMMODATIONS, RESTAURANTS, BREWERIES, ATTRACTIONS AND MORE.

ARIZONA

ExploreMoreAZ.com

WUPATKI NATIONAL MONUMENT

Request your free Visitor Guide at discoverflagstaff.com or at the Flagstaff Visitor Center, I.E. Route 66.

Only direct Flagstaff (FLG) flights to/from Phoenix (PHX) and Dallas (DFW).

STAY & PLAY RESPONSIBLY



LEAF-o-meter

DISCOVER FLAGSTAFF



STAY & PLAY RESPONSIBLY

THANK YOU FOR YOUR CONTINUED PARTNERSHIP WITH THE CITY OF FLAGSTAFF'S ECONOMIC VITALITY DIVISION!

PROSE

PARKS, RECREATION, OPEN SPACE, AND EVENTS

September 2022

Project Highlight

Aquaplex Membership Drive

On Friday, August 26, in recognition of the anniversary for the opening of the Flagstaff Aquaplex, a one-day membership drive event was held. The results beat the goal established by PROSE leadership. Out of the one-day event, there were 157 new memberships and 82 renewal memberships, bringing forward a total of \$29,102.50 in membership fees!! Congratulations to the team.



Staff Spotlight

Robert Wallace
Open Space Supervisor

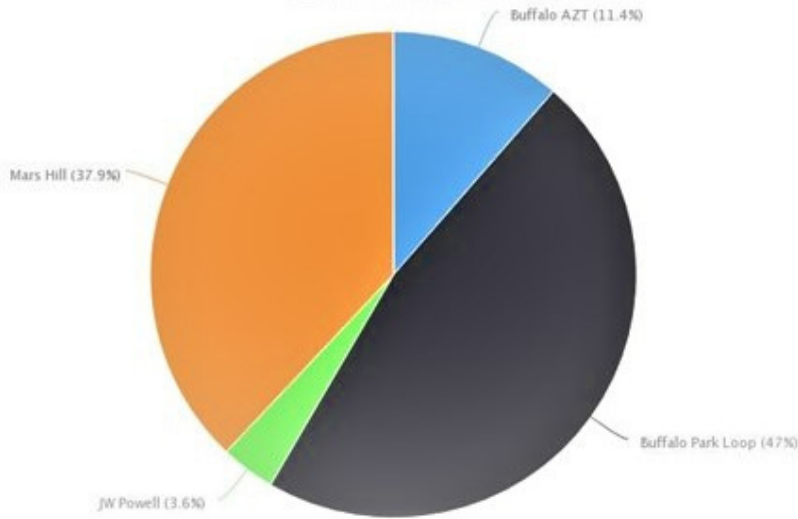


Robert has been working for the City of Flagstaff as the Open Space Specialist since May 2018 and recently received a promotion to Open Space Supervisor where he oversees the City's Open Space Program. In his position, he manages over 3,000 acres of designated open space: McMillan Mesa, Observatory Mesa, Picture Canyon, and Schultz Trailhead. His efforts involve developing policy, planning and implementing projects, securing long-term funding, and working with partners to ensure the preservation of open space lands. Currently he is excited to be working with colleagues to develop a new master plan that encompasses the different sections of PROSE. He is invested in preserving healthy ecosystems for the benefit and enjoyment of all. In his personal time, Robert enjoys hiking, mountain biking, rock climbing and paddle sports with his wife and son.

Parks

Compare Sites

2022-08-01 to 2022-08-31



Trail Counts

Rain or shine...our community walks, runs, pedals, pushes and strolls the FUTS. For the month of September, the Buffalo Park loop beat out the second favorite location of Mars Hill with over 338 daily passersby. Did you know that the Parks team maintains nearly 60-miles of the FUTS?

Thorpe and McPherson Disc Golf Courses

Have you seen the amazing work that the Flagstaff Disc Golf Club (FDGC) executed this summer? FDGC's members and sponsors have been busy volunteering many hours on improvements to both disc golf courses in our parks system this past summer and are paving the way to more improvements as we partner on the upcoming 2023 PDGA Masters Disc Golf World Championship in Flagstaff. A special thank you on the projects to FDGC, Blocklite, and the Parks team for partnering for the better.

Here is an amazing improvement to hole "I" in Thorpe Park showcasing the innovative and impressive work.



Recreation

Community Collaboration

The collaboration with our wellness partners was showcased during the North Country Health Care's annual children's health and wellness fair at the Flagstaff Aquaplex.



Wellness Connections

The wellness connection for all our recreation centers is vital, multi-generational, and a staple for the Recreation team to consistently be mindful with an informative lens for all of our patrons and the community. The connections vacillate between nutrition, exercise, and mental health wellness that each of our recreation centers provide. We also strive to meet the needs based on trends in the industry.

Open Space



Seeds of Stewardship

Open Space partnered with Arizona Trail Associations "Seeds of Stewardship" project to teach 4th and 5th graders from Flagstaff Junior Academy about native plants and invasive plants.

Students learned about a variety of invasive plants and the importance of keeping them under control.

After an educational session students were put to work on McMillan Mesa removing invasive plants!

Wednesday Weed Pulls

Invasive Weed Pulls came to an end in September as weeds let go of their seeds for the season.

Open Space has been working to prepare areas along the Rio de Flag at Picture Canyon so Northern Arizona Audubon can begin tree replacement.

Replacement will include new Chokecherry, Narrow Leaf Cottonwood, and Willow trees.



Events



Accessibility Improvements

September brings peak foot traffic to the Sunday Community Market. With increased foot traffic comes additional needs, such as defined accessible parking. Staff partnered with the Community Market to test temporary accessible parking ideas. This pilot will be mirrored at City of Flagstaff PROSE events in an effort to maintain inclusivity.

September Happenings

Events have been go, go, go this month kicking off with Flagstaff Art in the Park over Labor Day weekend.

Our partners with the Downtown Business Alliance have kept Heritage Square activated with music every Thursday evening, the much loved Friday Night Summer Concert Series, Movies on the Square each Saturday, and Sunday performances. Storm Troopers made a special appearance to kick-off the showing of Star Wars: A New Hope in Heritage Square.



CITY OF FLAGSTAFF STAFF SUMMARY REPORT

To: The Honorable Mayor and Council
From: Creag Znetko, Administrative Specialist
Date: 09/20/2022
Meeting Date: 09/27/2022



TITLE:

Update to the Brownfields Route 66 Coalition Revitalization Program

DESIRED OUTCOME:

Informational only, presentation with updates to City Council and answer questions.

EXECUTIVE SUMMARY:

Dave Laney, representative from Stantec, will be presenting information about the U.S. Environmental Protection Agency (EPA) Brownfields Assessment Grant funding. This funding is available to parties interested in completing environmental site assessments, hazardous/regulated building materials surveys, and cleanup/reuse planning activities. Property owners, businesses, developers and community stakeholders are encouraged to take advantage of this funding opportunity to further economic development initiatives, protect public health, and restore the environment.

INFORMATION:

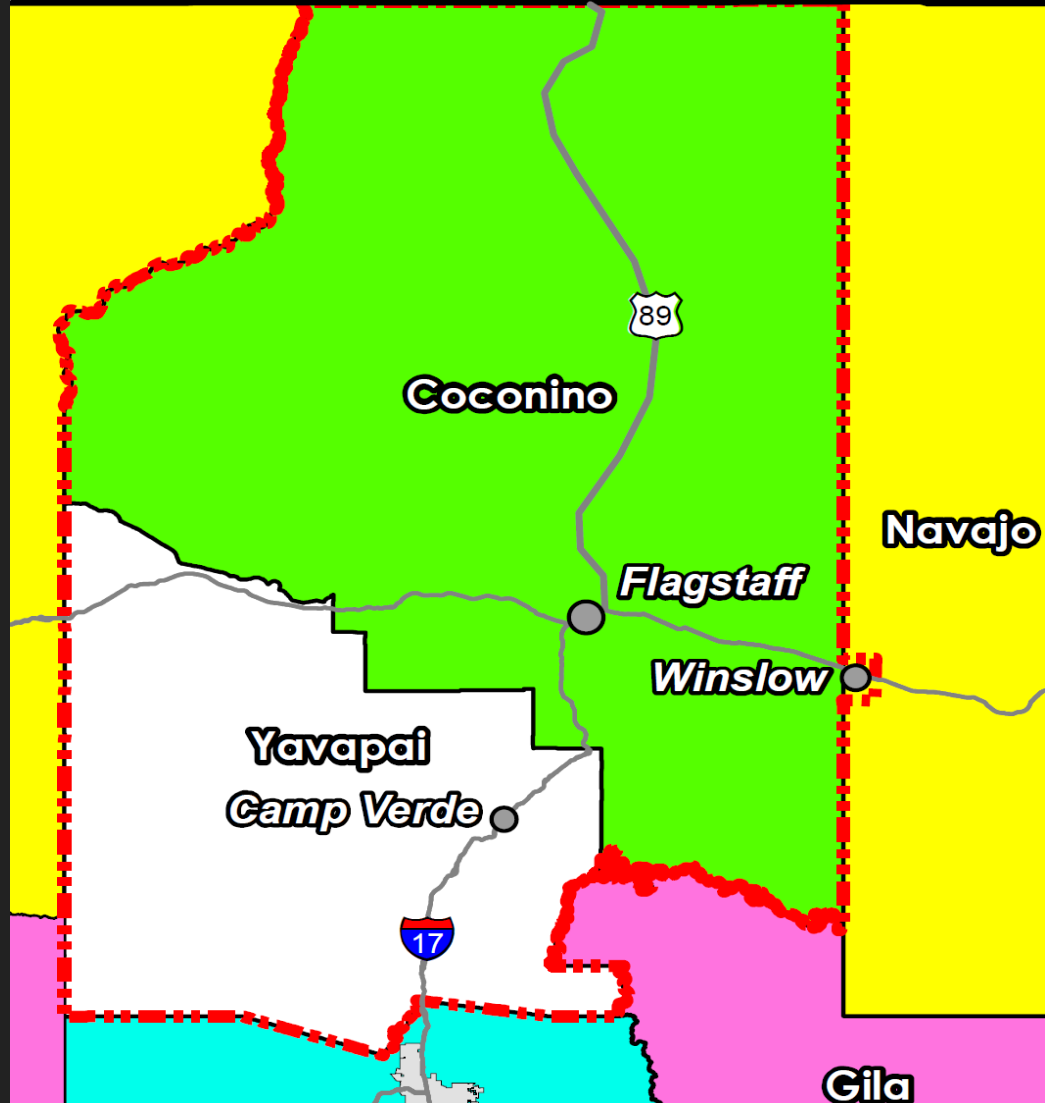
The project is funded by \$600,000 of Brownfields Assessment Grants awarded by the U.S. Environmental Protection Agency (EPA). The lead agency for the project is the Northern Arizona Council of Governments (NACOG). Coalition members include Coconino and Yavapai counties, the cities of Flagstaff and Winslow and the Town of Camp Verde. Stantec is the consultant who is assisting the Coalition implement the grant, has completed an inventory of properties and is performing community outreach and engagement. SCS Engineers and Ninyo & Moore are performing environmental site assessments.

Attachments: [Presentation](#)

Northern Arizona Property Revitalization Program- A Status Report

Flagstaff City Council

Dave Laney, CHMM



September 27, 2022



EPA Brownfield Assessment Grant



- Grant awarded in June 2019 & fully funded October 1, 2019
- Coalition led by NACOG that includes the Cities of Flagstaff, Winslow, the Town of Camp Verde and Coconino and Yavapai Counties
- 4-year grant term: October 2019 - September 2022 (Now Sept 2023)
- 100% grant funded – no matching funds required!
- \$600K of grant funding received for sites impacted by petroleum and/or hazardous substances
- Public & privately owned sites – pending eligibility
- **NOT AN ENFORCEMENT PROGRAM!**



Northern Arizona Property & Business Revitalization Program

Effort by the Northern Arizona Council of Governments (NACOG) and its Coalition partners to:

- Identify, plan for and provide funding and technical assistance to property and business owners
- Goal is to reuse, revitalize and redevelop property



Emphasis on vacant, abandoned, blighted, underutilized and (sometimes) contaminated property.



Property that can improve economic and workforce development, act as a catalyst for growth and new development and generate community support for new and future land uses.

Who Is The Route 66 Coalition?

NACOG

- Chris Fetzer, Executive Director

Yavapai County*

- Phil Bourdain, County Administrator
- Jack Fields, Assistant County Administrator

City of Flagstaff

- Creag Znetko, Community Investment
- Stacey Brechler-Knaggs, Grants, Contracts & Emergency Management Director

City of Winslow

- John Barkley, City Manager

Coconino County

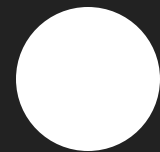
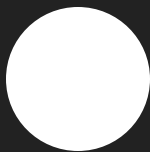
- Melissa Shaw, Long Range Planner
- Elizabeth Richardson, Environmental Health Program Manager III
- Amanda Acheson, Sustainability Manager

Town of Camp Verde

- Steve Ayers, Economic Development Director

* Participating cities currently include Prescott, Cottonwood, Sedona

Brownfields 101



What is a *brownfield*?

EPA definition:

“Brownfields are real property, the expansion, redevelopment, or reuse of which may be complicated by the presence or potential presence of a hazardous substance, pollutant, or contaminant.”



Definition is very broad



What do brownfields look like?



Former Auto Repair Shop



Old Warehouse



Vacant Commercial Building



Former Gas Station



Former Manufacturing/Industrial Site



Former Dry Cleaners

What do brownfields look like? (continued)



Former Supermarket



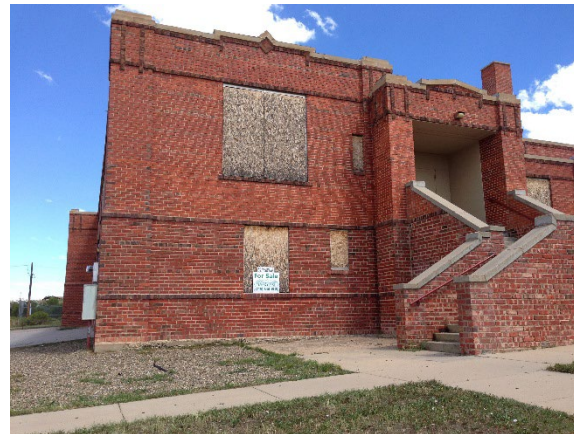
Vacant Lot



Abandoned Railyard



Underutilized Parking Lot



Old School Building



Junk Yards & Dump Sites

➔ Definition is very broad

How do brownfields impact our community?

Economic Impacts

- Lost tax revenues
- Decreased property values
- Diminished job opportunities
- Deters private investment & hinders redevelopment projects



Social Impacts

- Blighted buildings & community eyesores
- Public safety concerns
- Public health risks



Environmental Impacts

- Urban sprawl / greenfield development
- Water quality (surface water & drinking water sources)
- Uncontrolled contamination (toxic runoff / migration to surrounding properties)
- Greenhouse gas emissions (increased vehicle miles traveled)
- Wildlife habitat & populations

What are the benefits of brownfield redevelopment?

Economic Benefits

- Increased tax revenues
- Increased property values
- Job creation
- Attracts private investment
- Bolsters private market



Social Benefits

- Attractive spaces & community amenities
- Increased access to jobs, housing, open space, commercial/retail, services
- Decreased crime
- Enhanced quality of life
- Community pride (community identity & sense of place)



Environmental Benefits

- Preserve open space
- Infill development that reduces urban sprawl
- Protect surrounding properties from toxic runoff/contaminant migration
- Remove environmental threats
- Reduce greenhouse gas emissions

How Does The Grant Work?

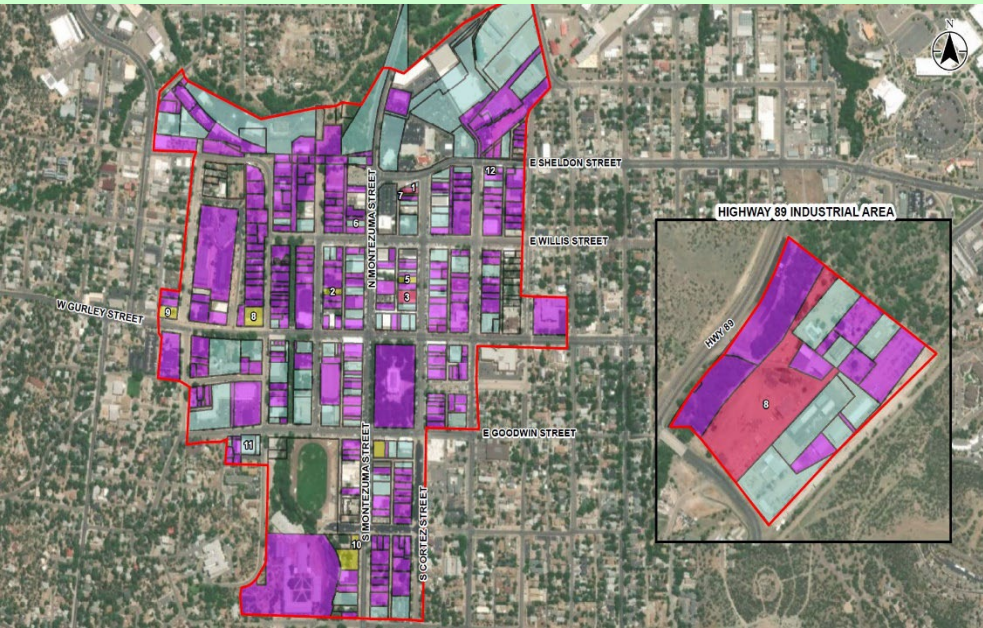


Step 1

Brownfield Site Inventory

- During summer 2020, Coalition members identified specific focused area within their communities
- Properties in these areas that may have had environmental records were identified using publicly available information
- Information about property size, zoning, land use, and ownership was collected from County Assessor records
- A final check consisted of windshield surveys to ensure that properties hadn't been sold or redeveloped
- A total of 60 brownfields properties were identified in Camp Verde, Coconino County, Cottonwood, Flagstaff, Prescott, and Sedona

Step 1 Brownfield Site Inventory



Step 2

Community Outreach & Engagement



Publicize the Grant

- Project specific web page on NACOG website

Form a Brownfield Advisory Committee (BAC)

- Meet 2-3x/year
- Identify & prioritize sites/target areas
- Facilitate community involvement
- Distribute project-related materials

Open House – Public Information Meetings (PIMs)

- Online PIMs - Dec 2020 & May 2021
- Live Open House/PIM – Flagstaff & Prescott Sept 2021
- NACOG Economic Development Council - June 2022
- Facebook Live event – Prescott Times - August 2022

Step 3

Site Nomination

Site Reuse & Revitalization Program
Fremont County Coalition

Page 1 of 2

Site Nomination Form

U.S. Environmental Protection Agency (EPA) Brownfields Assessment Grant funding is available to parties interested in completing environmental site assessments, hazardous/regulated building materials surveys, and cleanup/reuse planning activities. Property owners, businesses, developers and community stakeholders are encouraged to take advantage of this funding opportunity to further economic development initiatives, protect public health, and restore the environment.

Instructions: Please submit completed forms to Rita Vigor via email (sunny.bryant@fremontco.com) or mail:

Attn: Sunny Bryant
Fremont County
615 Macon Avenue, Room 106
Cañon City, CO 81212

SECTION A – PROPERTY INFORMATION

Address of the property you are nominating: _____

Are you the property owner? ☐ No (Complete Sections B and D.) ☐ Yes (Complete Sections C and D.)

SECTION B – APPLICANT INFORMATION

Applicant Name (first & last): _____

Email Address: _____ Phone: _____

Signature: _____ Date: _____

SECTION C – PROPERTY OWNER INFORMATION

Property Owner Name(s) (first & last): _____

Property Representative Name (if different from owner): _____

Mailing Address: _____

Email Address: _____ Phone: _____

Signature: _____ Date: _____

What year did you acquire the property? _____

How did you acquire the property? ☐ Purchase ☐ Donation ☐ Inheritance ☐ Foreclosure
☐ Land Settlement ☐ Other (please explain below)

Was any due diligence performed prior to acquiring the property (e.g. Phase I or II Environmental Site Assessment, Regulated Building Materials Survey, etc.)? If so, please explain.



Nominate Sites For Grant Funding

- Property Owners/Stakeholders Nominate Property
- Owners/Developers apply for funding

Site Nomination Form

- Historic & current property uses
- Known contamination
- Dates of previous environmental assessments
- Past or current regulatory enforcement actions
- Need for environmental assessment & grant funding
- Anticipated schedule for property sale, reuse or redevelopment
- Community benefits



Step 4

Site Eligibility Approval Process

Hazardous Substances Sites:

- Eligibility request is submitted to EPA (on the property owner's behalf) requesting approval to use grant funds
- Sites must meet the definition of brownfield
- Sites cannot be under enforcement action by the EPA or State
- Grantee is not responsible for cleanup

Petroleum Sites:

- Eligibility approval provided by Arizona Department of Environmental Quality (ADEQ)
- Must address 4 requirements:
 1. Relatively low risk
 2. No viable responsible party
 3. Cleaned up by a person not potentially liable
 4. Not under enforcement action

Step 5

Environmental Site Assessments (ESA)

Phase I ESAs

- Identifies potential environmental concerns that may impede redevelopment
- No environmental samples collected
- Used to facilitate property transactions
- Value = \$5,000+; Timeframe = ~1-2 months

Phase II ESAs

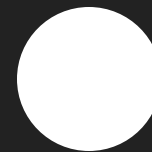
- Environmental sampling & testing
- Used to identify environmental impacts & develop cleanup alternatives
- Value = \$25,000+; Timeframe = ~2-3 months

Hazardous Building Materials Surveys

- Asbestos, Lead Paint, Mold, PCB/Mercury Light Ballasts/Switches, Misc. Debris
- Necessary for renovating/demolishing older structures
- Value = \$5,000+; Timeframe = ~1 month



NACOG Grant Success Stories – Part 1



Route 66 Brownfield Properties Assessed To Date



**Site # 1. Blevins Backhoe
Equipment Yard (Camp Verde)**



**Site #2. Former Circle K
(Camp Verde)**



**Site #3. Former PicNRun
(Coconino County)**



**Site #4. Downtown
Connection Center (Flagstaff)**



**Site # 5. Valley View
Restaurant (Camp Verde)**



Site #6. 495 EZ Street (Prescott)

Brownfield Properties Assessed To Date (continued)



Site # 7. Head Start School (Old Country Club/Airport Road, Winslow)



Site #8. Former Basha's Grocery (716 West 3rd Street, Winslow)



Site #9. Vacant lot with building pad (535 S 6th Street, Cottonwood)



Sites # 10 & 11. Friendship Mission (654 & 660 North Main Street, Cottonwood)



Site #12. Sunshine Rescue Mission (124 S San Francisco Ave, Flagstaff)

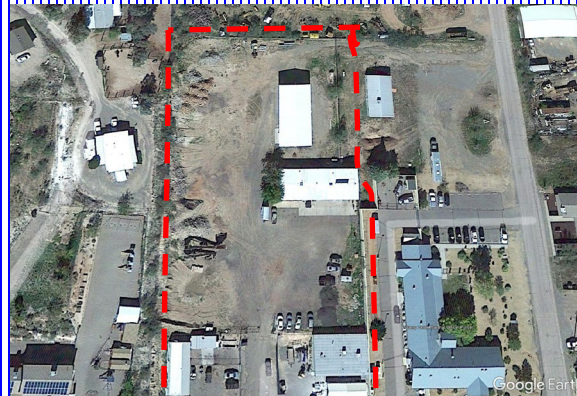


**Site #13. Dorsey Manor
(3 Cottage Ave, Flagstaff)**

Brownfield Properties Assessed To Date (continued)



Site #14. McDonald Bros Construction (535 South Quarterhorse Lane, Camp Verde)



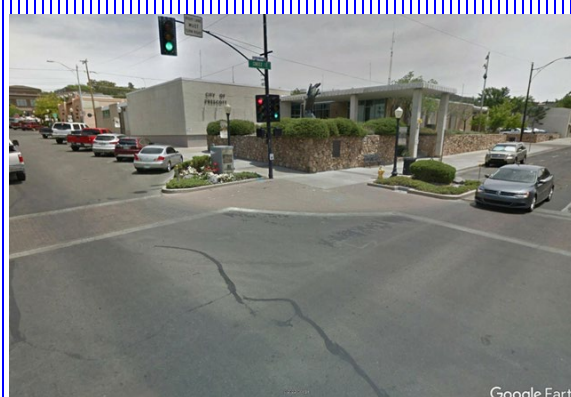
Site #15. McDonald Bros Construction (632 South Monte Vista Lane, Camp Verde)



Site #16. Arizona Copper Art Museum (901 Main Street, Clarkdale)



Sites #17 & 18. Founding Fathers (215 & 223 N McCormick Street, Prescott)



Site #19. Prescott City Hall (201 S Cortez Street, Prescott)



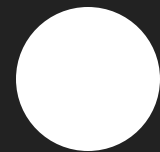
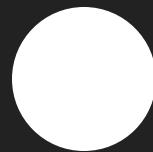
Site #20. South Verde High School (464 South Main Street, Camp Verde)

The BIG Picture: Progress To Date

PROJECT METRICS	COOPERATIVE AGREEMENT W/EPA	COMPLETED TO DATE	COALITION MEMBER	PHASE I ESAs	PHASE II ESAs	\$ SPENT
Budget	\$597,686	\$376,819 (63%)	Camp Verde	4	5	\$85,874.50
Grant Duration	48 months	35 months (73%)	Coconino County	2	2	\$42,749.00
Phase I ESA (Haz)	19	7 (37%)	Flagstaff	3	2	\$19,257.72
Phase I ESA (Petro)	6	6 (100%)	Winslow	0	2	\$16,530.70
Phase II ESA (Haz)	5	11 (220%)	Yavapai County	4	6	\$55,946.00
Phase II ESA (Petro)	3	6 (200%)	Total	13	17	\$189,224.92

- >65% of grant expended to date
- Assessed 20 properties (>1 site every 2 months)
- More than 19 meetings held with Coalition members
- Met or exceeded >90% of all goals
 - includes not only # of assessments completed
 - # of brownfield inventories completed (7)
 - Formation & number of BAC formation & # of meetings (6)
 - # of public outreach and engagement events.
- ~50% (may be higher) of all properties are either being redeveloped or sold
- Reuse of most or all assessed properties provide a significant public benefit (multiple homeless shelters and facilities for transitional housing, facilitate continued use of several schools, created affordable housing opportunities, etc.)
- Have used the grant to leverage both public and private funding that would not otherwise be available

NACOG Grant Success Stories – Part 2



Success Story #1: Woodworking/Hobbist Shop 495 EZ Street, Prescott

Concern:

Property was in escrow and due diligence had not been performed by buyer to ensure the absence of contamination

Proposed Property Reuse: Personal storage facility

Solution: Site assessments were fast tracked to provide documentation of existing site conditions prior to close of escrow. EPA grant paid for Phase I & a Regulated Building Material Survey (\$7.5K value). These showed no RECs so sale and reuse/ redevelopment could proceed.



Success Story #2: Former PicNRun Gas Station 11895 North Highway 89, Flagstaff

Concern:

ADEQ approved closure of USTs occurred once this gas station was closed several years ago but unknown residual contamination and potential for asbestos in building remained

Proposed Property Reuse:

Personal storage facility or sold for unspecified future use

Solution: EPA grant paid for Phase I & II ESA and RBM survey (\$38K value) to show there are no RECs so reuse/ redevelopment can

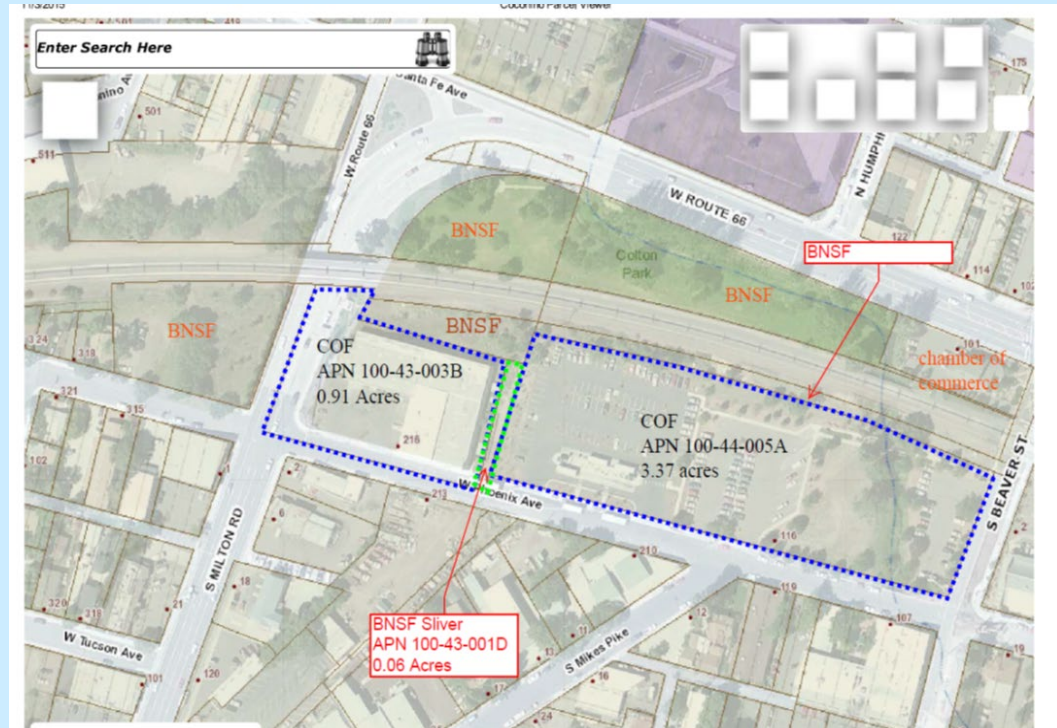


Success Story #3: Downtown Connection Center

216 West Phoenix Avenue, Flagstaff

Concern

- This 4.3 acre property adjacent to downtown Flagstaff is the former location of a creosote pit used by the railroad and an electric utility
- The pit prohibited channelization of the Rio de Flag
- Historically, flooding in the area impacted as many as 1,500 other properties in the area valued at \$916



Success Story #1: Downtown Connection Center 216 West Phoenix Avenue, Flagstaff

Solution

- Between 2007 – 2010 the City of Flagstaff used ~\$150,000 brownfield grant funding from EPA and ADEQ to investigate and cleanup the site
- In 2021 the City used the current EPA grant to perform a \$4K Phase I ESA to show that the property has no RECs so redevelopment can proceed



Success Story #5: Downtown Connection Center 216 West Phoenix Avenue, Flagstaff

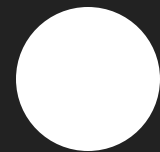
Property Reuse:

- New NAIPTA building replace existing warehouse
- Accommodate 15 buses at a time
- Kiosks to buy bus passes
- Protected waiting areas
- Commercial or retail space that can be rented out
- PLUS assessments & cleanup allow the Rio de Flag channelization project to proceed



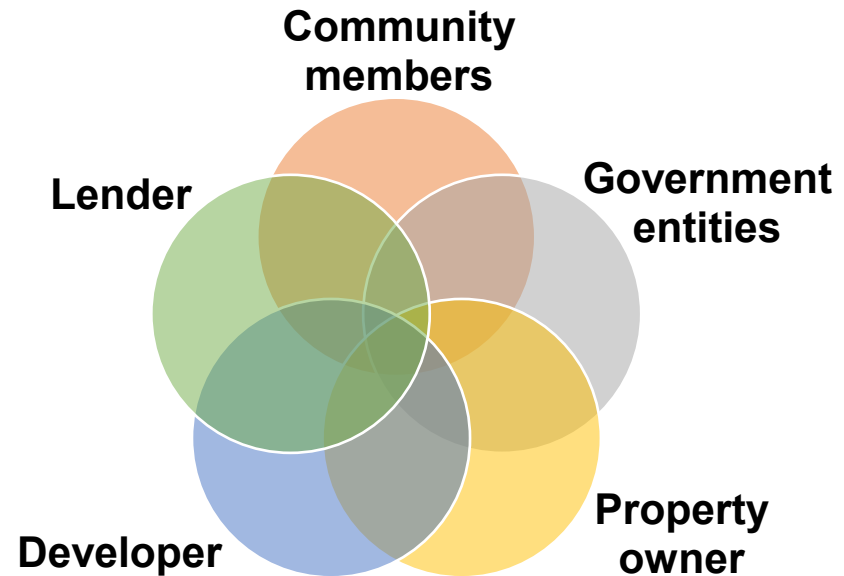
- Estimated cost of new bus center = \$30 million with 50% paid for by federal grants
- Estimated cost of Rio de Flag channelization project = \$122M project with 65% of funding provided by the Army Corps of Engineers

Keys To Success



What makes brownfield redevelopment successful?

- **YOU!**
- Public/Private Partnerships
- Community Involvement/Champions
- Stakeholders
- Mitigating Risks
- Viable Projects
 - Is the project feasible?
 - Is financing available?
 - Can this area support proposed future use?
- Financing / Funding
 - Secure financing
- Timing





Why The Grant Is Important

- Brownfields affect the places we live, work & play
- Save taxpayers significant costs through reuse of existing infrastructure
- Average ROI = 18:1 private – public investment
- Increase property values 5 to 15%
- Studies show 1 job will be created for every \$13,000 - \$17,000 of public investment in brownfield redevelopment
- Help restore & protect the environment!

How You Can Help

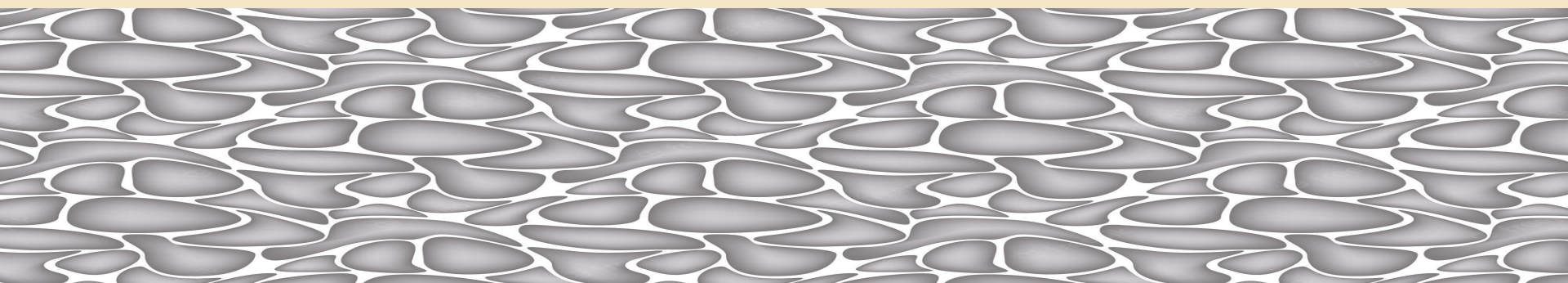
- Tell business associates, friends & neighbors (esp. property owners) about the program
- Direct potential participants to website:
<https://nacog.org/route-66-brownfield-site-revitalization/>
- Submit a Site Nomination Form to NACOG
- 2/3 of sites that receive assessment funding come from word of mouth & public outreach



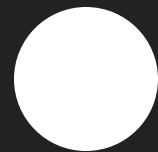
Do You Want More?

- FY23 Coalition Brownfield Assessment Grant Applications are due November 22, 2022
- These are worth \$1,000,000 (40% more than the existing grant)
- The new grants are good for 4 years (until September 2027)
- By October 1st NACOG plans to decide (1) if it will pursue a new grant and (2) which coalition members will be included
- If the City is interested, please contact:

Chris Fetzer, NACOG Executive Director
Chris.Fetzer@nacog.org
928-213-5209



Questions?



Thank you!



CITY OF FLAGSTAFF

STAFF SUMMARY REPORT

To: The Honorable Mayor and Council
From: Tiffany Antol, Senior Planner
Co-Submitter: Michelle McNulty, AICP, Planning Director
Date: 09/16/2022
Meeting Date: 09/27/2022



TITLE:

Discussion regarding Parklets

DESIRED OUTCOME:

Receive direction from Council regarding whether to initiate City Code requirements for the introduction of Parklets in Flagstaff.

EXECUTIVE SUMMARY:

A Parklet is made by converting two or more curbside parallel parking spaces (or three to four angled parking spaces) into a platform with a seating area. Parklets are urban amenities appropriate for narrow, actively pedestrian streets with slower speed limits (max 25 mph).

Parklets provide an economical solution to increase public open space and allow the public to sit and enjoy the area where existing sidewalks would preclude such occupancy. Parklets are intended as an aesthetic enhancement to the overall streetscape and to provide amenities such as sidewalk extensions, seating, planting, and bicycle parking. While Parklets are privately constructed, funded, and maintained by a sponsoring business, they can be required to be open to the public during non-business hours. Parklets may serve as outdoor dining areas including the serving of any food or beverages (including alcohol, if permitted), waiting areas for customers, and/or areas for the display of merchandise, especially when social distancing requirements limit the number of customers that may be allowed within the adjacent commercial space.

INFORMATION:

Last year staff worked in conjunction with the Downtown Business Alliance on a survey of the downtown business owners to understand the interest in a Parklets Program. On the first day of the survey staff received 43 responses. Of those responses most supported allowing Parklets. Most business owners supported limiting the number of Parklets to no more than 2 to 3 parking spaces per block and getting approval from adjacent business owners. Almost all agreed that Parklets should have attractive barricades and furniture.

If the City Council is interested in pursuing a Parklet Program, staff recommends and seeks direction on the following:

Amend Title 8 Public Ways and Property, Chapter 3 Streets and Public Ways, Division 8-03-002 Sidewalk Cafes, Sidewalk Vending Carts, and other permitted encroachments to allow for Parklets.

1. Establish requirement for permit or license
2. Establish fees
3. Establish development standards including allowed locations, safety standards, construction criteria, allowed materials, and signage.

Example standards include the following:

Location Standards

Limited to streets with 25 mph or less speed limits and slopes less than 5%. Other locations could be considered on a case by case basis (as approved by City Engineer).

Adequate distances from intersections and traffic control devices.

Cannot block access to manholes, grates, public utility, fire hydrants, fire department connections or access.

Allow for curbside drainage flow.

Permission from adjacent property owner if encroaching beyond property boundary.

Adequate clear sidewalk distance, if encroaching.

Construction and Safety Standards

Flush with curb to be accessible as required by the American with Disabilities Act.

Enclosed with railings or barriers on all sides except adjacent to the sidewalk (unless alcohol is served).

Standards for vertical elements (awnings, umbrellas or windbreaks).

Protected from oncoming parallel traffic.

Buffered from adjacent parking spaces.

Require to be removable to allow for street maintenance as necessary.

Materials

High quality, durable materials that can withstand high elevation weather conditions.

Traditional materials such as steel, finished woods and salvaged building materials.

Surface materials textured with slip resistant coatings.

Earth tone colors.

Attachments: Presentation

Council Work Session on Parklets

Michelle McNulty, AICP

Tiffany Antol, AICP





What are Parklets?

A parklet is a sidewalk extension that provides more space and amenities for people using the street.

- Made by converting 2 or more curbside parallel parking spaces or 3 to 4 angled parking spaces.
- Typically extend out from the sidewalk at the level of the sidewalk to the width of the adjacent parking space.



What are parklets?



Durango, CO



Louseville, CO



What are benefits of Parklets?

Community

- Increase public open space.
- Create Aesthetic enhancement of streetscapes.
- Provide amenities such sidewalk extensions, seating, plantings and bicycle parking

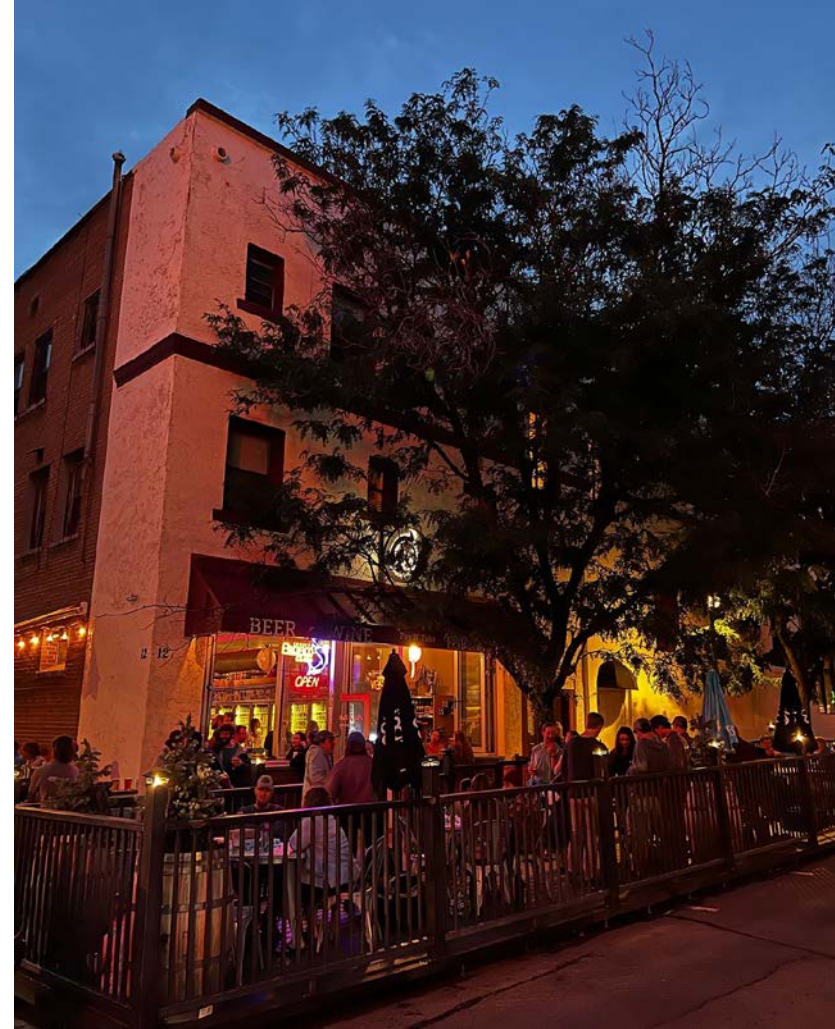




What are benefits of Parklets?

Economic

- Serve as outdoor dining areas.
 - Especially important when social distancing required.
- Provide waiting areas for customers.
- Activate streetscapes.



Pay N' Take Flagstaff, AZ

Survey Says.....



- COF and DBA Surveyed Downtown Businesses:
 - 2021 Survey
 - 43 responses on first day
 - Most supported parklets
 - Most supported limiting to no more than 2-3 parking spaces per block
 - Most supported approval of adjacent property owner if extending beyond frontage
 - Almost all supported requirement for attractive barriers and furniture





What might be included in an ordinance?

Location Standards

- Roads 25 MPH or less
- Spacing requirements from intersections and traffic control devices
- Curbside drainage
- Adjacent property approval , if necessary
- Clear sidewalk distance

Construction and Safety Standards

- ADA requirements
- Enclosures
- Vertical element standards
- Parallel traffic protection
- Buffer from adjacent parking spaces



What might be included in an ordinance?

Materials

- High quality and durable
- Material types
- Slip resistant coatings
- Earthtone colors



Thank you!

- Edit Master text styles – 36 pt
 - Second level – 32 pt
 - Third level – 28 pt



CITY OF FLAGSTAFF

STAFF SUMMARY REPORT

To: The Honorable Mayor and Council
From: Dan Folke, Community Development Director
Date: 09/13/2022
Meeting Date: 09/27/2022



TITLE:

Discussion and direction on a potential Property Care Ordinance.

DESIRED OUTCOME:

Staff is seeking direction on how to proceed regarding the maintenance and care of property.

EXECUTIVE SUMMARY:

City staff held a series of working group meetings during the summer of 2022 to discuss issues related to property care and to prepare language that could be used in an ordinance. Six meetings were held at the Murdoch Center during May, June and July. The working group drafted an Intent and Purpose statement and considered standards for Property Care. Rather than a traditional off the shelf Property Maintenance Ordinance (PMO), the working group has written Property Care Standards that are supported by existing City Code sections. Attached to this report are two pages of new Property Care standards that address land and structures and refer to existing code sections for more specific standards. After each standard are references to pertinent sections of the City Code which are attached to this report. An appendix of best practices for property maintenance is provided.

Staff is seeking direction on how to proceed. Options include:

1. Prepare a draft ordinance that adopts new Property Care Standards that are supported by existing code (recommended)
2. Prepare a traditional Property Maintenance Ordinance similar to 2012
3. Do not proceed with a Property Care Ordinance

INFORMATION:

In 2012 the Flagstaff City Council considered adopting a Property Maintenance Ordinance (PMO). After a series of meetings and outreach efforts that spanned several years, the Council decided not to adopt the Ordinance. In the fall of 2020 City Council supported a Future Agenda Item Request (FAIR) to direct staff to work on a PMO. On November 24, 2020 the City Council reviewed the previous ordinance, received public comment and gave staff direction to began work on a PMO.

In the fall of 2021 staff began to attend a League of Neighborhood meetings, as well as Southside and Sunnyside neighborhood meetings to begin an informal discussion. Staff also walked the neighborhood with representatives of La Plaza Vieja Neighborhood Association. Staff sought input on how to approach the PMO - should we come back with the same proposal as 2012 or write something that is more representative of Flagstaff goals? The feedback was to create something unique to Flagstaff.

Staff prepared a community survey to get initial input and to create interest for the working group. A

Attachments: [PCO Purpose & Standards](#)
[PCO Appendix](#)
[April 10, 2012 PMO Item](#)
[City Code References](#)
[PCO Survey Results](#)
[August 2022 Code Compliance Monthly Report](#)
[Presentation](#)

Property Care Standards (September 19, 2022)

Title:

This Chapter shall be known and may be cited as the “Property Care Ordinance of the City of Flagstaff, AZ.”. Within this Chapter, it may be known as “PCO”.

Purpose:

The purpose of the Property Care Ordinance is to improve and maintain the appearance of neighborhoods and improve quality of life by protecting public health, safety, and welfare through the establishment of minimum exterior maintenance standards for all residential and non-residential buildings, structures and property, and vacant land in the city to protect against hazardous, deteriorating, and other dangerous conditions.

Intent:

It is the intent of the city to work with property owners to preserve existing buildings and housing. The PCO shall be applied and enforced fairly and consistently. The city shall provide adequate notice to affected property owners to resolve conditions and the city may provide resources to assist property owners with compliance as they are available.

Property Care Standards:

Property Standard: Provide for and eliminate conditions of: Refuse-Recycling, Debris, Inoperable-Equipment, Hazard, Attractive Nuisance, for Health and Safety:

- Provide adequate capacity for refuse and recycling containers, providing additional capacity as required to protect health and safety. *(See City Code Chapter 6-06 Littering, & 7-04 Municipal Solid Waste Collection Service; 10-50.50.040 (E) General Fencing and Screening Standards (applies to dumpsters))*
- Eliminate debris accumulation that harbors pests, deteriorates conditions, presents a fire danger, and impacts health and safety. *(See City Code Chapter 6-06 Littering, & 7-04 Municipal Solid Waste Collection Service; 5-02 Fire Code (IFC 2018: Section 304 Combustible Waste Material, 311 Vacant Premises); 10-50.60.080 Landscaping Standards)*
- Remove inoperable equipment, vehicles & appliances that contributes to debris, hazard, safety and/or as an attractive nuisance to protect health and safety. *(See City Code Chapter 6-07 Abandoned Vehicles; 6-06 Littering; 10-50.80.030 (A) General Parking Standards)*
- Eliminate hazards on the property and encroaching hazards that impact health and safety. *(See City Code 6-06 Littering; 10-50.80.030; Chapter 8-04 Trees and Shrubbery; 5-*

*02 Fire Code (IFC 2018 Chapter 50 Hazardous Materials-General Standards) 8-13
Prohibition on use of Right-of-Way; 10-50.60.080 (A) Landscaping Standards)*

- Remove invasive and noxious weeds (*See City Code Chapter 13-18-005 Maintenance*)
- Provide proper posting of no trespassing (as desired by owner).

Buildings and Structures Standards: Provide for and eliminate conditions of: Abandonment, Security, Deterioration, Attractive Nuisance, for Health and Safety:

- Resolve both visual and physical signs of vacancy of buildings and structures that invites issues as an attractive nuisance and/or criminal activities impacting health and safety. *NOTE: See appendix for recommended securing of a building or structure. (See City Code Chapter 4-02 International Building Code (1997 Uniform Code for the Abatement of Dangerous Buildings); 6-04 Nuisances; 7-10 Graffiti Abatement)*
- Provide security for buildings and structures that prevents unauthorized entry to a building or structure that impacts health and safety. *NOTE: See appendix for recommended securing of a building or structure. (See City Code Chapter 4-02 International Building Code, 5-02 Fire Code (IFC 2018 Section 311 Vacant Premises))*
- Provide remedies to deterioration of a building or structure that threatens its longevity and/or impacts health and safety. (*See City Code Chapter 4-02 International Building Code (1997 Uniform Code for the Abatement of Dangerous Buildings), 5-02 Fire Code (IFC 2018 Section 311 Vacant Premises)*)
- Provide proper posting of no trespassing.

Exemptions

- It shall be the sole discretion of the City of Flagstaff to suspend enforcement of these standards due to circumstances beyond the control of the property owner, such as community events, natural disasters, fires, flooding and managing through recovery.

Property Care Appendix: (September 19, 2022)

Recommendations for securing of buildings and structures: Repair, secure, remove and properly dispose of deteriorated materials, which indicate an appearance of abandonment visible from street frontage:

- Remove litter, door hangers, mail that accumulates at a home or building's entry.
- Repair broken, loose and damaged building components such as screen doors, windows, shutters, and other materials.
- Graffiti to be removed immediately and effectively.
- Vacant buildings for sale to have secured door locks and secure windows that deny access.
- The property owner may decide to fully secure and/or board up a vacant building to resolve break in problems until long-term solutions are determined.
 - Site to be properly posted for no trespassing and include contact information (phone & email) of management and/or owner to report problems that impact neighbors, and neighborhood desirability.
 - Door secured with locks, screws, wood blocking on doors to prevent access.
 - Window secured with, screws, wood blocking on windows to prevent access.
 - Board Up
 - Panels or similar to be cut to fit windows and doors openings.
 - Panels are to be painted or stained to improve appearance.
 - Panels to be secured with adequate screws and/or, tamper resistant, alternate screws head design, drilled out heads all to provide additional security.
 - Problem areas of entry are to be provided with additional means such as interior blocking with thru bolts or similar.

Recommendation for preventing building and structure deterioration: Provide remedies to the deterioration of a building that threatens its longevity and allows for continued safe and future healthy habitation. Repair, secure, replace and properly dispose of deteriorated materials:

- Of roofs and other sloped and horizontal members to prevent penetration of water and moisture into subsurface, structure and interior.
- Of exterior wall surfaces of siding, brick, stone, stucco, etc. and vertical surfaces/supports to be cared for to prevent penetration damage of subsurface and intrusion of moisture and water into the interior.
- Of exterior features such as trim, soffits, fascia, vents, chimney, skylights and similar that are missing or in a deteriorated condition to allow for the intrusion of moisture or water to damage the structure or allow for intrusion into the interior.

- Of exterior windows and doors that allows for penetration of moisture or water into the interior.
- Of exterior finishes of paint, stain, waterproofing or of the material itself to be cared for to protect its underlying material as intended.

Recommendations for Posting & Security

- Vacant buildings & structures, sites and lots to provide identifiable and maintained boundaries.
- Site to be properly posted for no trespassing and include contact information (phone & email) of management and/or owner to report problems that impact neighbors, and neighborhood desirability.
- Vacant property owners are responsible for security of and addressing problems associated with their property.

Weed Management Guidance

Introduction to Weed Management

Invasive weeds are plants that establish, persist, and spread widely outside the plant's native range, causing environmental and often economic damage. Invasive species are highly competitive and utilize disturbed areas to establish themselves and spread to new areas, outcompeting desired vegetation in the process. The goal of weed management is to control target species to the point that expansion or transmissions to other sites is minimal and treated sites become well established with low maintenance, desired vegetation and landscaping that help prevent further invasion.

Typically weed infested sites need to be managed yearly for several years. Many of these weeds have long-lived seeds and heavily infested areas have a large, well-established seed bank. Therefore, weeds must be treated every year to eliminate the addition of new seed to the seed bank until the seed bank is depleted.

Target Invasive Species

It is impossible to control every weed that occurs, therefore, the most aggressive and difficult to control weeds and those with the greatest potential for negative environmental impacts should be the primary targets. **Scotch thistle and diffuse knapweed** are two of Flagstaff's most aggressive and disruptive invasive weeds and are a top priority for control efforts. There are many other weeds in the Flagstaff area that are extremely common or difficult to control once established. Please see the table below for some of these weeds.

<u>Common Name</u>	<u>Scientific Name</u>
TOP PRIORITY	
Diffuse Knapweed	<i>Centaurea diffusa</i>
Scotch Thistle	<i>Onopordum acanthium</i>
VERY COMMON	

Field Bindweed	<i>Convolvulus arvensis</i>
Common Malva or Cheeseweed	<i>Malva neglecta</i>
Kochia	<i>Kochia scoparia</i>
Yellow and White Sweetclover	<i>Melilotus officinalis</i> and <i>M. alba</i>
Cheatgrass	<i>Bromus tectorum</i>
Dalmatian Toadflax	<i>Linaria dalmatica</i>
Siberian Elm	<i>Ulmus pumilla</i>
PROBLEMATIC	
Russian Thistle	<i>Salsola tragus</i>
Puncturevine	<i>Tribulus terrestris</i>
Spotted Knapweed	<i>Centaurea stoebe</i>
Horehound	<i>Marrubium vulgare</i>
Bull Thistle	<i>Cirsium vulgare</i>
Musk or Nodding Thistle	<i>Carduus nutans</i>
Poison Hemlock	<i>Conium maculatum</i>

Management Strategies

To successfully reduce the abundance and distribution of invasive species:

- Monitor your property regularly; early detection allows for much quicker eradication.
- Treat weeds earlier in the growing season before they set seed.
- If a weed infestation is beyond effective mechanical control, consult a certified applicator to learn if herbicides will effectively treat the infestation.
- Promote the growth of desirable vegetation or landscape your property, especially newly disturbed areas, to reduce weed management efforts in the future.

Management Methods

Pulling: Pulling or uprooting annuals and short-lived weeds in small areas is an effective control method. It's easiest to pull weeds when the ground is moist so that the entire root can be extracted without causing too much ground disturbance. Weeds pulled before they flower may be left on the ground; however, plants that are flowering must be bagged and disposed of properly. Flowering plants left on the ground can still set seed, even when the plant is severed from the root.

Mowing or Cutting: Mowing or cutting repeatedly during the growing season can be an effective control for larger infestations of annual species, such as kochia or Russian thistle. Mowing will not eliminate the plants but will reduce flowering and seed set. However, mowing is **not** an effective control for biennial and perennial species, including knapweed and Scotch thistle, because it stimulates resprouting.

Herbicide:

Herbicides is an effective control method for many weed species and is recommended for heavier infestations. Herbicides are most effective when the plants are young and actively growing, generally early May to mid-June. Areas may need to be chemically treated for several years. Please remember that herbicides are hazardous chemicals and must be used with care and applied according to label instructions. It is recommended that you consult a certified applicator (many local landscape companies have them) if considering herbicide treatment.

Landscaping:

Many invasive species are dependent on open or disturbed ground to germinate and grow. Establishing desired vegetation or landscaping your property will help provide long-term suppression of invasive

species through competition for resources (water, nutrients, and sunlight) and inhibit new invasions. Heavy mulching (pine straw, wood, or rock) will reduce germination and help prevent establishment of weeds.

<u>Common Name</u>	<u>Scientific Name</u>	<u>Life Cycle</u>	<u>Reproduction</u>	<u>Seed Viability</u>
TOP PRIORITY				
Diffuse Knapweed	<i>Centaurea diffusa</i>	<i>biennial or short-lived perennial</i>	<i>seed only</i>	<i>at least 7 years</i>
Scotch Thistle	<i>Onopordum acanthium</i>	<i>biennial, occasionally annual</i>	<i>seed only</i>	<i>up to 40 years</i>
VERY COMMON				
Field Bindweed	<i>Convolvulus arvensis</i>	<i>long-lived perennial</i>	<i>vegetatively and seed</i>	<i>at least 15-20 years</i>
Common Malva or Cheeseweed	<i>Malva neglecta</i>	<i>annual, biennial, or short-live perennial</i>	<i>seed only</i>	<i>very long</i>
Kochia	<i>Kochia scoparia</i>	<i>annual</i>	<i>seed only</i>	<i>up to 3 years</i>
Yellow and White Sweetclover	<i>Melilotus officinalis</i> and <i>M. alba</i>	<i>annual or biennial</i>	<i>seed only</i>	<i>at least 30 years</i>
Cheatgrass	<i>Bromus tectorum</i>	<i>annual</i>	<i>seed only</i>	<i>2-5 years</i>
Dalmatian Toadflax	<i>Linaria dalmatica</i>	<i>perennial</i>	<i>vegetatively and seed</i>	<i>a few years</i>
Siberian Elm	<i>Ulmus pumilla</i>	<i>perennial</i>	<i>vegetatively and seed</i>	
PROBLEMATIC				
Russian Thistle	<i>Salsola tragus</i>	<i>annual</i>	<i>seed only</i>	<i>1 year</i>
Goathead or Puncturevine	<i>Tribulus terrestris</i>	<i>annual</i>	<i>seed only</i>	<i>5 years</i>
Spotted Knapweed	<i>Centaurea stoebe</i>	<i>biennial or short-lived perennial</i>	<i>vegetatively and seed</i>	<i>8-10 years</i>
Horehound	<i>Marrubium vulgare</i>	<i>perennial</i>	<i>seed only</i>	<i>7-10 years</i>
Bull Thistle	<i>Cirsium vulgare</i>	<i>biennial</i>	<i>seed only</i>	<i>at least 3 years</i>
Musk or Nodding Thistle	<i>Carduus nutans</i>	<i>winter annual or biennial</i>	<i>seed only</i>	<i>a few years</i>
Poison Hemlock	<i>Conium maculatum</i>	<i>biennial</i>	<i>seed only</i>	<i>at least 3 years</i>

These recommendations were drafted by Natural Channel Design.





Planning and Development Services Memo

Proposed Property Maintenance Ordinance

March 30, 2012

TO: Mayor and City Council
Kevin Burke, City Manager
Jerene Watson, Deputy City Manager

THROUGH: Mark Landsiedel, Community Development Director
Jim Cronk, Planning Director

FROM: Roger E. Eastman, AICP, Zoning Code Administrator

RE: Council Work Session – April 10, 2012
Draft V6.1 of the Proposed Property Maintenance Ordinance

This memorandum provides information on the proposed Property Maintenance Ordinance (PMO) for the City Council's April 10, 2012 work session. It documents the following topics;

- Brief overview of the City Council's last meeting on the PMO - December 6, 2011
- General description of the Draft PMO - V6.1 with an analysis of the source of the Draft's contents. It is anticipated that at a future work session a discussion on various policy issues will be conducted.
- Overview of the process to develop the PMO with a summary of the public outreach conducted thus far and public comments received (note that public comments provided at the April 5th public meeting/open house on the PMO will be forwarded to the City Council under cover of a separate memorandum before the April 10, 2012 work session)
- Discussion of a suggested schedule for the City Council's consideration and possible adoption of the PMO.

Background:

For several years the City has considered adopting a Property Maintenance Ordinance that would apply Citywide to provide clear enforceable regulations for the maintenance and upkeep of buildings, structures, and property within the City limits. An overview of past meetings held by the City Council on the PMO is attached - see hand written page 11.

On December 6, 2011 the City Council last discussed the proposed PMO and in that meeting provided guidance to staff on the approach to writing the ordinance and its contents. A summary of the general consensus reached by the City Council on what the PMO should include follows:

- Content of the PMO:
 - A PMO is important and is necessary
 - It should apply to all property, i.e. residential, commercial, and industrial
 - The emphasis of the PMO should only be the exterior of a building and surrounding property conditions, and it should not apply to a building's interior
 - Ensure that the PMO once adopted is enforced based on complaints received by the City, rather than being proactively enforced by staff. In the early phases of the PMO's implementation a strong emphasis on education about the new ordinance is needed and to assist residents achieve compliance (i.e. a complaint based enforcement approach)
 - Consider seek various funding sources to provide funds for property owners who cannot afford to bring their property into compliance with the PMO.
- Include with the PMO additional regulations to address:
 - graffiti and graffiti removal,
 - overgrown vegetation as it relates to the Wildland Urban Interface Code, and,
 - maintenance standards for fences.
- The PMO will be applied community-wide and must provide minimum standards for the community as a whole, which is different to the possibly more restrictive standards that may be applied through CC&Rs and HOAs in local communities/neighborhoods. It is important to define a positive message for the PMO.
- The PMO must be as objective as possible and have as its primary goal public health, safety, and welfare.
- Ensure that any provisions to control overgrown vegetation do not reduce the ability of a property owner to grow food.
- General support for a streamlined and coordinated enforcement approach of the PMO.

Description of the Staff Administrative Draft V6.1:

Property maintenance ordinances are not new in the United States or indeed in Arizona, and many communities have adopted these ordinances to provide minimum standards for the maintenance of buildings, structures, and property within the community as a whole, thereby protecting the public health, safety, and welfare. The International Code Council (ICC) – the organization that oversees the uniform application of building and safety codes across the United States – has developed an International Property Maintenance Code (IPMC) that is typically used by most communities as the template for their PMOs.

The IPMC provides standards for the maintenance of a building's exterior and surrounding property, and it also establishes minimum standards for the maintenance and habitability of a building's interior. The IPMC is the code most typically adopted by communities seeking to

develop a PMO. For example, 28 Arizona cities, counties, and towns have adopted a PMO and of these, 24 Arizona cities, counties, and towns have adopted either the 2006 or 2009 IPMC. The City of Phoenix developed its own variation of the 2009 IPMC which has now been recognized by the ICC as an acknowledged variant of the IPMC, while the City of Tucson modified the Phoenix Code and removed the maintenance requirements for a building's interior. The City's of Prescott and Chandler also developed their own PMOs.

The attached draft of the proposed PMO - V6.1 reflects City staff's work to date to develop a PMO consistent with the City Council's previous direction. This version of the PMO Draft also includes revisions suggested by the PMO Review Group from their March 22nd meeting, as well as various minor amendments proposed by staff. All amendments are highlighted in the Draft PMO in Track Changes format (~~strikeout~~ and new text).

The attached PMO as proposed by staff (see below) incorporates some ideas from the IPMC regarding standards for the maintenance of a building's exterior, and unlike the PMOs adopted in many other Arizona communities, the proposed Flagstaff PMO does not set maintenance standards for the interior of a building. While this section regarding the maintenance of a building or structure's exterior is new, the majority of the Flagstaff draft PMO is derived from existing City Code updated and revised as necessary. These provisions from the City Code will be consolidated into one location (Chapter 7-01, Property Maintenance) in the City Code, thereby eliminating the confusion present today as these provisions are spread throughout numerous titles and chapters, which makes it hard for Flagstaff residents, City staff, and other users to find, apply, and enforce. Assuming the PMO is approved, the existing City Code provisions will be repealed.

Thus the Flagstaff PMO is significantly less restrictive than many other Arizona PMOs, and very little of the Draft PMO that is being presented to the Council is new. Notes have been inserted throughout the draft ordinance indicating the source of the PMO's provisions from existing City Code, or if they are new. A summary/analysis of the Table of Contents of Draft PMO - V6.1 that shows the source of the regulations is attached – see handwritten page 37.

In the narrative that follows, a general description of the contents of the Draft PMO is provided.

Chapter 7-01 Property Maintenance:

This chapter of the City Code, formerly called Health and Sanitation, was repealed by the City Council in November 2010, and it is the logical location for the new PMO.

Division 7-01-001 General Provisions:

Consistent with the format and contents of any similar City Code chapter, this Division includes the usual Title, Purpose, Intent, and Applicability Sections as well as a Severability clause and Definitions.

The Purpose and Intent Sections are important as they frame the reason for the PMO and how it will be applied. Note that these sections are written for the PMO to only be applied to those buildings or structures that are in such an egregious condition that they cause blight (a defined term) or are a threat to public health, safety, and welfare. Thus, a building or structure that might have a fascia that is not weather protected or some other similar minor issue will not be subject to the PMO.

The PMO will be applied to all property within the City of Flagstaff (i.e. residential, commercial, industrial, and public) as well as to improved, unimproved, and vacant lands.

Most of the Definitions in the PMO come from existing City Code provisions, updated as necessary to ensure consistency with State law.

Division 7-01-002 Maintenance Standards:

This Division establishes maintenance standards for buildings and structures as well as property.

Section 7-01-002-0001 (Building and Structure Exteriors) is new to the PMO. It provides standards for the maintenance of the exterior of a building including for example, exterior surfaces, foundations, walls, roofs, doors, windows, fences, stairways, decks, and porches. The essential premise of this section is that the exterior of the building needs to protect the occupants of the building or structure from the weather, and that all other exterior elements should also be weather protected. A cross reference to the Fire Code standards for address display is also included.

Section 7-01-002-0002 (Exterior Premises and Vacant Land) is mostly derived from existing City Code provisions, such as the sections that address the accumulation of vegetation (this has been expanded), litter, drainage, exterior insect and rodent control, offensive materials and substances, exterior hazard from such things as abandoned refrigerators, hazardous pools or excavations, and displaying vehicles for sale. A cross reference to the Wildland Urban Interface Code is included relative to the storage of firewood, and a new section relative to the storage of building materials is included. Also new are two sections (7-01-002-0002 C. and D.) regarding the maintenance of ground covers, grasses, shrubs, and trees within the public right-of-way in the area from the back of curb to a property line by abutting property owners or tenants.

Section 7-01-002-0003 (Buildings and Structures Constituting a Nuisance) provides a cross reference to City Code Title 4, Abatement of Dangerous Buildings Code.

Section 7-01-002-0004 (Abandoned and Junked Vehicles) is based on existing City Code Chapter 6-07 (Abandoned Vehicles) updated and revised as necessary based on changes to State law.

Section 7-01-002-0005 (Graffiti Prohibited) is new to the PMO. This short section prohibits graffiti on any public or private property. The Flagstaff Police Department will continue to work with property owners to assist them with the removal of graffiti if their property is tagged, and the Police Department will be responsible for the enforcement of all State laws regarding graffiti.

Division 7-01-003 Administration and Enforcement:

The Administration and Enforcement Section of the Property Maintenance Ordinance is essentially identical to the enforcement procedures found in Division 10-20.110 of the Zoning Code. Once staff received direction from Council that initial violations of the PMO were to be civil offenses there didn't seem to be a reason to deviate from those procedures already set forth in the Zoning Code and the Civil Enforcement Procedures of Chapter 1-15, Municipal Court. For the Court, this unified enforcement approach simplifies the

processing and adjudication of civil complaints. Likewise, enforcement personnel and prosecutors, who will often be enforcing provisions of both the Zoning Code and the PMO, need only be familiar with a single civil complaint and summons and one set of civil enforcement procedures.

Overview of the Process to Develop the PMO:

Following the December 6, 2011 City Council work session, staff developed a process diagram that showed the stakeholders and process for the development of a Draft PMO, the role of public participation in the PMO's development, and eventual adoption by the City Council. This process diagram is attached – see hand written page 41.

A core team of staff representing all City Divisions and Sections with an interest in the PMO has met on numerous occasions over the past few months to develop the latest Draft PMO. The purpose of the project was clearly defined, and based on preliminary drafts prepared by the City's Zoning Code Administrator and Senior Assistant City Attorney, multiple revisions to the text of the PMO were presented, discussed, and ultimately agreed to. By March 16th, a final Staff Administrative Draft was completed that was distributed to the PMO Review Group for their input and comment.

The PMO Review Group has been formed from interested citizens to assist staff refine the draft PMO. It is comprised of a broad cross-section of Flagstaff residents and stakeholders so that a balanced perspective can be brought to the PMO. Members of the PMO Review Group represent the following organizations in Flagstaff:

- Northern Arizona Association of Realtors
- Northern Arizona Builders Association
- Friends of Flagstaff's Future
- Flagstaff Chamber of Commerce
- Arizona Multi-family Housing Association
- League of Neighborhoods
- Sunnyside Neighborhood Association
- Southside Neighborhood Association
- La Plaza Vieja Neighborhood Association
- Residential and commercial property managers
- A Flagstaff home and small business owner

As noted below, on March 22, 2012 the PMO Review Group held their first meeting. Following a brief overview of the Draft PMO by staff, useful discussion and comment on the PMO followed. The attached Draft PMO (V6.1) includes many of the ideas and comments suggested at this first meeting of the PMO Review Group.

So far two opportunities for Flagstaff residents to provide comments, ideas, and suggestions on the Draft PMO have been scheduled. On April 5th, a public meeting/open house was held in the City Council Chambers. A memorandum summarizing the comments provided at this meeting will be provided to the City Council under separate cover before the April 10, 2012 work session. This meeting was advertized in a number of ways, including publication of a ¼-page advertisement in the Arizona Daily Sun, via e-mail to stakeholder groups and interested residents who have provided their names to staff, radio announcements by the City's Public

Information Officer, and postings on free on-line community bulletin boards with KNAU and the Arizona Daily Sun. In addition staff has met with some of the principal stakeholder groups with an interest in the PMO, and additional meetings have been scheduled in the coming weeks. The second opportunity for Flagstaff residents to participate in the development of the Draft PMO will be the City Council's April 10, 2012 work session.

To date staff has received few written comments from Flagstaff residents on the Draft PMO. Attached are copies of the written comments so far received – see Attachment E on handwritten page 45.

Checking-in on the Schedule for Adoption:

Assuming adoption of the PMO by the current City Council before new councilors are seated (i.e. by mid-June 2012), a schedule for future City Council meetings has been developed as described below:

March 16 – The Staff/ Administrative Draft – V6 was released to the PMO Review Group and the public for review and comment.

March 22 – First meeting of the PMO Review Group at which staff presented an overview of the Draft PMO. The PMO Review Group provided useful critical comment on this first draft, except for the Administration/ Enforcement section. Additional meetings of the PMO Review Group have not yet been scheduled.

April 5 – Public meeting/open house at Flagstaff City Hall for residents to provide their ideas, comments, and suggestions on the PMO.

April 10 – City Council work session/discussion on the PMO. This work session provides another opportunity for the public to weigh in on the PMO and for the Council to provide further direction.

April 24 – City Council work session night; Agenda Review for first reading of PMO on May 1st.

May 1 – City Council 1st reading of PMO

June 5 – Last meeting of the current City Council - 2nd reading of PMO/adoption.

This schedule is tight, but manageable. However, it is based on an important assumption, namely that the new Animal Keeping provisions of the City Code would be developed, reviewed, and adopted after the PMO's adoption. Originally staff had contemplated developing new Animal Keeping provisions for inclusion into Title 6 (Police Regulations) on a parallel track with the PMO. The Council may recall that it was decided not to include these in the Zoning Code as they are more like nuisance provisions. As this section has the potential to be controversial and time consuming, staff recommends that the Animal Keeping provisions should be developed separately from the PMO after it has been adopted.

If the City Council would prefer to allow more time before the PMO's adoption then it will need to be reviewed and adopted in late summer/early fall by the new City Council.

Implementation Challenges

In previous meetings with the City Council, staff has discussed a general concern in the implementation of the PMO for homeowners who cannot afford to address the identified issues with their property, as for example, they may be on a fixed income and the cost of repairs is unaffordable to them. Staff has also heard from local residents and stakeholders that this is a source of concern for them as well.

In limited circumstances, the City's existing Owner Occupied Housing Rehabilitation Program (OOHR) may be able to assist. However, as the funding for the OOHR program comes from the Arizona Department of Housing or the US Department of Housing and Urban Development, only units owned and occupied by low income households would be eligible. There are a number of additional requirements and limits that may or may not allow the PMO violations to be addressed by the OOHR Program, including for example, a stipulation that any funds must be used to remediate health and safety issues only, and they cannot be used to only address cosmetic concerns. Given the approach taken with the crafting of the City's Draft PMO, this should not be an issue as the intent of the ordinance is not to regulate cosmetic/aesthetic issues, and rather its purpose is to ensure public health and safety.

In order to create an alternative funding source for property owners who cannot afford to bring their homes into compliance with the PMO, staff thought about establishing a revolving loan fund with general funds. However, this is not possible because state law prohibits a City from loaning its general funds for these purposes. Four other possible ideas are presented below for the City Council's review to possibly establish a revolving fund to assist home owners who cannot afford to do the repairs. Essentially the intent is to find a way that funds could be made available to qualified home owners at a low interest rate and subject to an administration fee so that repairs to their homes could be completed.

1. Establish a surcharge that would be paid into a separate revolving fund in addition to any fines that may be levied by the courts. Under this scenario, fines would be reduced as much as possible so that the surcharge could provide the most benefit to the revolving fund without making the fines too onerous. However, the obvious problem with this scenario is that it has been agreed that City staff should enforce the PMO by seeking compliance as much as possible, rather than prosecuting property owners through the courts.
2. Invite local businesses to donate money to a revolving fund that is managed by the City.
3. If the courts order abatement of a property, it is possible that assistance could be provided to the property owner if the City had to have the work completed by a licensed contractor, and the cost of the abatement would be recovered by imposing a lien on the property. Once again, this idea is contrary to the stated policy of seeking compliance as much as possible.
4. The City could donate money to a fund managed by an outside organization such as United Way, Habitat for Humanity, Bothands, or a similar group to be used to provide assistance to home owners who cannot otherwise afford to do necessary repairs. Using these funds, a licensed contractor could be hired to complete the necessary work.

Staff looks forward to discussing these options with the City Council so that a mechanism for assisting home owners who cannot afford to come into compliance with the PMO can be established. In addition, there are numerous volunteer organizations with the City that can assist with non-structural repairs and maintenance, such as painting, removal of vegetation and litter, and other general clean-up.

Conclusion:

The purpose of the April 10, 2012 City Council work session is to enable staff to present the latest Draft PMO - V6.1 to the City Council and to confirm that the approach taken with the PMO is in accord with the Council's desires and direction. Flagstaff residents will also be provided with an opportunity to offer their thoughts, comments and ideas on the proposed PMO to the City Council and staff.

If you have questions on this memorandum, or require additional information, please contact Roger E. Eastman AICP, Zoning Code Administrator at (928) 213-2640 or via e-mail at reastman@flagstaffaz.gov.

Attachments:

- A. Summary of Past City Council Meetings on the PMO
- B. Final Draft of the Proposed Property Maintenance Ordinance, V6.1
- C. Analysis of Table of Contents - PMO V6.1
- D. PMO Process Flow Diagram, December 13, 2011
- E. Comments received by April 3, 2012 from Flagstaff residents on the proposed PMO.

ATTACHMENT A: Summary of Past City Council Meetings on the PMO

- **April 2006** – as part of budget discussions, the City Council first entertained the idea of a PMO and directed staff to commence work.
- **May 2006** - initial background research started, but staff was pulled away to work on proposed affordable housing amendments to the Land Development Code resulting from the work of the Community Housing Policy Task Force.
- **April 2007** – the first staff core group meeting to scope and charter the project was held. However, soon thereafter staff was once again asked to stop the project and to work on the Traditional Neighborhood District ordinance and a comprehensive legal review of the LDC instead.
- **January 2008** – staff core group meeting convened again to work on the PMO, and the first public outreach with stakeholder interviews commenced. A very rough draft was produced that incorporated many untested concepts mostly based on the Phoenix PMO as well as ideas from other communities. This draft addressed minimum interior and exterior standards for the maintenance of buildings, as well as property.
- **March 10, 2008** – The City Council held a work session and provided initial direction on the content of the PMO. This included the following general consensus:
 - A PMO is important to the City Council and is necessary
 - It should apply to all property, i.e. residential, commercial, and industrial
 - The emphasis of the PMO should only be the exterior of a building and surrounding property conditions, and it should not apply to building interiors
 - The Flagstaff PMO should be modeled on the Phoenix code
 - Ensure that the PMO once adopted is enforced based on complaints received by the City, rather than being proactively enforced by staff. In the early phases of the PMO's implementation a strong emphasis on education about the new ordinance is needed and to assist residents achieve compliance (i.e. a complaint based lenient enforcement approach)
 - Seek CDBG funding or other funding sources if possible to provide funds for property owners who cannot afford to bring their property into compliance with the PMO.

This consensus is also generally consistent with a statement from the Sunnyside Neighborhood Association in support of a PMO, and the League of Neighborhoods vision for a PMO as presented in their Strategic Plan.

- **June 2008** – Work session with the City Council on the PMO to update newly appointed councilors.
- **July 2008** – Staff was directed to stop work on the PMO and instead draft an RFP for the rewrite of the LDC as this was a greater priority. All work on the PMO halted, and a letter was sent to stakeholders to inform them of this change in schedule.

- **October 2009** – With two new councilors recently seated, the City Council held a work session for an update and discussion of progress so far on the PMO.

ATTACHMENT B: Final Draft of the Proposed PMO, V6.1

PMO:

Draft Property Maintenance Ordinance – V6.1 (Amended Final Staff Administrative Draft)

December 29, 2011
Updated: March 30, 2012

CHAPTER 7-01 PROPERTY MAINTENANCE

DIVISION 7-01-001 GENERAL PROVISIONS

7-01-001-0001 Title

7-01-001-0002 Purpose

7-01-001-0003 Intent

7-01-001-0004 Applicability

7-01-001-00054 Permit Required

7-01-001-00065 Conflict of Ordinances

7-01-001-00076 Severability

7-01-001-00087 Definitions

DIVISION 7-01-002 MAINTENANCE STANDARDS

7-01-002-0001 Building and Structure Exteriors

A. Exterior surfaces

1. Weather protection
2. Protective treatment
3. Boarded window or door openings

B. Foundations, walls, roofs, and chimneys

C. Doors, windows, and skylights

D. Fences, screen walls, and retaining walls

E. Exterior stairs, railings, balconies, porches, and decks

F. Address display

7-01-002-0002 Exterior Premises and Vacant Land

A. Accumulation of vegetation prohibited

B. Litter

C. Maintenance of ground covers and grasses abutting public sidewalks, streets, and alleys

- D. Pruning, maintenance, removal, and replacement of vegetation ~~in~~ abutting public sidewalks, streets, and alleys
- E. Drainage
- F. Exterior insect, rodent, and animal control
- G. Offensive materials and substances
- H. Exterior hazard and attractive nuisance
 - 1. Abandoned refrigerators
 - 2. Hazardous excavations
 - 3. Hazardous pools
 - 4. Building materials
- I. Firewood
- J. Displaying vehicles for sale on property

7-01-002-0003 Buildings and Structures Constituting a Nuisance

7-01-002-0004 Abandoned and Junked Vehicles

A. Permitted storage

B. Prohibited storage

7-01-002-0005 Graffiti Prohibited

A. Intent

B. Graffiti prohibited

DIVISION 7-01-003 ADMINISTRATION AND ENFORCEMENT

7-01-003-0001 Violations

7-01-003-0002 Enforcement Authority

7-01-003-0003 Remedies not Exclusive

7-01-003-0004 Interference with Enforcement Personnel

7-01-003-0005 Inspection

7-01-003-0006 Cooperation of Other Departments

7-01-003-0007 Civil Enforcement; Penalties

7-01-003-0008 Criminal Enforcement; Penalties

7-01-003-0009 Emergency Abatement

DIVISION 7-01-001 GENERAL PROVISIONS

7-01-001-0001 TITLE

This Chapter shall be known and may be cited as the "Property Maintenance Ordinance of the City of Flagstaff". Within this Chapter, it may also be known as "this Chapter".

7-01-001-0002 PURPOSE

A. — The purpose of the Property Maintenance Ordinance (PMO) is to:

- A1. Protect and promote the health, safety and welfare of the citizens of Flagstaff, Arizona; and
- B2. Protect neighborhoods against hazardous and deteriorating influences or conditions that cause blight and contribute to the decline of neighborhood property values by establishing minimum requirements for the maintenance of all residential and nonresidential buildings, all structures of whatever kind, and vacant, improved, and unimproved land.

7-01-001-0003 INTENT

- AB. This Chapter shall be applied and enforced fairly, sensibly, consistently, and reasonably to promote the maintenance of all buildings and land in the City. The intent is to ensure that individuals and families do not suffer undue hardship.
- BC. Repairs, additions, or alterations to a structure, demolition, or removal, or changes of occupancy, shall be completed in accordance with the procedures and provisions of the building, administrative and technical codes adopted by the City of Flagstaff and in effect at the time of such repair, addition, alteration, demolition, or removal, as well as all applicable federal and state regulations.

7-01-001-00043 APPLICABILITY

- A. This Chapter serves these purposes by establishing minimum standards for the maintenance of all residential and nonresidential buildings, structures of whatever kind, and vacant and improved land within the City without regard to the use or the date of construction, improvement or alteration; and by prohibiting acts and conduct that diminish quality of life.
- B. This Chapter shall not require changes in existing buildings and utilities when alterations were installed and have been maintained in accordance with the building code in effect at the time of construction or alteration of the subject building or utilities unless the Building Official determines that the building is an imminent hazard, unsafe, unhealthy, or deteriorated, or when it has been moved to another location.
- C. This Chapter shall supplement and in no way supersede other provisions of the Flagstaff City Code, including but not limited to; Chapter 7-04, Municipal Solid Waste Collection

Service; Chapter 8-01, Sidewalks; and, Chapter 8-03, Streets and Public Ways with specific reference to Section 8-03-001-0004, Removal of Snow and/or Ice.

| 7-01-001-00054 **PERMIT REQUIRED**

No building, structure or building service equipment regulated by this Chapter or by the technical codes adopted by the city shall be built, erected, constructed, enlarged, altered, repaired, moved, improved, removed, converted or demolished unless a permit has first been obtained from the Building Official in the manner provided in the City of Flagstaff's adopted administrative and building codes.

| 7-01-001-00065 **CONFLICT OF ORDINANCES**

To the extent that any provision of this Chapter conflicts with or is preempted by any state or federal law, including state and federal laws concerning the construction and maintenance of manufactured homes and mobile homes, the provision of this Chapter shall not apply.

| 7-01-001-00076 **SEVERABILITY**

If a Section, Subsection, sentence, clause or phrase of this Chapter is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this Chapter.

| 7-01-001-00087 **DEFINITIONS**

For the purpose of this Chapter, certain terms, phrases, words and their derivatives shall be defined as specified in either this Chapter or as in the Building Code. Where terms are not defined, they shall have their ordinary accepted meanings within the context with which they are used.

Abandoned: A vehicle that is unclaimed or discarded. Evidence that a vehicle is without current licenses or tabs for a period of fifteen (15) successive calendar days on private property, and without any repairs during that period, shall be prima facie evidence of intent to abandon. (See also the definition for Inoperable.)

Abatement of Dangerous Buildings Code: Those codes currently in effect establishing minimum standards for the abatement of dangerous buildings and structures.

Attractive nuisance: A condition, instrumentality, machine or other agency, which is dangerous to children because of their inability to appreciate peril and which may reasonably be expected to attract them.

Authorized container: Any container provided by the City of Flagstaff or an authorized private refuse collector for the collection of refuse.

Blight or Blighted: Unsightly conditions including accumulation of debris; fences characterized by holes, breaks, rot, crumbling, cracking, peeling or rusting; landscaping that is dead, characterized by uncontrolled growth or lack of maintenance, or is damaged; any other similar conditions of disrepair and deterioration; and the exterior visible use or display of tarps, plastic

sheeting, or other similar materials as flexible or inflexible screening, fencing, or wall covering upon a lot; regardless of the condition of other properties in the neighborhood.

Building Code: Those codes currently in effect establishing minimum acceptable levels of safety for the construction, renovation, demolition, and occupancy of buildings and structures.

Building Official: The Chief of Building Inspectors or his official representative, charged with the administration and enforcement of the building code.

Community Development Director: The City of Flagstaff Director of the Community Development Division or designee as authorized by City Code Title 10, Zoning Code.

Dangerous Building. A dangerous building is any building or structure deemed to be dangerous by the Building Official under the provisions of the Abatement of Dangerous Buildings Code promulgated by the International Conference of Building Officials, as adopted and amended by the City of Flagstaff.

Debris. Substances or materials of little or no apparent economic value, which may be present in accumulations in excess of six inches in height and ten inches in diameter, including but not limited to deteriorated lumber, old newspapers, furniture parts, stoves, sinks, cabinets, household fixtures, refrigerators, car parts, abandoned, broken or neglected equipment, or the scattered remains of items. (Exceptions: construction materials for a valid unexpired building permit or collected items that are neatly stacked, arranged in racks, stored inside legally conforming shelters that are kept from public view).

Fire Code: Those codes currently in effect establishing minimum acceptable levels for life safety and property protection from the hazards of fire or dangerous conditions in new and existing buildings, structures, and premises.

Garbage: The putrescible solid wastes (excluding ashes), consisting of both combustible and noncombustible solid wastes such as food waste, yard clippings, trimmings, bulk waste and similar material. (See definition for Solid Waste)

Graffiti: Unauthorized writing or drawing on a public or private surface.

Infestation: The presence or apparent presence of insects, rodents, birds, animals or other noxious pests of a kind or in a quantity that may have an adverse affect upon a building, structure or property or upon the health, safety, or general welfare of citizens.

Inoperable: A vehicle which cannot be driven on the public streets for reason including but not limited to, being unlicensed, wrecked, abandoned, in a state of disrepair, or incapable of being moved under its own power.

Junked: A vehicle that is dismantled, inoperable, not used for transportation, unsalvageable, stripped or scrapped. Evidence that a vehicle is inoperable and without repairs necessary to result in its operability for a period of fifteen (15) successive calendar days on private property shall be prima facie evidence of its junked status.

Land, Improved: Land that has been developed, graded or disturbed, or upon which site improvements including, but not limited to, utility installations, paving, or the construction of a building or structure.

Land, Unimproved: Woodlands, grasslands, prairies, wetlands and other undisturbed land that is not used for any purpose as may be permitted under City Code Title 10, Zoning Code, and that has not been materially disturbed.

Land, Vacant: Land that is not currently used for any purpose as may be permitted under City Code Title 10, Zoning Code, but that has been materially disturbed.

Litter: Refuse and rubbish and all other waste materials which if thrown, deposited, or not contained in a waste receptacle, contributes to a blighted appearance or that is or may become a hazard to the public health and safety. The term litter does not include waste materials stored or otherwise kept on a property as permitted by City Code Title 10, Zoning Code.

Owner: The owner of real property, the owner's authorized agent, or the owner's statutory agent.

Private property: Any land within the corporate limits of Flagstaff owned by any person, firm, partnership or corporation other than the United States, the State, the County, the City of Flagstaff, or other public agency, including streets, rights of way, easements, and open spaces not dedicated to the general public for unrestricted public use.

Public nuisance. Any condition that is or may be discomfoting or offensive to a reasonable person of normal sensitivity or detrimental to the life, health, welfare, or safety of individuals or the public.

Refuse: All putrescible and non-putrescible solid wastes (except septic, industrial, medical, contagious or infectious wastes, hazardous wastes, and flammable or explosive wastes), including garbage, ashes, street cleanings, dead animals, and solid waste and industrial waste. (See solid waste definition.)

Rubbish. Non-putrescible solid wastes consisting of either combustible or noncombustible wastes including paper, wrappings, cigarettes, cardboard, tin cans, construction materials, yard clippings, dead leaves, tree trimmings, glass, bedding, crockery, paper cartons, aluminum foil, plastic materials, trash, ashes or other accumulation of filth or debris.

Solid waste: Garbage, trash, rubbish, or refuse and sewage, septic, or water treatment sludge that has been dehydrated.

Unsheltered: Any vehicle outside a covering specifically manufactured for use as a vehicle cover, carport, garage, or other building, unscreened, or otherwise within public view from a public right-of-way.

Vehicle: Any vehicle, trailer, or semi-trailer of a type subject to registration under Title 28 of the Arizona Revised Statutes.

Weather protection: The protection of all exterior surfaces from decay and the admittance of rain or snow by approved protective coverings or treatment.

Weed: Any plant considered undesirable, unattractive, or troublesome, especially one growing where it is not wanted and usually of vigorous growth that tends to overgrow or choke out more desirable plants.

Wildland Urban Interface Code: Those codes currently in effect establishing minimum acceptable regulations consistent with nationally recognized good practice for the safeguarding of life and property.

DIVISION 7-01-002 MAINTENANCE STANDARDS

7-01-002-0001 BUILDING AND STRUCTURE EXTERIORS *[This Section is new in its entirety. Also repeal Chapter 6-04, Nuisances]*

A. Exterior surfaces.

1. Weather protection. All exposed exterior surfaces, windows, doors, exterior structural elements, and weather-exposed exterior surfaces of every building or structure shall provide weather protection. Every building shall be weather protected to provide shelter for the occupants against the elements and to exclude moisture and dampness. All siding and masonry joints as well as those between the exterior wall and the perimeter of windows, doors, and skylights shall be maintained in a weather resistant and water tight condition.
2. Protective treatment. All exterior wood surfaces, except for decay-resistant woods, shall be protected from deterioration and from the elements by paint or other protective treatment or covering. Exterior wood surfaces with paint that is peeling, flaking, cracked, blistered or chipped, resulting in bare, unprotected surfaces or the presence of mildew, shall be maintained and repainted to eliminate the deteriorated condition. All metal surfaces subject to corrosion or rust must be treated or coated to inhibit corrosion and rust, unless corrosion or rust is a design element.
3. Boarded window or door openings.
 - a. ~~No occupied structure may have boarded window or door openings, except as necessary on a temporary basis to keep the structure secure while under repair.~~
 - b. ~~While vacant structures or structures under repair may temporarily be secured by boarding up window and door openings in accordance with the applicable City Abatement of Dangerous Buildings Code requirements, having or maintaining boarded window or door openings on a vacant structure for one hundred eighty (180) days or more in any one-year period is prohibited. The materials used to board window or~~

door openings shall be painted to match the primary color of the building or structure.

B. Foundations, walls, roofs, and chimneys.

1. All exterior wood showing evidence of insect or animal damage or decay (e.g. termites) shall be replaced.
2. Exterior walls. The exterior walls shall be free from holes and breaks to provide weather protection and be substantially free from dry rot and mildew, and shall be maintained in sound condition and good repair so as to prevent infestation. Exterior walls must be free of loose, crumbling or deteriorated plaster or rotted, split or buckled exterior wall coverings. All exterior surfaces, other than decay-resistant materials, shall be protected from the elements by painting or other protective covering according to manufacturer's specifications.
3. Roofs and Drainage. Roofs shall be maintained in a safe condition and shall provide weather protection for that building or structure. Roof coverings shall not be rotted, broken, split, buckled or otherwise deteriorated. The roof and flashing shall be sound, tight and not have defects that admit rain. Roof drainage shall be adequate to prevent dampness or deterioration in the walls or interior portion of the structure. Roof drains, gutters and downspouts shall be maintained in good repair and free from obstructions. Water from a roof shall not be discharged in a manner that creates a public nuisance. See also Section 7-01-002-0002.D, Drainage.
4. Chimneys. All chimneys shall be maintained in a safe and sound condition. All exposed surfaces of metal or wood shall be protected from the elements and against decay or rust by periodic application of weather-coating materials, such as paint or similar surface treatment.
5. Decorative Features. All cornices, belt courses, corbels, ~~terra-cotta trim~~, wall facings and similar decorative features shall be maintained in good repair with proper anchorage and in a safe condition.
6. Overhang Extensions. All overhang extensions including, but not limited to canopies, marquees, signs, metal awnings, fire escapes, standpipes and exhaust ducts shall be maintained in good repair and be properly anchored so as to be kept in a sound condition. When required, all exposed surfaces of metal or wood shall be protected from the elements and against decay or rust by periodic application of weather-coating materials, such as paint or similar surface treatment.

C. Doors, windows, and skylights.

1. Every door, window, skylight, door and frame (including insect screens) shall be kept in sound condition, good repair, and weather-tight.

2. All windows, skylights, and other glazing materials shall be maintained free from cracks and holes.
3. Every basement window that is openable shall be supplied with rodent shields, storm windows, or other approved protection against infestation.

D. Fences, screen walls, and retaining walls.

All fences, screen walls, and retaining walls on the premises shall be in a safe and sound condition, properly anchored so as not to be in danger of failure or collapse, and uniform in color and structure, and shall be maintained so that they do not constitute a hazard, blight, or condition of disrepair. Examples of hazards, blight or conditions of disrepair are inclusive of, but not limited to;

1. Leaning fences or walls to such an extent that a plumb line passing through the center of gravity does not fall inside the middle one-third of the width of the wall or fence at its base.
2. Fences and walls that are missing slats or blocks, or that have rot or damage;
3. Graffiti;
4. Peeling paint; and
5. Deteriorated paint or materials

E. Exterior stairs, railings, balconies, porches, and decks.

All exterior stairs, railings, balconies, porches, and decks, and all appurtenances attached thereto, shall be maintained so as to be safe and in a sound condition, in good repair, with proper anchorage.

F. Address display.

Buildings shall have approved address numbers placed in a position to be plainly legible and visible from the street or road fronting the property in compliance with the Fire Code.

7-01-002-0002 EXTERIOR PREMISES AND VACANT LAND

A. Accumulation of vegetation prohibited. [Repeal Chapter 8-04]

1. All land within the City, except for unimproved land, shall be maintained so it is free of the accumulation or untended growth of vegetation, the presence of which creates a safety, fire, or health hazard, or that attracts infestation~~vermin~~ either on the property, on neighboring properties, or on both, and includes but is not limited to:
 - a. Any lawn grass that exceeds twelve (12) inches in height.

- b. All weeds that exceed twelve (12) inches in height.
 - c. Dead plants or dead parts of plants of any kind.
 - d. Any tree, shrub, or other form of vegetation of any kind on the property or on the adjoining right-of-way, street, public easement, or alley that extends over ~~or under~~ the sidewalk space or roadway in a manner that may interfere with the reasonable use of the street, sidewalk, or alley for pedestrian or vehicular traffic of any kind or that may obstruct the view or light distribution of traffic-control devices, street signs, or street lights.
2. The provisions of Subsection 1. of this Section does not prohibit the maintenance of a compost pile on residential property, so long as the compost pile does not create a hazard and is: *[Repeal 6-06-001-0003]*
- (1) Contained;
 - (2) Maintained so as not to produce offensive odors or attract flies or vermin; and
 - (3) Located, insofar as reasonably possible, so that it is not visible from abutting properties or streets;
- B. **Litter.** *[Repeal parts of 6-06-001-0001, as well as 6-06-001-0002 through 6-06-001-0005]*
- 1. All properties as well as abutting public sidewalks, streets, easements, and alleys, shall be maintained to be free from any unreasonable accumulation of litter.
 - 2. Handbills posted on public and private property are prohibited.
 - 3. All accumulated litter on a property shall be cleared by 9:00 AM of each day from the previous day's use.
 - 4. Every occupant of a structure shall dispose of all litter in a clean and sanitary manner by placing such litter or garbage in authorized containers.
 - 5. The owner of every occupied premise shall supply authorized covered containers for litter, and the owner of the premises shall be responsible for the removal of such litter.
 - 6. The open burning or incineration of refuse and other materials is prohibited (Refer also to the Wildland-Urban Interface Code).]
- C. **Maintenance of ground covers and grasses abutting public sidewalks, streets, and alleys** *[This Subsection is new.]*

Groundcovers and grasses planted or existing in the public right-of-way between the back edge of the curb and a property line or within and adjacent to alleys, shall be

trimmed and maintained to no greater than twelve (12) inches in height by the owner, lessee, tenant, or occupant of any premises abutting such public sidewalks, streets, and alleys to ensure the health, safety, or welfare of persons using ~~themsuch public sidewalks, streets, and alleys.~~

D. **Pruning, maintenance, removal, and replacement of vegetation in abutting public sidewalks, streets, and alleys** *[This Subsection is new.]*

1. Trees and shrubs planted in the public right-of-way between the back edge of the curb and a property line or within and adjacent to alleys, shall be pruned, trimmed, and maintained by the owner, lessee, tenant, or occupant of any premises abutting such public sidewalks, streets, and alleys to ensure the health, safety, or welfare of persons using such public sidewalks, streets, and alleys except as provided in paragraph 3 below.
2. Except as provided in paragraph 3 below, in the event that trees, shrubs, groundcovers or grasses in the public right-of-way between the back edge of the curb and a property line or within and adjacent to an alley should be damaged or dies due to whatever cause, the owner, lessee, tenant, or occupant of any premises abutting such public sidewalks, streets, and alleys shall be responsible for the removal of the damaged or dead tree, shrub, ground cover, or grasses, and they shall be replaced the removed tree, shrub, ground cover, or grass with a similar species in accordance with the City of Flagstaff Landscape Plant List (Refer to City Code Title 10, Zoning Code, Appendix 3) and sized in accordance with the City of Flagstaff Engineering Standards.
3. Trees, shrubs, groundcovers or grasses planted within public rights-of-way as part of a City of Flagstaff capital improvement project shall be pruned, maintained, removed, or replaced by the City for the first five (5) years following completion of the project, or when the irrigation system is shut off and the trees are fully established as determined by the Public Works Director, which ever event comes first. Thereafter, all trees, shrubs, groundcovers or grasses shall be pruned, maintained, removed, or replaced by the abutting owner, lessee, tenant, or occupant as stipulated in paragraphs 1 and 2 above.

E. **Drainage.** *[Repeal 6-01-001-0017]*

1. All premises shall be maintained so as to prevent the accumulation of stagnant water when such water causes a hazardous or unhealthy condition, becomes a breeding area for insects, or which is causing soil erosion or damage to foundation walls.
2. The ~~Willfully~~ or negligently permitting or causing of the escape or flow of water into the public right-of-way in such quantity as to cause flooding, to impeded vehicular or pedestrian traffic, or to cause damage to the public streets or alleys of the City is permitted. *[Repeal 7-01-002-0002.E]*

F. Exterior insect, rodent, and animal control. *[Repeal 7-01-002-0002.B and F.]*

All premises shall be kept free from insect and rodent infestation and other noxious pests. This provision shall not require action to disturb the natural or cultivated activity of bees, rabbits, or other insects and animals where such activity is not a danger or nuisance to any resident or residents of the area, and where other applicable legal requirements are met.

G. Offensive materials and substances *[Repeal 7-01-002-0002.H]*

The following offensive materials and substances are prohibited:

1. Animal manure that is neither used for fertilizing lawns or gardens nor securely protected from insects and the elements;
2. Putrid, unsound or unwholesome bones, meat, hides, skins or other animal parts; dead animals, fish or fowl; butcher's trimmings and offal; waste vegetation; liquid waste; animal matter; garbage; human or animal feces, sewage, and other similar offensive substances;
3. Noxious exhalations and other airborne irritants, including, but not limited to, smoke, soot, dust, fumes or other gasses, offensive odors, or other annoyances; and
4. A privy, vault, cesspool, sump, pit, pool, accumulated water or similar condition that is foul, malodorous, or subject to infestation, pollution, or stagnation;

H. Exterior hazard and attractive nuisance. *[Repeal 7-01-002-0002.I]*

All premises shall be kept free of any condition that constitutes a health hazard, imminent hazard, or attractive nuisance. Such prohibited conditions include, but are not limited to, the following:

1. Abandoned refrigerators. ~~All properties shall be kept free of Abandoned~~ iceboxes, refrigerators, freezers, cabinets, or other similar containers shall not be kept on a property for more than thirty (30) days. For such iceboxes, refrigerators, freezers, cabinets, or other similar containers with a capacity of one and one-half (1 1/2) cubic feet or greater that are abandoned, discarded, or no longer used for refrigeration and are in any place accessible to children, the attached doors, hinges, lids, latches, or other locking devices that may not be released from the inside shall be removed.
2. Hazardous excavations. All premises shall be kept free of abandoned or unsecured excavations, pits, wells, or other holes, or any excavation that creates a hazard to public safety or an attractive nuisance. An excavation made under permit and secured and maintained in a manner that complies with the applicable permit requirements is not considered a violation of this Section.

3. Hazardous pools. Swimming pools, hot tubs, spas, ponds, and architectural pools shall be maintained in a clean and sanitary condition and in good repair, so as not to create a safety hazard, harbor insect infestation, or create a visible deteriorated or blighted appearance. The bottom and sides of the pool, hot tub, spa or pond shall be maintained reasonably free of sediment, dirt, slime, and algae. Any swimming pool, hot tub, spa, pond or other contained body of water that contains water eighteen (18) inches or more in depth at any point and that is wider than four (4) feet at any point and is intended for swimming must be properly secured and maintained so as not to create a hazard to public safety, a health hazard or attractive nuisance, and shall be entirely enclosed by a wall, fence or other barrier that is adequate to prevent access by children in compliance with the Building Code.
4. Building materials. Building materials, lumber, scrap metal and other similar materials shall be piled in a clean and orderly condition so as not to create a safety hazard, harbor insect infestation, or create a visibly deteriorated or blighted appearance. *[This Subsection is new.]*

I. **Firewood.**

All firewood shall be stacked in a safe and orderly manner, and stored in compliance with applicable Sections of the Wildland-Urban Interface Code. *[This Subsection is new – cross reference to WUI only.]*

J. **Displaying vehicles for sale on property** *[Repeal 6-01-001-0021]*

1. No vehicle shall be parked for the purpose of sale or lease on improved, vacant, or unimproved private or public property, except where such sale or lease is permitted under the applicable provisions of City Code Title 10, Zoning Code.
2. For the purpose of the foregoing Subsection, it may be presumed that any vehicle posted with signs reading "For Sale" or any similar or analogous words parked within view of any public right of way ~~while said vehicle is posted with signs reading "For Sale" or any similar or analogous words~~ is being displayed for the purpose of advertising the vehicle ~~the same for sale~~.
3. This Section shall not apply to any person who causes or permits the parking of a ~~motor~~ vehicle owned by him upon property owned by any person licensed by the State and the City for the ~~purpose of carrying on the business of retail sale of~~ such vehicles.
4. This Section shall not be construed to prohibit the incidental parking of any ~~motor~~ vehicle, whether advertised or marked for sale or not, when the primary purpose for parking the said vehicle is some purpose other than that of advertising ~~the availability of~~ said vehicle for sale. It shall be presumed that parking a ~~motor~~ vehicle marked or advertised for sale with other ~~motor~~ vehicles marked or advertised for sale, except as provided in Subsection (3) above, is not incidental parking.

The Abatement of Dangerous Buildings Code as adopted by the City of Flagstaff (Refer to City Code Title 4, Building Regulations), and implemented and administered by the Building Official shall apply to all buildings or structures deemed by the Building Official to be a danger to life, limb, health, and morals. *[This Subsection is new – cross reference only.]*

A. Permitted storage

This Section shall not apply to any abandoned, junked, or unregistered vehicle stored on private property if the vehicle is:

1. On the premises of a business enterprise operated in a lawful place and manner and licensed and otherwise permitted by the City, and the storage of the vehicle is necessary to the operation of the business enterprise; or
2. Substantially complete with inflated tires under the roof area of any building;
3. Lawfully enclosed within:
 - a. An enclosed garage or other permanent building lawfully constructed of opaque materials without openings, holes or gaps other than doors and windows;
 - b. A carport, and an opaque car cover designed for that purpose (and not including tarpaulins, bed sheets, plastic sheeting, or similar materials) completely covers the body of the vehicle; or
 - c. Any fence, wall or barrier, not less than six (6) feet in height, constructed of opaque materials without openings, holes or gaps inclusive of gates or doors to completely enclose the vehicle, and equipped with self-latching gates or doors. Such fence, wall or barrier must comply with Section 7-01-002-0001.D (Fences, Screen Walls, and Retaining Walls)).
4. Undergoing repair, titled to the owner or resident of the property, provided that the repair is complete within fourteen (14) days after the repair was begun, provided that not more than three (3) such fourteen (14) day repairs will be permitted in any twelve (12) month period. Not more than two (2) ongoing restoration projects or inoperable or unregistered vehicles in a backyard area, screened by a substantially opaque fence at a minimum height of six (6) feet or the height of the vehicles, whichever is more, provided that any fence constructed or modified pursuant to this Subsection must meet any and all other requirements of the city code;
5. An operable off-road vehicle under the roof area of any building, or in a backyard area, screened by a substantially opaque fence at a minimum height of five (6) feet or the height of the vehicles, whichever is more, provided that any

fence constructed or modified pursuant to this Subsection shall comply with Division 10-50.50 (Fences and Screening) of the Flagstaff Zoning Code.

6. The unsheltered storage, parking, standing or placement of an abandoned or junked ~~motor~~-vehicle for a period of fifteen (15) days or more on any private property except where permitted by Title 10 of the City Code, Zoning Code, is hereby declared to be a nuisance and dangerous to the public safety.

B. Prohibited storage

1. No person owning or having custody of any junked or abandoned vehicle may store such vehicle on private property, or on any sidewalks, streets, public easements, or alleys, within the City, except as otherwise permitted under this Section;
2. No person owning, occupying or in control of any private property within the city may store any junked or abandoned vehicle on the owned or occupied property, or on any abutting sidewalks, streets or alleys, except as otherwise permitted under this Section.
3. No vehicle shall be used for the storage of goods, products and materials.

7-01-002-0005 GRAFFITI PROHIBITED [This Section is new.]

A. Intent.

1. The intent of this Section is to prohibit graffiti from walls, structures, or surfaces on public and private property in order to reduce blight and deterioration within the City, and to protect the public health and safety.

B. Graffiti prohibited.

An owner shall ensure that all sidewalks, walls, buildings, fences, signs, and other structures or surfaces except the ground shall be kept free from graffiti.

DIVISION 7-01-003 ADMINISTRATION AND ENFORCEMENT

7-01-003-0001 Violations

- A. It shall be unlawful for any person to cause, permit, facilitate, and/or abet any violation of this Chapter or who fails to perform any act or duty required pursuant to this Chapter. The owner and occupant of property in violation of this Chapter may be individually and jointly responsible for the violation, the prescribed civil or criminal sanctions, and for abating the violation.
- B. Each day any violation of any provision of this Chapter or the failure to perform any act or duty required by this Chapter continues shall constitute a separate offense.

7-01-003-0002

Enforcement Authority

[It is unknown at this time if the PMO will be enforced through Community Development, Public Works, a combination of both Divisions, or some other organizational arrangement.]

- A. The [Insert Division] Director shall have the power and responsibility to conduct inspections and enforce this Chapter. The [Insert Division] Director is hereby authorized to commence an enforcement action in compliance with this Chapter by issuing a citation for civil sanctions in the Flagstaff Municipal Court in compliance with City Code Title 1, Administration, Chapter 1-15, Municipal Court, Section 1-15-001-0011, Civil Enforcement Procedures. The [Insert Division] Director may also seek the issuance of a complaint by the Chief Prosecutor of the City of Flagstaff for criminal prosecution of habitual offenders as defined in this Division.
- B. The authority of the [Insert Division] Director to enforce provisions of this Chapter is independent of and in addition to the authority of other City officials to enforce the provisions of any other Chapter of the Flagstaff Municipal Code.
- C. Nothing in this Section shall preclude City employees from seeking voluntary compliance with the provisions of this Chapter or from enforcing this Chapter through verbal or written warnings, or other informal devices to achieve compliance in the most efficient and effective manner.

7-01-003-0003

Remedies Not Exclusive

Violations of this Chapter are in addition to any other violation established by law, and this Chapter shall not be interpreted as limiting the penalties, actions or abatement procedures which may be taken the City or other entities under other laws, ordinances or rules.

7-01-003-0004

Interference with Enforcement Personnel

No person shall, by threat or use of violence or physical force, or by threatening to do or doing any other act that can be reasonably anticipated to cause physical harm to any person including the perpetrator, intentionally obstruct, impede, or interfere with any officer, employee, contractor or authorized representative of the City who is lawfully and constitutionally engaged in the enforcement or execution of the provisions of this Chapter.

7-01-003-0005

Inspection

An inspector may expand the scope of any investigation beyond the original complaint to include other violations noted during inspection of the subject property. All inspections shall be conducted in compliance with the constitutions of the United States and the State of Arizona.

7-01-003-0006

Cooperation of Other Departments

Upon request of the [Insert Division] Director, the Police Department, or any other Division of the City, has authority to assist and cooperate with the Director in the performance of their duties under this Chapter. The cooperation may include assistance in enforcement or abatement actions, including removal of persons from structures to be demolished pursuant to this Chapter.

- A. Any occupant or owner that allows, permits, facilitates, suffers, aids or abets any violation of any provision of this Chapter or fails to perform any act or duty required by this Chapter shall be responsible for a civil violation unless otherwise specified.
- B. Any occupant or owner who is found responsible for a civil violation of this Chapter, whether by admission, default or after a hearing, shall pay a civil sanction of not less than one hundred fifty dollars (\$150.00) or more than one thousand five hundred dollars (\$1500.00). A second finding of responsibility within thirty-six (36) months of the commission of a prior violation of this Chapter shall result in a civil sanction of not less than two hundred fifty dollars (\$250.00) or more than two thousand five hundred dollars (\$2500.00). A third finding of responsibility within thirty-six (36) months of the commission of a prior violation of this Chapter shall result in a civil sanction of not less than five hundred dollars (\$500.00) or more than two thousand five hundred dollars (\$2500.00).
- C. The thirty-six month provision of paragraph (A.) of this Subsection shall be calculated by the dates the violations were committed. The occupant or owner shall receive the enhanced sanction upon a finding of responsibility for any violation of this Chapter that was committed within thirty-six (36) months of the commission of another violation for which the occupant or owner was convicted or otherwise found responsible, irrespective of the order in which the violations occurred or whether the prior violation was civil or criminal.
- D. In addition to any monetary civil sanction imposed on an owner, the court shall order the owner to abate the infraction within a specified time period following the hearing, unless it has already been abated by the date of the hearing. Additionally, the court may order that, in the event the owner fails to abate the infraction within the allotted time, the City may abate the infraction and charge the owner for the actual cost of abatement, along with the actual costs of any additional inspections and other incidental connected costs, and any associated legal costs for abatement. Such costs shall be assessed on the property from which the infraction was abated.
- E. The City, in its sole discretion, may record a notice of civil sanction and abatement order with the Coconino County Recorder and thereby cause compliance by any person(s) or entity thereafter acquiring such property. When the property is brought into compliance by the owner, a satisfaction of notice of civil sanction and abatement order shall be filed at the request and expense of the owner. It is the property owner's responsibility to secure the satisfaction of notice of civil sanction and abatement order from the City. A civil sanction and abatement order shall run with the land, and shall be due and payable in accordance with Arizona Revised Statutes § 9-499(E). Civil sanctions and abatement orders that are past due shall accrue interest at the rate prescribed by A.R.S. § 44-1201.
- F. Every civil action or proceeding in compliance with this Chapter shall be commenced and prosecuted in compliance with City Code Title 1, Administration, Chapter 1-15, Municipal Court, Section 1-15-001-0011, Civil Enforcement Procedures.

7-01-003-0008 Criminal Enforcement; Penalties

- A. Any person found responsible by the Flagstaff Municipal Court for three or more civil violations of this Chapter within a 24-month period, whether by admission, by payment of the fine, by default, or by judgment after hearing shall be determined to be a habitual offender. For purposes of calculating the 24-month period in compliance with this paragraph, the dates of the offenses are the determining factor.
- B. A habitual offender who subsequently violates this Chapter shall be guilty of a class one misdemeanor.
- C. Every criminal action or proceeding in compliance with this Chapter shall be commenced and prosecuted in compliance with the laws of the State of Arizona relating to misdemeanors and the Arizona Rules of Criminal Procedure.

7-01-003-0009 Emergency Abatement

- A. If a situation presents an imminent hazard to life or public safety, the City may issue an order directing the owner, occupant and/or designated agent to take such action as is appropriate to correct or abate the emergency. In addition, the City may act to correct or abate the emergency.
- B. The City may recover the costs incurred in abating an imminent hazard the property owner may appeal the City's emergency abatement action under this Section or the City's statement of costs for an emergency abatement in the same manner as provided in Section 4-5.

Draft History:

- V1 - Developed December 13, 2011: Starting point for further staff review
- V2 - Created December 22, 2011: Includes more code from IPMC, Tucson and Phoenix
- V3 - Created December 27, 2011: Refined based on a review of Flagstaff's needs - presented for discussion/review to PMO Staff Team on December 28, 2011
- V4 - Updated December 29, 2011 to January 6, 2012: Includes various existing City Code text and comments from staff based on December 28, 2011 staff meeting and follow-up meetings
- V5 - Updated February 2012 to March 9, 2012: Includes comments from staff based on V4 draft
- V6 - Updated March 9, 2012 from comments from staff at March 8th and March 13th staff meetings
- V6 - Clean - March 15, 2012: Final staff administrative draft for PMO Review Group.
- V6.1 - March 30, 2012: Amended staff administrative draft w/ amendments based on comments from PMO Review Group and staff discussion.

Notes regarding FINAL City Code format (Arial 11 font):

CHAPTER 7-01 PROPERTY MAINTENANCE

Section 7-01-002-0003 Exterior Premises and Vacant Land

A. Accumulation of vegetation prohibited

1. Istje tkdgl dft kdfjgkg
 - a. er jlkd fg ih

**ATTACHMENT C: Analysis of Table of Contents – PMO V6.1 Showing the Source
of the Regulations in this Draft**

PMO:

Analysis of Property Maintenance Ordinance V6.1 -- Table of Contents

March 1, 2012

Updated: March 31, 2012

This document analyzes the Table of Contents of V6 of the Draft PMO to show what sections are new and which have been brought forward and/or expanded from existing City Code provisions, in which case they will be repealed from the existing City Code when the PMO is adopted. Note that some sections have been added to cross-reference to existing City Code sections to ensure ease of use.

CHAPTER 7-01 PROPERTY MAINTENANCE

This chapter was formerly 7-01 Health and Sanitation (Repealed November, 2010) and currently unused

DIVISION 7-01-001 GENERAL PROVISIONS

NEW – these are essential components of a new ordinance/City Code chapter

7-01-001-0001	Title
7-01-001-0002	Purpose
7-01-001-0003	Intent
7-01-001-0004	Applicability
7-01-001-0005	Permit Required
7-01-001-0006	Conflict of Ordinances
7-01-001-0007	Severability
7-01-001-0008	Definitions

Most come from ARS and existing City Code definitions

DIVISION 7-01-002 MAINTENANCE STANDARDS

7-01-002-0001 Building and Structure Exteriors

**Most of this section is NEW to the PMO
Repeal Chapter 6-04**

- A. Exterior surfaces
 - 1. Weather protection
 - 2. Protective treatment
 - 3. Boarded window or door openings
- B. Foundations, walls, roofs, and chimneys
- C. Doors, windows, and skylights
- D. Fences, screen walls, and retaining walls
- F. Exterior stair, railings, balconies, porches, and decks
- G. Address display

Cross-references to existing Fire Code standards

7-01-002-0002 Exterior Premises and Vacant Land

Most of this Section from City Code

- A. Accumulation of vegetation prohibited **Repeal Chapter 8-04**
- B. Litter **Repeal 6-06-001-0001 (portion), -0002, -0003, -0004, and -0005**
- C. Maintenance of ground covers and grasses abutting public sidewalks, streets, and alleys **New**
- D. Pruning, maintenance, removal, and replacement of vegetation abutting public sidewalks, streets, and alleys **New**

	E. Drainage	Repeal 6-01-001-0017 and 7-01-02-0002.E
	F. Exterior insect, rodent, and animal control	Repeal 7-01-002-0002.B & F
	G. Offensive materials and substances	Repeal 7-01-002-0002.H
	H. Exterior hazard or attractive nuisance	Repeal 7-01-002-0002.I
	1. Abandoned refrigerators	
	2. Hazardous excavations	
	3. Hazardous pools	
	4. Building Materials	New
	I. Firewood	Cross-references to existing WUI Code
	J. Displaying vehicles for sale on property	Repeal 6-01-001-0021
7-01-002-0003	Buildings and Structures Constituting a Nuisance	Cross-references to existing City Code Title 4, Abatement of Dangerous Buildings
7-01-002-0004	Abandoned and Junked Vehicles	Repeal Chapter 6-07, Abandoned Vehicles
	A. Permitted storage	
	B. Prohibited storage	
7-01-002-0005	Graffiti Prohibited	NEW – requested by Police Dept.
	A. Graffiti prohibited	
	B. Graffiti prohibited	

DIVISION 7-01-003 ADMINISTRATION AND ENFORCEMENT

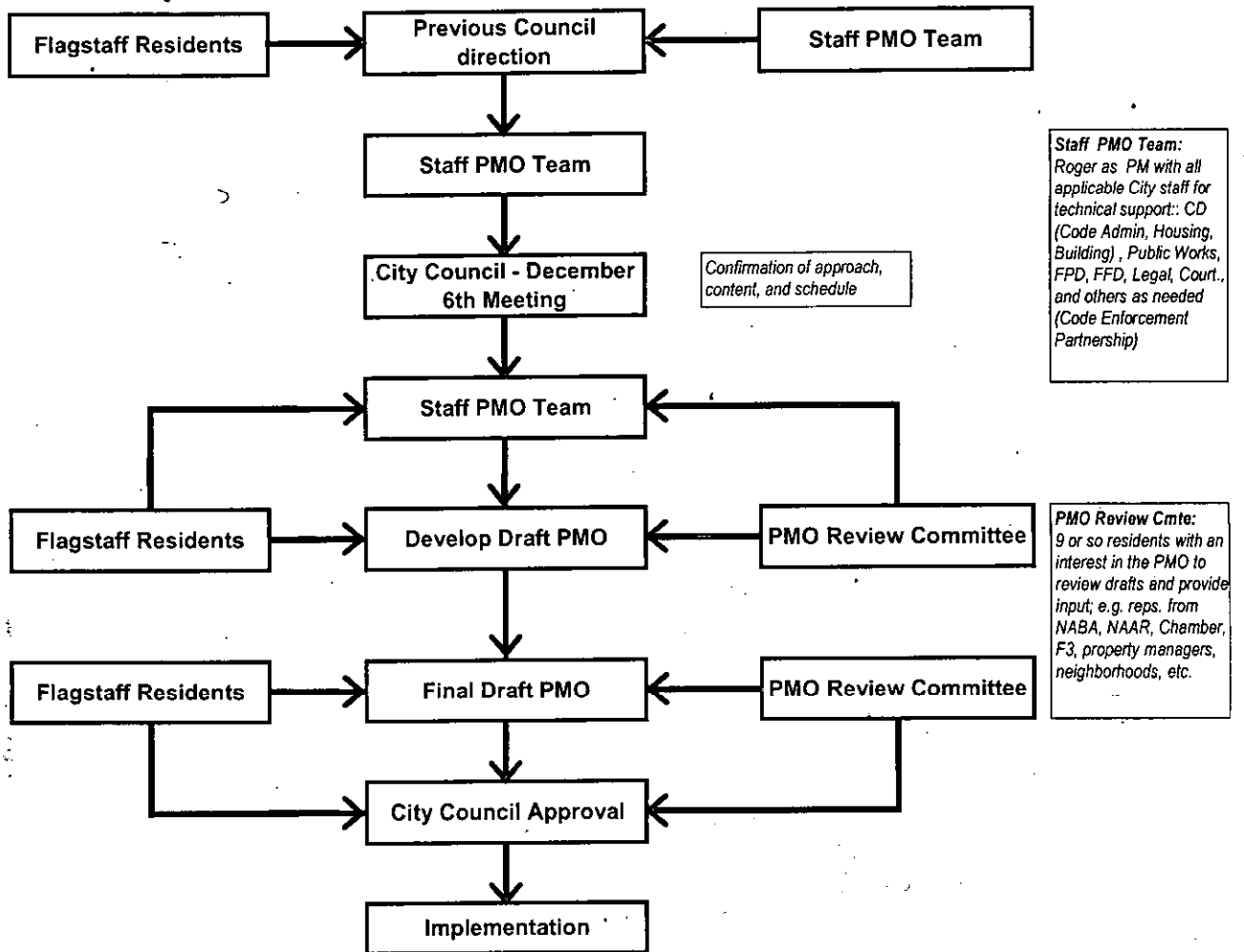
NEW – this is an essential component of a new ordinance/City Code chapter. This Division is based on existing procedures from the Zoning Code, City Code, and the Magistrate's Court

7-01-003-0001	Violations
7-01-003-0002	Enforcement Authority
7-01-003-0003	Remedies Not Exclusive
7-01-003-0004	Interference with Enforcement Personnel
7-01-003-0005	Inspection
7-01-003-0006	Cooperation of Other Departments
7-01-003-0007	Civil Enforcement; Penalties
7-01-003-0008	Criminal Enforcement; Penalties
7-01-003-0009	Emergency Abatement

ATTACHMENT D: PMO Process Flow Diagram, December 13, 2011

PMO - PROCESS DIAGRAM

Created: December 8, 2011
Updated: December 13, 2011



**ATTACHMENT E: Copies of Written Comments from Flagstaff Residents on the
Proposed PMO**

A League of Neighborhoods
Plaza Vieja - Pine Knoll - Southside - Sunnyside

June 10, 2009

Sara Presler, Mayor &
Members of the Flagstaff City Council
City of Flagstaff
211 West Aspen Avenue
Flagstaff, Arizona 86001

RE: City of Flagstaff Property Maintenance Ordinance

Dear Honorable Mayor Presler,

In March 2009 A League of Neighborhoods (ALN) submitted a CD containing pictures of blighted conditions within the four targeted neighborhoods that we represent. We expect that you have had ample time to review the CD that was given to you.

ALN feels that many of the problems that were represented in the pictures that you saw in the CD can be addressed through a City-wide property maintenance ordinance (POM).

It is our understanding that the City of Flagstaff will be having a work session on this topic in Fall 2009. At this time we would like to submit to you a list of items that we believe should be considered in the development of a POM (see attachment enclosed)

For more information regarding this issue and/or a city-wide POM please contact any of the members of the ALN listed below. Thank you!

Sincerely,

Joe C Ray
Weed & Seed Chair
928.699.0298

Jonathan Day
SSCA Chair
928.853.3503

Jean Griego
SNA Chair
928.606.5289

Jesse Dominquez
PVNA Chair
928.853.3063

A League of Neighborhoods

Plaza Vieja - Pine Knoll - Southside - Sunnyside

Property Maintenance Ordinance (PMO) Concept Paper As submitted by A League of Neighborhoods

A League of Neighborhoods (ALN) believes that the purpose of a city-wide property maintenance ordinance (PMO) should be "to assist in the provision of health, safety and wellbeing of city residents".

ALN believes that should the City decide to adopt a PMO, it should be adopted as a city-wide ordinance and not limited to certain neighborhoods or areas of town.

ALN believes that a PMO process should be complaint driven.

ALN believes that a PMO process should attempt to work (within a reasonable amount of time) with the homeowner in finding solutions to identified issues prior to the issuance of citations and fines.

ALN believes that a PMO process should be streamlined for optimal effectiveness and provide a central contact person/department/telephone number for citizens to use.

ALN believe that a city-wide PMO should at a very minimum address the following concerns:

- Health Issues (e.g. raw sewage, public urination, etc.)
- Dilapidated & Abandon Buildings
- Fire Wise Issues (e.g. dead trees, branches, overgrown brush, etc.)
- Alley Maintenance (e.g. trash, vegetation, etc.)
- Abandon Vehicles (e.g. Junk Cars)
- False Advertisement on Rental Properties
- Landlord Accountability

Roger Eastman

From: Kevin Burke
Sent: Monday, August 03, 2009 6:47 AM
To: Mark Landsiedel; Jim Cronk; Roger Eastman
Subject: FW: PMO Proposal

FYI

From: Council [<mailto:Council@flagstaffaz.gov>]
Sent: Monday, July 27, 2009 11:34 AM
To: Al White; Coral Evans; Joseph Haughey; Karen Caravona; Karla Brewster; Kevin Burke; Rick Swanson; Sara Presler; Scott Overton
Subject: FW: PMO Proposal

From: Arne Hassing[SMTP:FLAG73@GMAIL.COM]
Sent: Monday, July 27, 2009 11:33:21 AM
To: Council
Subject: PMO Proposal
Auto forwarded by a Rule

Dear City Council Members,

We are writing in support of the Property Maintenance Ordinance on the basis of New York Chancellor James Kent's original principle that "an individual's will must become subservient to the will of the community." As citizens we accept this principle readily in the case of criminal activity, and we should also accept it when individual property owners allow their properties to decay to the point of affecting the entire neighborhood and the property values of their neighbors. The PMO should allow the city to work reasonably and compassionately with low income people to improve their properties, but it should have all have sharp enough teeth to compel compliance by exploitive and negligent (immoral) rental property owners.

We used to live at 1707 N. Kutch Drive in Coconino Estates, across the street and two houses south of the house once owned by Dr. and Mrs. Leenhouts - originally an exceptional house and the only one in the neighborhood with a full basement. That house and the property has been neglected year in and year out for two decades, to the point where it should now be condemned. We moved, but others have not, and the property values of those who remained must be negatively affected by that decrepit structure. In fact, driving through there recently we were appalled at the deterioration of a once appealing neighborhood, perhaps due to an increase in rentals as well. Why should negligent owners be allowed to inflict visual pollution and financial loss on other property owners?

Please pass the proposed PMO and act vigorously to enforce it.

Sincerely,

Arne and Ruthanne Hassing
5030 E. Chestnut Way
Flagstaff, AZ 86004

Proposed City of Flagstaff Property Maintenance Ordinance

Comment Form

Comments, ideas, and suggestions on the City of Flagstaff's proposed Property Maintenance Ordinance (PMO) are welcomed and encouraged.

Please return this form to Roger E. Eastman, AICP, Zoning Code Administrator at Flagstaff City Hall, 211 West Aspen Avenue, Flagstaff, AZ 86001, or contact him via e-mail at reastman@flagstaffaz.gov.

Printed Property Rights must be FIRST maintained
2nd - no access without verbal or written permission of landowner.
3rd - Excessive regulation of local, county or City officials leads to distrust of authority and re-call of elected officials.
Unfair Regulations to extreme!
* ~~A2 Statutes~~ allow property owners to sell 5 Vehicles on their real estate annually.
line 12 - No Public Property Owner can maintain City Property without just compensation.
13 - Smoke - no individual can control amount of smoke - winter cold - excess wood burning - will City pay for heat of low income families? Bldg Permit not needed to Paint - City/County What about "Fire Area like Shultz Pass" Why Nature did it - Who is responsible - Forest land I have more serious concerns on issues not covered @ Mtg today

If you would like a response to your comments, or would like to be added to our E-mail list to receive periodic updates on the PMO, please include your name and contact information below.

Name: Gail Dent Phone: 928-607-0712
Address: PO Box 500 Flagstaff AZ 86001
E-mail: mom2858@yahoo.com

Roger Eastman

From: LEORAOH@aol.com
Sent: Monday, March 26, 2012 11:50 AM
To: Roger Eastman
Subject: PMO

thoughts on what the staff has come up with.

701003005

this smacks of communism...This is private property and the inspector MAY MOT expand the scope beyond the original complaint. This is a violation of Amend.4 of the US Constitution.

The PMO code should be FLAGSTAFF not phx north.

CDBG funding should not be used for upgrading pvt residences. The upgrading is the prop. owners expense not tax payers.

once again this should be complaint driven ..that is specifix complaint only...

there is no blight in Flagstaff, I was shot down 2 years ago when I brought it up...staff says there is none so please rephrase your statements or notify staff there is blight and i would like an apology.

701001003B..who will check that a bldg is a hazard if it is on pvt prop. and staff has not been invited on to itHow will a property that is in a trust be addressed?

Attractive nuisances...that will be playgrounds also.

Reasonableness.....means different things to different people...this also means future council people/staff can change at will since their interperatation will be different than what is set out now.

What criteria or higher education does staff have that that qualifies thiem to determine "reasonable".

Drainage..the city needs to keep the cities property drainage clean before making any rules for others.

Noxious will soon become fireplace smoke, cigarettes, woodburning stoves and cars that produce fumes.

Graffiti prohibited...good luck with that one...you might as well hang a sign that says.."no gangs or taggers allowed"

Lee Harsh

49

CHAPTER 6-04 NUISANCES

SECTIONS:

- 6-04-001-0001 NUISANCES DESIGNATED:
- 6-04-001-0002 ABATEMENT OF NUISANCES:
- 6-04-001-0003 FAILURE TO COMPLY:
- 6-04-001-0004 HEARING:
- 6-04-001-0005 SERVICE OF NOTICE:
- 6-04-001-0006 JUDGMENT:
- 6-04-001-0007 DUTY OF STREET SUPERINTENDENT:

6-04-001-0001 NUISANCES DESIGNATED:

Any building, shed or other structure of any kind which is or may hereafter become dilapidated or so unsanitary or out of repair from age, neglect or other cause as to render it unfit or unsafe for habitation for occupancy, or which constitutes a dangerous fire hazard or which is otherwise dangerous or detrimental to the public or injurious to the health and morals of the community is hereby declared a nuisance and the same shall not be occupied or maintained and shall be abated as hereinafter provided.

6-04-001-0002 ABATEMENT OF NUISANCES:

The Mayor and Council may, on its own motion or upon complaint being made in writing by three (3) or more persons, owners of real estate residing in the City, cause any building, shed or other structure which may be reasonably regarded as a nuisance for any of the reasons set forth in the preceding Section to be inspected by the Health Authority, City Engineer and the Chief of the Fire Department, as a committee of inspectors, and if said inspectors, or a majority thereof shall report the same to be a nuisance, within the meaning of the preceding Section, setting forth the facts upon which they base their report, the Mayor and Council shall, if said report after due consideration be adopted, cause to be served by the Chief of Police upon the occupants and owners of any such premises, a notice in writing to abate said nuisance, either by repairing the same or removing it from the premises within twenty (20) days after receiving notice so to do, which said notice shall set forth the grounds for abatement and shall be signed by the Mayor and shall be served by delivering or offering to deliver a copy to the person to whom it is directed, or if such person cannot be found, by delivering a copy to his agent or by posting a copy in a conspicuous place on the premises sought to be abated.

6-04-001-0003 FAILURE TO COMPLY:

Upon the failure of the owner to abate said nuisance within the time required by said notice, the Chief of Police or any member of the Health Department may file in the Police Court a complaint against such owner charging a violation of this Chapter, whereupon the Police Judge shall cause to be served upon the owner a notice commanding him to appear before said Police Judge to show cause why said building, shed or other structure should not be abated as a nuisance.

6-04-001-0004 HEARING:

The time and place of said hearing shall be set forth in said notice and the hearing shall not be had in less than five (5) days after the service of such notice.

6-04-001-0005 SERVICE OF NOTICE:

The said notice may be served upon the owner or his agent by any member of the Police Department by delivering a copy of said notice to the agent or owner, or by leaving a copy of said notice at his usual place of

residence. And, in the event that the owner or agent as aforesaid is a nonresident of the City, said notice shall be served by publishing the same in the official newspaper of the City, one publication each week for at least two (2) weeks prior to the date set for the hearing, and a copy of such notice shall be mailed to the last known address of the nonresident agent or owner.

6-04-001-0006 JUDGMENT:

If, upon a trial of the charge, the party against whom the said complaint is issued shall be convicted, he shall be subject to a fine and the judgment of conviction, in addition to the fine, shall order the abatement of the nuisance by repair or removal of the building, shed or other structure designated in said complaint; provided, however, that if the owner be a nonresident of the City and cannot be served personally with the notice herein provided, the fine shall not be imposed and the judgment of the Court shall only require the abatement of the nuisance by repair or removal of the structure so designated.

6-04-001-0007 DUTY OF STREET SUPERINTENDENT:

Whenever there shall be a conviction under the preceding Section, if said nuisance shall not have been abated within five (5) days after judgment, the Street Superintendent shall abate and remove the structure designated in the complaint upon which said conviction was had or he may contract with some suitable person or persons for said purpose, and the same shall be at the cost of the owner or owners thereof, which cost if not paid by the owner may be paid by the City and the amount so expended may be recovered by the City by suit in any court of competent jurisdiction. (Ord. 297, 10-14-36)

The Flagstaff City Charter and City Code are current through Ordinance 2022-04, passed March 1, 2022.

Disclaimer: The City Clerk's Office has the official version of the Flagstaff City Code. Users should contact the City Clerk's Office for ordinances passed subsequent to the ordinance cited above.

CHAPTER 6-06 LITTERING

SECTIONS:

<u>6-06-001-0001</u>	DEFINITIONS:
<u>6-06-001-0002</u>	LITTERING PROHIBITED:
<u>6-06-001-0003</u>	UNAUTHORIZED ACCUMULATION OF LITTER ON PRIVATE PROPERTY:
<u>6-06-001-0004</u>	LITTERING PROHIBITED, ALLEYS, SIDEWALKS AND PUBLIC UTILITY EASEMENTS:
<u>6-06-001-0005</u>	UNINHABITED OR VACANT PRIVATE PROPERTY:
<u>6-06-001-0006</u>	LOADING OR UNLOADING DOCKS:
<u>6-06-001-0007</u>	PRIVATE RECEPTACLES, SHOPPING CENTERS:
<u>6-06-001-0008</u>	POSTING OF HANDBILLS ON PUBLIC AND PRIVATE PROPERTY:
<u>6-06-001-0009</u>	ENFORCEMENT AUTHORITY:
<u>6-06-001-0010</u>	INSPECTIONS:
<u>6-06-001-0011</u>	VIOLATIONS:
<u>6-06-001-0012</u>	NOTICE OF VIOLATION:
<u>6-06-001-0013</u>	SERVICE OF NOTICE:
<u>6-06-001-0014</u>	APPOINTMENT OF HEARING OFFICER:
<u>6-06-001-0015</u>	CIVIL VIOLATION AND ADMINISTRATIVE HEARING:
<u>6-06-001-0016</u>	APPEAL OF DECISION AND COST OF REMOVAL:
<u>6-06-001-0017</u>	SCOPE OF REVIEW:
<u>6-06-001-0018</u>	VOLUNTARY ABATEMENT; REMOVAL BY CITY:
<u>6-06-001-0019</u>	LIEN FOR REMOVAL:
<u>6-06-001-0020</u>	CRIMINAL PENALTIES:
<u>6-06-001-0021</u>	SEVERABILITY:

6-06-001-0001 DEFINITIONS:

For the purposes of this Chapter, the following terms, phrases and words and their derivations shall have the meaning given herein when not inconsistent with the context; words used in the present tense include the future, words used in the plural number include the singular number, and words used in the singular number include the plural number. The word "shall" is always mandatory and not merely directory.

ADJACENT PROPERTY: The term "adjacent property" shall mean that segment of an alley, sidewalk, or public utility easement from the centerline of the alley, sidewalk or public utility easement to the outermost corner of the private property abutting the alley, sidewalk or public utility easement, and continuing the length of the private property to the end in which the private property no longer abuts the alley, sidewalk or public utility easement.

ADJACENT PROPERTY OWNER: The term "adjacent property owner" shall mean any owner, occupant, licensee or lessee of private property in which any segment of the private property abuts an alley, sidewalk, or public utility easement.

AUTHORIZED CONTAINER: The term "authorized container" shall mean any container provided by the City of Flagstaff or an authorized private refuse collector for the collection of refuse.

HANDBILL: The term "handbill" means any advertising circular, folder, booklet, letter, card, pamphlet, sheet, poster, sticker, sample or device, leaflet, paper, notice or other written, printed or painted matter of a temporary nature calculated to attract the attention of the public. The term "Handbill" does not include newspaper. "Handbill" does not come within the definition of a sign for purposes of Chapter 10-08 and Chapter 10-14 of the City Code.

HAZARD TO THE PUBLIC HEALTH AND SAFETY: The term "hazard to public health and safety" shall mean but is not limited to the following conditions:

- (1) an accumulation of litter in excess of eight (8) cubic feet per one-quarter (1/4) acre; or
- (2) an accumulation of litter which materially hampers or interferes with the prevention of, or suppression of fire; or
- (3) an accumulation of litter which is infested or exhibits an infestation with insects, rodents, vermin or other noxious pests; or
- (4) an accumulation of litter which creates an attractive nuisance; or
- (5) an accumulation of litter which is foul or malodorous to a reasonable person of normal sensibilities; or
- (6) an accumulation of litter which presents an immediate likelihood of causing or which may cause personal physical harm; or
- (7) an accumulation of litter which interferes with passage of any street, sidewalk, or alley within the City, or visibility of any traffic, traffic control device or signal.

JUNK VEHICLE: The term "junk vehicle" means any vehicle (see A.R.S. § 28-101(52)), trailer (see A.R.S. § 28 101(49)), semitrailer (see A.R.S. § 28-101(44)), truck tractor (see A.R.S. § 28-101(51)), mobile home (see A.R.S. § 28-2063(E)), or watercraft (see A.R.S. § 5-301(16)):

- (1) that is in such a state of deterioration that it cannot be profitably dismantled or salvaged for parts and cannot be profitably restored to an operable condition; or
- (2) that is a hazard to the public health and safety as defined herein.

LITTER: The word "litter" shall mean "refuse" and "rubbish" as defined herein, and all other waste materials which, if thrown or deposited as herein prohibited, constitutes a hazard to the public health and safety. Litter shall not include "refuse", or "rubbish", as defined herein, or other waste materials authorized to be stored or otherwise kept by a conditional use permit or which constitutes a permissible use within the applicable zoning district and is in compliance with the Land Development Code.

PERSON: The word "person" shall mean any person, firm, partnership, association, corporation, company or organization of any kind, public or private.

PRIVATE PROPERTY: The term "private property" shall mean any private property, including vacant land, a dwelling, house, building or other structure, designed or used either wholly or in part for private residential purposes, or for commercial use whether inhabited or temporarily or continuously uninhabited or vacant, and shall include any tract, lot, yard, grounds, walk, driveway, porch, steps, vestibules or mail box belonging or appurtenant to such vacant land, dwelling, house, building or other structures.

PUBLIC PLACE: The term "public place" shall mean any and all streets, sidewalks, boulevards, alleys or other public ways, and any and all public parks, squares, spaces, grounds and buildings.

REFUSE: The word "Refuse" shall mean all putrescible and nonputrescible solid, semi-solid, and liquid wastes including but not limited to garbage, rubbish, ashes, liquid waste, street cleanings, dead animals, junk vehicles or parts thereof, and solid market and industrial waste.

RESPONSIBLE PARTY: The term "Responsible Party" means any Person who directs, permits, allows, causes or otherwise benefits from the posting, affixing, displaying, painting or otherwise attaching of handbills to or on public objects, public structures, public buildings, Public Places or utility poles; or to or on Private Property or upon any vehicle. For purposes of this section, the following Persons shall be deemed to be Responsible Parties:

- (1) The Person whose name, telephone number or address appears as the contact on any matter contained in a Handbill.
- (2) The Person whose name, telephone number or address appears as the sponsor or contact for a sporting event, theatrical performance, concert, band or musical performance, or other performance, or similar activity or event which is the subject of the Handbill advertising the subject activity or event;
- (3) The owner or lessee, if the property is leased, of property used for a commercial activity or event advertising the subject commercial activity or event in a Handbill;
- (4) The owner or lessee, if the property is leased, of property used for a yard or garage sale which property is the address at which the yard or garage sale is advertised in a Handbill;
- (5) The real estate agent, broker, brokerage firm or other Person whose name or telephone number appears on the Handbill advertising real or personal property for sale, lease or rent.

RUBBISH: The word "rubbish" shall mean nonputrescible solid wastes consisting of either combustible or noncombustible wastes including paper, wrappings, cigarettes, cardboard, tin cans, construction materials of no apparent economic value, yard clippings, dead leaves, tree trimmings, glass, bedding, crockery, paper cartons, aluminum foil, plastic materials, trash, ashes or other accumulation of filth or debris.

SHOPPING CENTER: A group of commercial establishments planned, developed, and managed as a unit with off-street parking provided on the property. (Ord. 1781, 11/17/92) (Ord. 1992, 06/01/99)

(Ord. No. 17811, Amended, 11/17/92; Ord. No. 1992, Amended, 06/01/99)

(Ord. 1992, Amended, 06/01/1999)

6-06-001-0002 LITTERING PROHIBITED:

No person shall throw or deposit litter on any public place or private property, whether owned by such person or not, except that the owner or person in control of private property may maintain authorized containers for collection in such a manner that litter will be prevented from being carried or deposited by the elements or animals upon any private property or any public place. (Ord. 1781, 11/17/92) (Ord. 1992, 06/01/99)

(Ord. No. 1871, Amended, 11/17/92; Ord. No. 1992, Amended, 06/01/99)

(Ord. 1992, Amended, 06/01/1999)

6-06-001-0003 UNAUTHORIZED ACCUMULATION OF LITTER ON PRIVATE PROPERTY:

It shall be unlawful for any owner, occupant, or lessee of Private Property to allow Litter to accumulate on the Private Property unless the same is kept in covered bins or other Authorized Container. However, dead vegetative matter including grass clippings, leaves and tree trimmings may be permitted to remain on the property for the purpose of composting, provided such compost is regularly maintained and confined so as to prevent the compost from drifting, blowing, or generating obnoxious odors onto adjoining Private Properties or Public Places.

A. It shall be a violation of this section if the owner, occupant, or lessee of Private Property has not cleared away accumulated Litter on that property by 9:00 AM of each day from the previous day's use. Each day that the

owner, occupant, or lessee fails to comply with the requirements of this section shall constitute a separate violation.

(Ord. 1781, 11/17/92) (Ord. 1992, 06/01/99); (Ord. No. 1781, Amended, 11/17/92; Ord. No. 1992, Amended, 06/01/99)

(Ord. 1992, Amended, 06/01/1999)

6-06-001-0004 LITTERING PROHIBITED, ALLEYS, SIDEWALKS AND PUBLIC UTILITY

EASEMENTS:

It shall be unlawful for an Adjacent Property Owner to allow Litter to accumulate or exist on alleys, sidewalks, or public utility easements unless the same is kept in covered bins or Authorized Containers. An individual may qualify as exempt from this Section if the individual meets guidelines established under Section 7-04-001-0007.A.1.a.

A. Each Person who is an Adjacent Property Owner will be responsible for removing Litter and cleaning the Adjacent Property, as well as that Person's own premises by 9:00 AM of each day from the previous day's use. This includes sweeping and picking up any Litter on the sidewalk and washing the sidewalk, if there is semi-solid or liquid waste on the sidewalk.

1. It shall be a violation of this section if the Adjacent Property has not been cleaned by 9:00 AM of each day from the previous day's use. Each day that the owner, occupant, or lessee fails to comply with the requirements of this section shall constitute a separate violation. (Ord. 1992, 06/01/99)

(Ord. No. 1781, Amended, 11/17/92; Ord. No. 1992, Amended, 06/01/99)

(Ord. 1992, Amended, 06/01/1999)

6-06-001-0005 UNINHABITED OR VACANT PRIVATE PROPERTY:

It shall be unlawful for the owner or lessee of any uninhabited or vacant private property to abandon, neglect or disregard the condition of the property so as to permit the accumulation of litter. (Ord. 1781, 11/17/92) (Ord. 1992, 06/01/99)

(Ord. No. 1781, Amended, 11/17/92; Ord. No. 1992, Amended, 06/01/99)

(Ord. 1992, Amended, 06/01/1999)

6-06-001-0006 LOADING OR UNLOADING DOCKS:

The person owning, operating or in control of a loading or unloading dock shall maintain private containers for collection of litter and shall maintain the dock area free of litter in such a manner that litter or offensive odors from rubbish or refuse will be prevented from being carried by the elements to adjoining private properties or public places. (Ord. 1781, 11/17/92) (Ord. 1992, 06/01/99)

(Ord. No. 1781, Amended, 11/17/92; Ord. No. 1992, Amended, 06/01/99)

(Ord. 1992, Amended, 06/01/1999)

6-06-001-0007 PRIVATE RECEPTACLES, SHOPPING CENTERS:

It shall be the responsibility of the management group or persons(s) in control of a shopping center to provide one (1) receptacle for litter at a minimum of every 100 feet of store frontage allowing public ingress and egress. The minimum size of the receptacle shall be sixty (60) gallons. The receptacle shall be of sufficient weight to prohibit the container from tipping over, and shall include a lid. The design of the receptacles shall be consistent with the

architectural style of the shopping center. The receptacles shall be placed not more than twenty (20) feet from the building. It shall be the responsibility of the shopping center management group or person(s) in control of the shopping center to service the receptacles. (Ord. 1781, 11/17/92) (Ord. 1992, 6/1/99)

(Ord. No. 1781, Amended, 11/17/92; Ord. No. 1992, Amended, 06/01/99)

(Ord. 1992, Amended, 06/01/1999)

6-06-001-0008 POSTING OF HANDBILLS ON PUBLIC AND PRIVATE PROPERTY:

A. Public Property: It is a violation of this Chapter 6-06 to post, affix, display, paint or otherwise attach any Handbill to or upon any street lamp post, street sign, traffic signal, traffic sign, traffic-control device, hydrant, tree, shrub, tree stake or guard, railroad trestle, electric light, power, telephone, or other utility pole, or on any other public object, public structure, public building, or Public Place except as may be otherwise required or provided by law. Handbills may be handed directly to persons in Public Places.

B. Private Property: No Person shall affix, deposit, throw or distribute any Handbill upon any Private Property, except by handing or transmitting any such Handbill directly to the owner or occupant of such Private Property. In the case of private premises which are not posted against the receiving of Handbills or solicitations, Handbills may be placed upon the premises in a non-permanent manner so as to prevent such Handbill from being deposited by the elements upon any Public Place or other Private Property, but in a manner which does no damage to the property where the Handbill has been placed. Examples of acceptable means of placing handbills on private property include but are not limited to use of plastic bags containing handbills hung from doorknobs or depositing handbills under doormats. The use of nails, staples, tacks or adhesives is forbidden.

C. Vehicles: No Person shall deposit any Handbill upon any vehicle on a Public Place without the express consent of the owner or person in control of such vehicle.

D. Clean Up: It shall be the responsibility of any person distributing Handbills to maintain the area which is utilized free of any Litter caused by or related to distribution of the Handbills. The person distributing the Handbills and the Responsible Party, as defined in 6-06-001-0001, shall be jointly and individually liable for the Litter created by the distribution of Handbills and for any verified costs incurred by the City associated with the removal of the Handbills deposited or thrown upon Public Places.

E. Whenever a Handbill is illegally posted or deposited in violation of this section, the Person(s) who illegally posted the Handbill(s) and the Responsible Party, as defined in 6-06-001-0001, shall be jointly and individually liable for the violation and for any verified costs associated with the removal of the illegally posted Handbill(s).

1. Nothing contained in this section shall apply to the posting of notices or markings on public structures, public objects, public buildings, Public Places or utility poles which may be otherwise authorized, permitted or required by law or serve a specified safety or warning purpose.

2. Any Handbill found posted, deposited, or otherwise affixed upon any property contrary to the provisions of this section may be removed by the City Manager's designee. In addition, the City's costs of removal shall be assessed against the persons who illegally posted the Handbill(s), or against the Responsible Party in accordance with the provisions of this chapter. (Ord. 1992, 06/01/99)

(Ord. No. 1781, Amended, 11/17/92; Ord. No. 1992, Amended, 06/01/99)

(Ord. 1992, Amended, 06/01/1999)

6-06-001-0009 ENFORCEMENT AUTHORITY:

The City Manager of the City of Flagstaff, or designee, is hereby authorized and directed to enforce all of the provisions of this Chapter. For such purposes the City Manager shall have the powers of a law enforcement officer. Peace officers shall, in addition to all powers granted to peace officers by the State of Arizona, have the same authority as the City Manager's designee in the enforcement of this Chapter. (Ord. 1781, 11/17/92) (Ord. 1992, 06/01/99)

(Ord. No. 1781, Enacted, 11/17/92; Ord. No. 1992, Amended, 06/01/99)

(Ord. 1992, Amended, 06/01/1999)

6-06-001-0010 INSPECTIONS:

The City Manager's designee is hereby authorized and directed to make inspections in the normal course of job duties; or in response to a complaint that an alleged violation of the provisions of this Code may exist; or when there is a reason to believe that a violation of this Code has been or is being committed. Unscreened exterior areas may be inspected at any time with or without the involvement of, or notice to, the owner, occupant, licensee or lessee. (Ord. 1781, 11/17/92) (Ord. 1992, 06/01/99)

(Ord. No. 1781, Enacted, 11/17/92; Ord. No. 1992, Amended, 06/01/99)

6-06-001-0011 VIOLATIONS:

It shall be unlawful for any person to cause, facilitate, or aid or abet any violation of any provision of this Chapter or to fail to perform any act or duty required by this Chapter. A violation of a provision of this Chapter may be enforced by an administrative proceeding or by a complaint for criminal penalties. (Ord. 1781, 11/17/92) (Ord. 1992, 06/01/99)

(Ord. No. 1781, Enacted, 11/17/92; Ord. No. 1992, Amended, 06/01/99)

6-06-001-0012 NOTICE OF VIOLATION:

A. The City Manager or designee may cause to be issued a Notice of Violation to any person alleged to be in violation of this Chapter.

B. If a Notice of Violation is issued, such notice shall contain the following:

1. Date of the violation, the legal description of the property, the Chapter and Section which is being violated and a description of the unlawful condition.
2. Notification of possible criminal proceedings being brought against the person by the City of Flagstaff if the unlawful condition is not abated within thirty (30) days from receipt of the Notice.
3. Notice to the alleged violator that, in addition to any fine or penalty which may be imposed for a violation of this ordinance, the alleged violator will be liable for all costs which may be assessed pursuant to this ordinance for removing, abating or enjoining the rubbish, trash, filth or debris. The Notice of Violation shall contain an estimated statement of the cost of removal or abatement of the violation including labor, disposal fees, and equipment rentals. The Notice of Violation shall state that unless the person has brought the unlawful condition into compliance with the ordinance within thirty (30) days from the receipt of the Notice of Violation, the City of Flagstaff may, at the expense of the person, perform the necessary work at a cost not to exceed the estimate given in the notice, plus a five (5) percent surcharge for an additional inspection and other administrative and incidental costs in connection therewith.

C. If the unlawful condition is not abated, the City Manager or designee may cause to be issued a criminal complaint or a Notice of Civil Violation. Each day that the alleged violator fails or refuses to comply with the

requirements of this Chapter after expiration of the thirty (30) day period from receipt of the Notice of Violation shall constitute a separate violation and shall not require further notice to the owner, occupant or lessee of the property upon which the violation exists.

(Ord. 1781, 11/17/92) (Ord. 1992, 06/01/99); (Ord. No. 1781, Enacted, 11/17/92; Ord. No. 1992, Amended, 06/01/99)

(Ord. 1992, Amended, 06/01/1999)

6-06-001-0013 SERVICE OF NOTICE:

A. The Notice of Violation shall be personally served on the owner or person controlling such property by any duly authorized official, in the manner provided in Rule 4(d) of the Arizona Rules of Civil Procedure, or mailed to the owner or person controlling such property at the last known address by certified or registered mail, or the address to which the tax bill for the property was last mailed.

B. If the owner does not reside on such property, a duplicate notice shall also be sent by certified or registered mail at the last known address of the owner or person controlling of such property. (Ord. 1781, 11/17/92) (Ord. 1992, 06/01/99)

(Ord. No. 1781, Enacted, 11/17/92)

(Ord. 1992, Amended, 06/01/1999)

6-06-001-0014 APPOINTMENT OF HEARING OFFICER:

The hearing officer for administrative hearings under this ordinance shall be a judge of the Municipal Court of the City of Flagstaff.

(Ord. 2001-02, Amended, 02/06/2001)

6-06-001-0015 CIVIL VIOLATION AND ADMINISTRATIVE HEARING:

A. If the City chooses to proceed on a civil violation of the ordinance, the City shall serve or mail a Notice of Civil Violation and Administrative Hearing to the owner or person controlling the property upon which an unlawful condition exists upon expiration of the initial thirty (30) day notice period as set forth in 6-06-001-0013. A hearing shall be held no sooner than five (5) days after the date the Notice of Civil Violation and Administrative Hearing is mailed or served. The date of mailing shall be excluded in computing the time period for a hearing under this rule. Neither the City nor the party served is required to be represented by counsel at the administrative hearing, but may be if they so choose. No pre-trial discovery shall be permitted absent extraordinary circumstances. Immediately before the hearing, both parties shall produce for inspection any exhibits and written or recorded statements of any witness which are to be offered at the hearing. Failure to produce exhibits or statements may result in the hearing officer denying admission of the evidence not produced. The hearing officer may call and examine witnesses, including the party served. All testimony shall be given under oath or affirmation. No person may be examined or cross-examined at a hearing except by the hearing officer, an attorney for a party, or the party served with the Notice of Civil Violation and Administrative Hearing. The Arizona Rules of Evidence shall not apply in the hearing; any evidence offered may be admitted subject to a determination by the hearing officer that the offered evidence is relevant, material, and has some probative value to a fact at issue. The hearing officer may enter a finding for the City if the party served fails to appear for the hearing.

B. If the hearing officer determines, after hearing the parties and considering their evidence, that the City's notice to the party served was accurate, delivered to the proper party or parties, and that the estimated assessment for the actual cost of removal is supported by the City's evidence, then the hearing officer shall make a finding for the City.

C. The hearing officer shall issue a decision within five (5) days of the hearing. Intermediate Saturdays, Sundays and legal holidays shall be excluded in computing the time period for issuing a decision under this rule. The decision shall be in writing, set forth the factual basis for the decision, and be served in accordance with the provisions of 6-06-001-0013. (Ord. 1781, 11/17/92) (Ord. 1992, 06/01/99)

(Ord. No. 1781, Enacted, 11/17/92)

(Ord. 2001-02, Amended, 02/06/2001; Ord. 1992, Amended, 06/01/1999)

6-06-001-0016 APPEAL OF DECISION AND COST OF REMOVAL:

A. The City Council shall hear and determine all appeals from a civil violation. A Notice of Appeal must be in writing and filed in the office of the City Clerk within five (5) days of receipt of the hearing officer's decision. The date of receipt, and intermediate Saturdays, Sundays and legal holidays shall be excluded in computing the time period for timely appeal.

B. The Notice of Appeal shall specify the grounds for reversal of the hearing officer's decision or cost of removal. The Council shall, at its next regular meeting after receiving the appeal, hear and determine the same by motion and resolution. The decision of the Council shall be final and may be appealed to Superior Court. (Ord. 1781, 11/17/92) (Ord. 1992, 06/01/99)

(Ord. No. 1781, Enacted, 11/17/92; Ord. No. 1992, Enacted, 06/01/99)

(Ord. 1992, Amended, 06/01/1999)

6-06-001-0017 SCOPE OF REVIEW:

The City Council shall have authority to affirm, reverse, amend or remand the matter to the Hearing Officer if it finds that the Hearing Officer's decision or the cost of removal is not supported by substantial evidence, is arbitrary and capricious or is not in conformance with the law. (Ord. 1781, 11/17/92)

(Ord. No. 1781, Enacted, 11/17/92; Ord. No. 1992, Amended, 06/01/99)

(Ord. 1992, Amended, 06/01/1999)

6-06-001-0018 VOLUNTARY ABATEMENT; REMOVAL BY CITY:

A. When a person alleged to be in violation of this Chapter elects to voluntarily abate the unlawful condition within thirty (30) days as provided under Section 6-06-001-0012, the person shall notify the City Manager's designee after the condition has been abated. The City Manager's designee shall thereafter inspect the private or adjacent property to determine whether the condition has been brought into compliance with this Chapter.

B. If the City Manager's designee determines that the person is no longer in violation of this Chapter, the City Manager's designee shall issue a Notice of Voluntary Abatement and Compliance to the person alleged to be in violation and the administrative proceeding shall be deemed closed.

C. When any such person on whom a Hearing Officer's finding of violation has been served fails, neglects or refuses to bring the unlawful condition into compliance within ten (10) days from receipt of the Hearing Officer's finding of violation, the Public Works Director is authorized and directed to remove and dispose of the litter.

D. In the event an appeal has been filed pursuant to 6-06-001-0016, no action shall be taken by the City until the Council has heard and determined all matters contained in the Notice of Appeal. (Ord. 1781, 11/17/92) (Ord. 1992, 06/01/99)

(Ord. No. 1781, Enacted, 11/17/92; Ord. No. 1992, Amended, 06/01/99)

6-06-001-0019 LIEN FOR REMOVAL:

If no appeal is taken from the amount assessed for removal, or if an appeal is taken and the Council has affirmed or modified the amount of the assessment, the assessment shall be recorded in the office of the County Recorder of Coconino County, Arizona, including the date and amount of the assessment and the legal description of the property. From the date of its recording, the assessment shall be a lien on said private property and the several amounts assessed against such private property until paid.

A. Any assessment recorded under this Chapter is prior and superior to all other liens, obligations, mortgages or other encumbrances, except liens for general taxes. A sale of the property to satisfy a lien obtained under the provisions of this Section shall be made upon judgment of foreclosure or order of sale. The City shall have the right to bring an action to enforce the lien in the Superior Court of Coconino County at any time after the recording of the assessment, but failure to enforce the lien by such action shall not affect its validity. The recorded assessment shall be prima facie evidence of the truth of all matters recited therein, and of the regularity of all proceedings prior to the recording thereof. A prior assessment for the purposes provided in this Section shall not be a bar to subsequent assessment or assessments for such purposes, and any number of liens on the same private property may be enforced in the same action. (Ord. 1781, 11/17/92)

B. Assessments that are imposed under this section 6-06-001-0019 run against the property until paid and are due and payable in equal annual installments as follows:

1. Assessments of less than five hundred dollars shall be paid within one year after the assessment is recorded.
2. Assessments of five hundred dollars or more but less than one thousand dollars shall be paid within two years after the assessment is recorded.
3. Assessments of one thousand dollars or more but less than five thousand dollars shall be paid within three years after the assessment is recorded.
4. Assessments of five thousand dollars or more but less than ten thousand dollars shall be paid within six years after the assessment is recorded.
5. Assessments of ten thousand dollars or more shall be paid within ten years after the assessment is recorded.

C. An assessment that is past due accrues interest at the rate prescribed by Arizona Revised Statutes, Section 44-1201. (Ord. 1992, 06/01/99)

(Ord. No. 1781, Enacted, 11/17/92; Ord. No. 1992, Amended, 06/01/99)

(Ord. 1992, Amended, 06/01/1999)

6-06-001-0020 CRIMINAL PENALTIES:

A. A person who is convicted of a violation of this Ordinance is guilty of a Class 1 misdemeanor and shall be sentenced as follows:

First offense--not less than twenty-five dollars (\$25.00), nor more than one-hundred dollars (\$100.00);

Second offense--not less than one-hundred dollars (\$100.00), nor more than five-hundred dollars (\$500.00);

Third offense--not less than five-hundred dollars (\$500.00), nor more than twenty-five hundred dollars (\$2,500.00).

A judge shall not suspend any or all of the impositions of the sentence required by this Section.

B. Notwithstanding Subsection A of this Section, if a judge finds at the time of sentencing that by a preponderance of the evidence the violations for which the defendant has been convicted have been corrected by the defendant, and that now the defendant is in compliance with the Code, the Court may suspend all or part of the fine. (Ord. 1781, 11/17/92) (Ord. 1992, 06/01/99)(Ord. No. 1992, Amended, 06/01/99)

6-06-001-0021 SEVERABILITY:

Each section and each provision of any section of this Chapter shall be deemed severable and the invalidity of any portion of this Chapter shall not affect the validity or enforceability of any other portion. (Ord. 1992, 06/01/99)

(Ord. 1992, Amended, 06/01/1999)

The Flagstaff City Charter and City Code are current through Ordinance 2022-04, passed March 1, 2022.

Disclaimer: The City Clerk's Office has the official version of the Flagstaff City Code. Users should contact the City Clerk's Office for ordinances passed subsequent to the ordinance cited above.

CHAPTER 6-07 ABANDONED VEHICLES

SECTIONS:

<u>6-07-001-0001</u>	DEFINITIONS:
<u>6-07-001-0002</u>	UNSHELTERED STORAGE OF AN ABANDONED OR JUNKED VEHICLE PROHIBITED:
<u>6-07-001-0003</u>	EXEMPTION OF CERTAIN VEHICLES:
<u>6-07-001-0004</u>	ABATEMENT OF NUISANCE:
<u>6-07-001-0005</u>	NOTICE OF REQUEST FOR VOLUNTARY ABATEMENT AND REMOVAL BY CITY:
<u>6-07-001-0006</u>	REMOVAL BY CITY:
<u>6-07-001-0007</u>	PENALTY:
<u>6-07-001-0008</u>	ADDITIONAL POWERS:

6-07-001-0001 DEFINITIONS:

In this Chapter, unless the context otherwise requires:

- A. "ABANDONED" means unclaimed or discarded. Evidence that a vehicle is without current licenses or tabs for a period of fifteen (15) successive calendar days on private property, and without any repairs during that period, shall be prima facie evidence of intent to abandon.
- B. "JUNKED" means dismantled, inoperable, not used for transportation, unsalvageable, stripped or scrapped. Evidence that a vehicle is inoperable and without repairs necessary to result in its operability for a period of fifteen (15) successive calendar days on private property shall be prima facie evidence of its junked status.
- C. "PRIVATE PROPERTY" means land within the corporate limits of Flagstaff owned by any person, firm, partnership or corporation other than the United States, the State, the County, the City of Flagstaff, or other public agency, including streets, rights of way, easements and open spaces not dedicated to the general public for unrestricted public use.
- D. "UNSHELTERED" means outside a covering specifically manufactured for use as a vehicle cover, carport, garage or other building, or otherwise within public view from a public right of way.
- E. "VEHICLE" means any vehicle, trailer or semi-trailer of a type subject to registration under Title 28 of the Arizona Revised Statutes. (Ord. 1802, 05/04/93)

(Ord. No. 1802, Amended, 05/04/93)

6-07-001-0002 UNSHELTERED STORAGE OF AN ABANDONED OR JUNKED VEHICLE PROHIBITED:

The unsheltered storage, parking, standing or placement of an abandoned or junked motor vehicle for a period of fifteen (15) days or more on any private property except where permitted by Title 10 of this Code relating to zoning, is hereby declared to be a nuisance and dangerous to the public safety. (Ord. 1802, 05/04/93)

(Ord. No. 1802, Amended, 05/04/93)

6-07-001-0003 EXEMPTION OF CERTAIN VEHICLES:

A vehicle eligible for licensing pursuant to A.R.S. Section 28-341 et seq., Horseless Carriages, Classic Cars, and Historic Cars, or A.R.S. Section 28-380, Street Rods, shall not be considered an abandoned or junked vehicle and seized pursuant to this Chapter while such vehicle is stored or maintained on the vehicle owner's private property. (Ord. 1802, 05/04/93)

6-07-001-0004 ABATEMENT OF NUISANCE:

The owner, owners, tenants, lessees, and occupants of any private property upon which such storage is made and also the owner or owners of such abandoned or junked vehicles shall jointly and severally abate said nuisance by removal of the vehicle from the premises, by providing sheltered storage within the meaning of this Chapter, or by making such repairs as are necessary to operate the vehicle. The last registered owner of record shall be presumed to be the owner of the vehicle unless an affidavit has been filed that the vehicle was stolen pursuant to A.R.S. Section 28-1421, a stolen report has been accepted by a local law enforcement agency or title has been transferred pursuant to A.R.S. Section 28-314. (Ord. 1802, 05/04/93)

6-07-001-0005 NOTICE OF REQUEST FOR VOLUNTARY ABATEMENT AND REMOVAL BY CITY:

Any owner, tenant, lessee, occupant or other person who fails, neglects or refuses to abate such nuisance shall be notified in writing by certified mail, return receipt requested, by the City Manager or his representative to abate said nuisance within ten (10) days from the date of receipt of such written notice or said vehicle may be removed from the private property by the City in accordance with A.R.S. Section 28-1401 et seq. If the notice is returned unclaimed or addressee unknown, the notice of the request to abate said nuisance and removal by the City shall be published once in a newspaper of general circulation in the county in which the vehicle was found and a copy of the notice of request to abate said nuisance and removal by the City shall be posted on the vehicle. (Ord. 1802, 05/04/1993)

6-07-001-0006 REMOVAL BY CITY:

When any such owner, tenant, lessee, occupant or other person to whom notice as aforesaid has been mailed fails, neglects or refuses for more than ten (10) days from the date of receipt of said notice to abate said nuisance, the City Manager or his designee may remove said abandoned motor vehicle from said premises, and dispose of same according to the provisions of the A.R.S. Section 28-1401 et seq. The City Manager, or the City Manager's designee, may, upon request from any such owner, tenant, lessee, occupant or other person to whom notice as aforesaid has been mailed, grant an extension of the time required for abatement for purposes of repair, removal or sheltering of the vehicle. Such extension shall be confirmed in writing. (Ord. 1802, Enacted, 05/04/1993)

6-07-001-0007 PENALTY:

It shall be unlawful for any person to knowingly fail, neglect or refuse to abate any nuisance set forth in Section 6-07-001-0002. A person who is convicted of a violation of this Chapter is guilty of a Class 1 Misdemeanor and shall be sentenced to a fine of not less than twenty-five (\$25.00) and not more than two hundred and fifty dollars (\$250.00). The imposition of any sentence shall not exempt the offender from compliance with the requirements of this Chapter. (Ord. 1802, Enacted, 05/04/93)

6-07-001-0008 ADDITIONAL POWERS:

The powers described herein relating to removal of abandoned vehicles from private property are in addition to those powers vested in the City of Flagstaff by Arizona Revised Statutes Title 28, Chapter 8, Article 5, relating to removal of abandoned and junked vehicles from public property, and Arizona Revised Statutes, Title 28, Chapter 6, Article 14 relating to removal of illegally stopped vehicles on a public way, and to any other police powers vested in the City by Statute. (Ord. 1802, Ren&Amd, 05/04/1993, 6-07-001-0007)

7-04-001-0008 COLLECTION PRACTICES

A. Collection From Residential Properties:

1. Single-Family Residential Properties: Solid waste and recyclable material (except glass) accumulated by single-family residential properties shall be collected using the City's automated collection system. A minimum of one (1) automated solid waste container and one (1) automated recycling container is required for each dwelling unit. Collection will be provided at least once each week or as required by State of Arizona regulations. Special container roll-out service will be provided for those residents with a handicap or those who are otherwise determined by the Director or designee to be unable to place the automated containers out for collection. In these cases, the containers will be rolled out by Environmental Services employees and returned after collection.
2. Multifamily Residential Properties: Solid waste and recyclable material (except glass) accumulated by multifamily residential properties shall be collected using either the City's automated or bin collection system, or the services of a licensed solid waste collection company. For multifamily residential properties serviced by the City, the Director or designee shall determine the appropriate collection system based on the number of dwelling units and volume of solid waste generated. Collection will be provided at least once each week. Multiple bin service may also be provided.
3. Residential Bulk Waste Collection: Bulk waste will be collected from single-family residential properties on a once every four (4) week rotating schedule. A pile up to five (5) feet by five (5) feet by ten (10) feet of combined yard waste and bulk waste shall be collected on a scheduled bulk waste collection. A special collection for larger quantities requiring additional fees is available. All brush, tree limbs and cuttings shall not exceed five (5) feet in length and twelve (12) inches in diameter. Bulk waste shall be placed on private property within plain view as seen from the public right-of-way for pick up no earlier than the Monday immediately preceding the designated collection week and no later than Monday at 5:00 a.m. of the designated collection week. Items must be placed parallel to the street adjacent to the owner's property line for collection. Bulk waste may not be placed on sidewalks, curbing, or public right-of-way in any manner as to interfere with or be hazardous to pedestrians or vehicles, or with any mechanized collection container in such a manner as to interfere with its being emptied. Bulk waste may not be placed within four (4) feet of any structure. Appliances, air conditioners and other items that contain refrigerants are not accepted as part of normal bulk waste service. A special collection requiring prior scheduling is available. The customer must take off the locking mechanism or remove the door from any container or appliance, including freezers, refrigerators, stoves or chests, before setting them out for special collection. A refrigerant evacuation fee or certificate of refrigerant extraction may be required. Items not accepted for collection will be left. The following are unacceptable materials: disposable or unwanted material resulting from construction, repair, or demolition of the premises; large auto parts such as engines, transmissions, axles; tires; used oil; and rocks, soil, soil-like and concrete materials.
4. Residential Glass Recyclables Collection: The City will collect glass recyclables from residential properties for a monthly fee of three dollars fifty-five cents (\$3.55). If glass recyclables collection is requested through the solid waste program, the City will provide the property owner with a separate collection container for glass recyclables. Glass recyclables collection will occur on a monthly basis on the Wednesday of the property's bulk waste collection week (refer to the current bulk waste collection schedule to identify collection week).

B. Collection from Commercial and Industrial Properties: Solid waste and recyclable material (except glass) accumulated by commercial properties shall be collected using either the City's automated or bin collection system, or the services of a licensed solid waste collection company. For commercial properties serviced by the City, the Director or designee shall collect or direct the collection of solid waste according to a schedule agreed to by the City and the commercial property owner for the applicable fee described in Section 7-04-001-0010(C). The Director or designee may refuse to collect unreasonable amounts of solid waste and/or may refuse to collect when poor conditions of handling exist, and may make an additional charge for such amounts or conditions as outlined in the current regulations.

C. Collection Procedures for Certain Types of Waste:

1. Special Wastes: All special wastes shall be disposed of as directed by the Director or designee at the expense of the owner or possessor thereof. Soil with petroleum contamination below four thousand one hundred (4,100) mg/kg and waste from shredding of motor vehicles are the two (2) special wastes recognized in the State of Arizona and must be disposed of in accordance with the following procedures:
 - a. Petroleum Contaminated Soils: Petroleum contaminated soil acceptance at the landfill is determined by the Arizona Department of Environmental Quality Residential Remediation level of four thousand one hundred (4,100) mg/kg. Soils with adequate sampling verifying petroleum contamination is below four thousand one hundred (4,100) mg/kg can be accepted at the landfill following approval by the Director using an exceptional waste application form. Accepted petroleum contaminated soil will be directed to a separate area of the active landfill area for burial.
 - b. Waste from shredding of motor vehicles is not accepted at the landfill.
2. Industrial Solid Waste: Industrial solid wastes will be accepted at the landfill in quantities regulated by the Director or designee. The cost of handling industrial wastes will be determined by the Director or designee.
3. Asbestos Waste: Friable asbestos is not accepted at the landfill. Non-friable asbestos is accepted. Advance notification is required for non-friable asbestos disposal along with approval by the Director or designee using a non-friable asbestos waste acceptance application form. Accepted non-friable asbestos will be directed to a separate area of the active landfill area for burial.
4. Septic and Liquid Wastes: Disposal of septic or liquid wastes is not allowed at the landfill.
5. Hazardous Wastes: Hazardous wastes are accepted at the City's Hazardous Products Center (HPC) located at the landfill. Collected hazardous waste is properly recycled or disposed of through a licensed hazardous waste disposal contractor. Universal wastes such as used batteries and mercury-containing light bulbs are also accepted at the HPC. Small businesses can use the HPC to dispose of hazardous waste by appointment only. Businesses will pay costs incurred by the City for disposal of the waste through a licensed hazardous waste disposal contractor plus administrative fees. Businesses must qualify as a conditionally exempt small quantity generator (CESQG) according to the Environmental Protection Agency. Any refuse deemed hazardous by the Director or designee will not be collected or disposed of in the landfill. Anyone knowingly or unknowingly depositing hazardous or prohibited waste in the landfill must remove said waste within three (3) hours at their own expense. If the City or City designee has to remove said waste, the cost of removal and disposal plus an administrative fee shall be charged to the person placing said waste in the landfill. Failure to pay this fee will result in loss of use of the landfill.
6. Medical Wastes: Untreated medical waste, with the exception of household medical sharps disposed of with homeowner waste, is not accepted at the landfill or HPC. Unused medical sharps are accepted at the landfill but are not accepted at the HPC. Landfill operators should be notified so that any sharps can be buried immediately.

D. General Provisions for Waste and Recyclables Collection:

1. Ownership of Solid Waste: All solid waste set out for collection in the City will remain the property and responsibility of the property owner or generator until collected by the City or licensed company, whereupon it shall become the property of the collector.
2. Solid waste, before being placed into containers for collection, shall be drained of any liquids and shall be wrapped in paper or plastic and sealed.
3. Ashes shall be placed in separate containers and thoroughly doused with water and extinguished before collection.

4. The occupant of the property from which solid waste material is being collected shall not place hot ashes, bricks, concrete, hazardous wastes, or any other material or solid waste harmful to the public or destructive to the container or collection vehicle in the container being set out for City pickup.
5. Automated collection containers shall be placed at curbside by 6:00 a.m. on the day of collection. Automated collection containers shall be removed from the curbside on the same day the container is serviced.
6. Containers must not be blocked by vehicles or other objects that may hinder their pickup by City sanitation vehicles or employees. Automated collection containers shall not be placed within four (4) feet of objects that can be damaged by the City's automated equipment.
7. Unattended Containers: No person shall place, display, or maintain any unattended container for soliciting deposit of recyclable materials or donated items in any exterior location within the City limits, except in conformance with all of the following provisions:
 - a. Such unattended containers may be located only within the parking lot of private property lawfully zoned, developed and used for commercial or industrial purposes or at schools, churches, or charitable organizations which have similar parking facilities.
 - b. Such unattended containers may be located only with the permission of the property owner, their agent, or the person in possession of the property, and the owner's name and current telephone number shall be displayed on the container in a conspicuous location.
 - c. The owner of such unattended container and the property owner shall jointly or severally maintain all exterior areas within twenty-five (25) feet of the container free from litter.
8. Nothing in this chapter shall be construed to prevent individual property owners from hauling their own solid waste from their own premises to a legal point of disposal or recycling, in accordance with Section 7-04-001-0004. (Ord. 1609, Amended, 02/21/1989; Ord. 1764, Amended, 07/22/1992; Ord. 1764, Amended, 07/21/1992; Ord. 1821, Amended, 10/05/1993; Ord. 1986, Amended, 12/01/1998; Ord. 2002-19, Amended, 11/19/2002; Ord. 2002-19, Amended, 12/23/2002; Ord. 2007-40, Amended, 09/18/2007; Ord. 2016-26, Amended, 05/31/2016. Formerly 7-04-001-0007)

7-04-001-0007 STORING OR PLACEMENT OF SOLID WASTE AND RECYCLABLES

- A. **Public Places:** No person shall store or place any solid waste in any street, alley, sidewalk, utility corridor or other public place within the City, or upon any private property within the City, whether owned by such person or not, except if placed in containers authorized for collection. Bulk waste may be placed curbside for collection. Nor shall any person throw or deposit any solid waste in any stream or other body of water.
- B. **Unauthorized Accumulation:** Any unauthorized accumulation of solid waste on any premises is hereby declared to be a nuisance and is prohibited. Failure to remove any existing accumulation of solid waste within thirty (30) days after the effective date thereof shall be deemed a violation of this chapter.
- C. **Scattering of Solid Waste:** No person shall cast or cause to be cast, place, sweep or deposit anywhere within the City any solid waste in such a manner that it may be carried or deposited by the elements or animals upon any street, sidewalk, alley, sewer, parkway or other public place, or into any occupied premises within the City.
- D. **Disturbance of Containers:** It shall be unlawful for any person to uncover or cause to be uncovered, tip or cause to be tipped over, or disturb or cause to be disturbed in any manner any container of solid waste or recyclables placed upon any street, curb, sidewalk or alley for removal by an authorized collector.
- E. The City shall provide automated collection containers for all customers serviced by the automated collection system.
- F. Automated collection containers provided by the City shall be maintained by the City or replaced when determined necessary by the Director or designee.
- G. City-owned automated collection containers and commercial bins shall be assigned to the property and not to the occupant of the property. No person who occupies any property to which containers have been assigned may remove the containers from the assigned property for any reason.
- H. The occupant of a residential property or business establishment is responsible for the solid waste container(s) provided by the City. The container(s) shall be kept in a clean and sanitary condition. The occupant of the property is responsible for the cost of replacing the container(s) when replacement is necessitated by loss of the container or damage due to the occupant's misuse.
- I. The City will provide appropriate bins for hotels, restaurants, businesses, or institutions requesting City bin service. Such bins shall be maintained by the City and replaced when determined no longer serviceable by the Director or designee.
- J. Vandalism to City-owned containers shall be reported to the Solid Waste Division and the City Police Department by the solid waste customer.
- K. **Scavenging:**
1. No person, other than the City, the property owner, or a company licensed for collection shall disturb, collect, or remove any solid waste set out for collection.
 2. No person, unless authorized by the City, may remove, collect or disturb recyclable materials deposited for collection in City containers.
- L. No solid waste or materials other than recyclables shall be placed or stored in any container provided by the City for the storage and collection of recyclables. (Ord. 1609, Amended, 02/21/1989; Ord. 1764, Amended, 07/21/1992; Ord. 1821, Amended, 10/05/1993; Ord. 1986, Amended, 12/01/1998; Ord. 2000-09, Amended, 05/02/2000; Ord. 2002-19, Amended, 11/19/2002; Ord. 2002-19, Amended, 12/23/2002; Ord. 2007-40, Amended, 09/18/2007; Ord. 2016-26, Amended, 05/31/2016. Formerly 7-04-001-0006)

Chapter 7-10 GRAFFITI ABATEMENT

SECTIONS:

- 7-10-001-0001 PURPOSE AND INTENT
- 7-10-001-0002 GRAFFITI PROHIBITED
- 7-10-001-0003 GRAFFITI REMOVAL
- 7-10-001-0004 NOTICE OF VIOLATION HEARING
- 7-10-001-0005 RIGHT OF CITY TO REMOVE

7-10-001-0001 PURPOSE AND INTENT

A. It is the purpose and intent of this section to provide a procedure for the removal of graffiti from walls, structures, or surfaces on public and private property in order to reduce blight and deterioration within the City, and to protect the public health and safety. For purposes of this chapter, "graffiti" means any inscription, word, figure, design, painting, writing, drawing or carving that is marked, etched, scratched, drawn, painted, or otherwise applied to property and that unnecessarily and substantially mars or visually impairs any surface upon the property, without permission from the property owner regardless of the graffiti content, or nature of the material used in the commission of the act, or the material of the property. There is a rebuttable presumption that the graffiti, as herein defined, was marked, etched, scratched, drawn, painted or otherwise applied to the property without permission from the property owner.

B. The City finds and determines that graffiti is obnoxious, contributes to neighborhood deterioration, provides a communication system for gangs and other vandals, damages property, and constitutes a public nuisance. Further, the City finds that graffiti must be abated as quickly as possible in order to avoid its detrimental impacts on the City and its residents, and to prevent the spread of additional graffiti. (Ord. 2014-13, Enacted, 07/01/2014; Ord. 2018-32, Renumbered, 12/11/2018. Formerly 7-01-001-0001)

7-10-001-0002 GRAFFITI PROHIBITED

All sidewalks, walls, buildings, fences, signs, utility structures, and other structures or surfaces shall be kept free from graffiti when the graffiti is visible from the street or other public or quasi-public property. For the purposes of this chapter, "quasi-public property" means any private street, highway, lane, alley or other roadway which is open to the public or to which the public is invited, and shall in this context include any and all parking lots, alleys, plazas, or similar public spaces generally open to the public. (Ord. 2014-13, Enacted, 07/01/2014; Ord. 2018-32, Renumbered, 12/11/2018. Formerly 7-01-001-0002)

7-10-001-0003 GRAFFITI REMOVAL

A. Removal by the Perpetrator. Any person applying graffiti on public or private property shall have the duty to remove the graffiti within twenty-four (24) hours after notice by the City or private owner of the property involved. Such removal shall be done in a manner prescribed by the Chief of Police, the Director of the Department of Public Works, or any additional City department head, as authorized by the City Manager. Any person applying graffiti shall be responsible for the removal or for the payment of the removal. Failure of any person to remove graffiti or pay for the removal shall constitute an additional violation of this chapter. Where graffiti is applied by an unemancipated minor, the parents or legal guardian shall also be responsible for such removal or for the payment for the removal.

B. Property Owner Responsibility. If graffiti is not removed by the perpetrator according to subsection (A) of this section, or if the perpetrator is unknown, graffiti shall be removed pursuant to the following provisions:

It is unlawful for any person who is the owner or who has primary responsibility for control of property or for repair or maintenance of property in the City to permit property that is defaced with graffiti to remain defaced for a period of five (5) calendar days after actual notice (i.e., notice provided directly in person, by telephone, or by email), or service by first class mail of notice of the defacement. The notice shall contain the following information:

1. The street address and legal description of the property sufficient for identification of the property; and
2. A statement that the property is a potential graffiti nuisance property with a concise description of the conditions leading to the finding; and
3. A statement that the graffiti must be removed within five (5) calendar days after receipt of the notice and that if the graffiti is not abated within that time the City will declare the property to be a public nuisance, subject to the abatement procedures in this chapter; and
4. A statement that in the event the owner or responsible party fails to abate the graffiti within the time period specified in the notice of violation, the City may abate the graffiti; and
5. An information sheet identifying any graffiti removal assistance programs available through the City and private graffiti removal contractors; and
6. A statement that the notice of violation may be appealed, as provided in Section 7-10-001-0004.

The property owner or responsible party has an active maintenance program that includes graffiti removal and has scheduled the removal of the graffiti as part of that program, in which case it shall be unlawful to permit such property to remain defaced with graffiti for a period of ten (10) days after service by first class mail of notice of the defacement. (Ord. 2014-13, Enacted, 07/01/2014; Ord. 2018-32, Renumbered, 12/11/2018. Formerly 7-01-001-0003)

7-10-001-0004 NOTICE OF VIOLATION HEARING

A. Any owner or responsible party aggrieved by the determination of the City in the notice of violation may appeal that determination to the City Manager within five (5) calendar days of receipt. Notwithstanding any other provisions of this code, there shall be a nonrefundable fee of two hundred fifty dollars (\$250.00) for any appeal pursuant to this subsection. Such fee must accompany any such appeal and no such appeal shall be considered filed or received until such fee is paid in full.

B. Notice. The City Manager, or his or her designee, serving as the Hearing Officer, shall provide the property owner of record and the party responsible for the maintenance of the property, if a person different from the owner, not less than forty-eight (48) hours' notice of the City's intent to hold a notice of violation hearing at which the property owner or responsible party shall be entitled to present evidence and argue that the property does not constitute a public nuisance. Notice shall be served in the same manner as a summons in a civil action in accordance with Section 1-15-001-0011, Civil Enforcement Procedures.

C. Determination of Hearing Officer. The determination of the Hearing Officer after the notice of violation hearing shall be final and not appealable. If, after the hearing, the Hearing Officer determines that the property contains graffiti viewable from a public or quasi-public place, the Hearing Officer shall give written notice in an eradication order that, unless the graffiti is removed within five (5) calendar days, the City shall enter upon the property, cause the removal, painting over (in such color as shall meet with the approval of the Hearing Officer), or such other eradication thereof as the Hearing Officer determines appropriate.

D. Eradication Effort. Not sooner than the time specified in the order of the Hearing Officer, the City Manager, or the designee of the City Manager, shall implement the eradication order. (Ord. 2014-13, Enacted, 07/01/2014;

Ord. 2018-32, Renumbered, 12/11/2018. Formerly 7-01-001-0004)

7-10-001-0005 RIGHT OF CITY TO REMOVE

In the event that the owner or responsible party fails to abate the graffiti as required by the notice of violation, or fails to appeal the notice of violation within five (5) calendar days of service, the City may proceed to abate the graffiti. The City or its authorized private contractor is expressly authorized to enter private property and abate graffiti thereon in accordance with this section. The Flagstaff Police Department shall assist in the enforcement of this chapter. (Ord. 2014-13, Enacted, 07/01/2014; Ord. 2018-32, Renumbered, 12/11/2018. Formerly 7-01-001-0005)

The Flagstaff City Charter and City Code are current through Ordinance 2022-04, passed March 1, 2022.

Disclaimer: The City Clerk's Office has the official version of the Flagstaff City Code. Users should contact the City Clerk's Office for ordinances passed subsequent to the ordinance cited above.

10-50.50.040 General Fencing and Screening Standards

E. **Enclosures for Refuse and Recycling Containers.** Refuse and recycling containers shall be screened by solid fences or walls constructed to a minimum height of six feet and designed to match the building materials of the primary building on the site and the *Engineering Standards*. Where feasible, enclosures for refuse and recycling containers shall be sited to the rear or side of a building, or in a location where visibility from public rights-of-way is minimized.

10-50.60.080 Maintenance

A. Maintenance Required.

1. Maintenance of all landscaping shall be the responsibility of the applicant, lessee, heirs, assigns, agent, homeowners' association, or other liable entity of the property and shall consist of regular watering; pruning, mowing, fertilizing, weed removal, and the removal and replacement of dead plants, irrigation systems and landscape features. This shall include maintenance of approved landscaping in the public right-of-way.
2. Existing non-native invasive trees as determined by the Director, as well as trees that are dead, diseased, injured, in danger of falling upon existing or proposed structures, overhang or abut a building so as to create a potential fire hazard, interfere with the growth of other trees or existing utilities, or are located within sight lines at intersection streets and driveways may be cut down and removed. Such tree(s) are not required to be replaced with new trees.
3. The applicant or liable entity in control of any private premises shall at all times maintain the premises free of litter and weeds in compliance with City Code Title 6, Police Regulations, and this division.
4. Approved landscaping in rights-of-way, including street trees, shall be maintained in compliance with the *Engineering Standards*, Section 13-18-05, Maintenance.
5. Any plant materials included in an approved landscaping plan that do not survive after installation shall be replaced with plant material(s) of the same or like species of equal size within the next planting season but, in any event, within six months of the plant's demise. Failure to replace said plant materials within the specified time period shall be enforced in compliance with the enforcement provisions of Division [10-20.110](#), Enforcement.

B. Use of Pesticides and Herbicides.

1. **General.** If pesticides and herbicides are used in landscape areas, organic pest control methods are preferred over synthetic pesticide use. Pesticides shall be applied in compliance with the Arizona Department of Environmental Quality (ADEQ) "Groundwater Protection List" and the "Best Management Practices" for pesticide and herbicide application.
2. **Riparian Corridor Watercourse, Wetland, or Stormwater Drainage.** Pesticides, herbicides, and fertilizers shall not be applied within 50 feet of a riparian corridor watercourse, wetland, or stormwater drainage except as allowed by the Director for the following circumstances and when pesticide or herbicide applications will be done by a City approved applicator:
 - a. The State or local Health Department recommends or directs their use to address a threat to public health;
 - b. A county, State, or Federal agency with jurisdiction directs their use for control of a State-listed noxious weed or plant pests covered by the Arizona State Department of Agriculture plant pest program and non-chemical alternatives have been evaluated and deemed ineffective;
 - c. The Director finds that the use of pesticides and herbicides will have no adverse impact to fish and wildlife. Such a determination may be in the form of best management practices or an integrated pest management plan;
 - d. The use of a herbicide to control invasive plants would have less overall environmental impact than other control strategies; or
 - e. There is a serious threat to public safety, health, or the environment.

10-50.80.030 General Parking Standards

A. General to All Zones.

1. **Parking for Accessory Uses in Residential Zones.** Required off-street parking facilities shall be used for the parking of bicycles, passenger motor vehicles, or other non-commercial motor vehicles owned by occupants of the dwelling structures to which such facilities are accessory, or for the parking of passenger motor vehicles and bicycles by guests of the occupants. For single-family dwellings, this includes the driveways to the parking facilities.
2. **Parking of Commercial Vehicles in Residential Zones.** Under no circumstances shall required off-street parking facilities accessory to residential structures be used for the storage or parking of commercial vehicles associated with a business operation other than for a permitted home occupation at the same location, or a commercial vehicle owned or operated by the resident that is less than or equal to 14,000 gross vehicle weight rating (GVWR). Such residential parking facilities shall not be used for the parking of motor vehicles belonging to the employees, owners, tenants, visitors, or customers of nearby commercial or manufacturing establishments.
3. **Commercial Work on Motor Vehicles.** Commercial work of any kind on motor vehicles (e.g., the overhaul of engines) shall not be permitted in conjunction with accessory off-street parking.
4. **Storage of Unregistered or Inoperable Motor Vehicles.** No more than one unregistered or inoperable motor vehicle shall be stored on any residentially zoned lot or parcel of land, and no such unregistered or inoperable vehicle shall be stored within the front setback.
5. **Reduction of Parking.** Required off-street parking shall not be reduced below the requirements of this division. Existing parking that is determined to be nonconforming in accordance with Division [10-20.60](#), Nonconforming Provisions, because less than the required number of spaces are provided, shall not be further reduced from the number of parking spaces available on the effective date of this Zoning Code.
6. **Parking of Recreational Vehicles, Campers and Other Similar Vehicles.** Unless provided otherwise, the parking and/or storage of recreational vehicles, campers, camping trailers, utility trailers, boats, and similar vehicles shall be regulated in accordance with Section [10-50.80.080\(L\)](#).

(Ord. 2016-07, Amended, 2/16/2016 (Res. 2016-02))

CHAPTER 8-04 TREES AND SHRUBBERY

SECTIONS:

- [8-04-001-0001](#) TREES TO BE TRIMMED
- [8-04-001-0002](#) HEDGES AND SHRUBBERY
- [8-04-001-0003](#) INJURY TO TREES AND/OR SHRUBBERY
- [8-04-001-0004](#) TREES OUTSIDE OF PROPERTY LINE

8-04-001-0001 TREES TO BE TRIMMED

Any owner of any real property shall trim all trees on property owned or occupied by him. overhanging any public thoroughfare, so that the branches thereon will not interfere with pedestrians or public travel.

8-04-001-0002 HEDGES AND SHRUBBERY

Any owner or occupant of any real property shall maintain all hedges and shrubbery adjacent to public sidewalks so that no part of said hedges and/or shrubbery shall extend over any part of a public sidewalk in the City.

8-04-001-0003 INJURY TO TREES AND/OR SHRUBBERY

It is hereby declared unlawful for any person not the owner thereof or without lawful authority so to do, wilfully to injure, deface, disfigure or destroy any tree or shrub, or to injure, destroy, cut or pick any flower or plant, located either on private ground or on any public place or thoroughfare.

8-04-001-0004 TREES OUTSIDE OF PROPERTY LINE

The City Council is hereby provided full and complete control over all trees which are outside the property lines of privately owned real property. (1960 Code)

CHAPTER 8-13 PROHIBITION ON USE OF RIGHT-OF-WAY

SECTIONS:

[8-13-001-001](#) PROHIBITION ON USE OF RIGHT-OF-WAY

8-13-001-001 PROHIBITION ON USE OF RIGHT-OF-WAY

A. It shall be unlawful for any person or entity to obstruct or encumber, in part or entirely, any portion of any public street, alley, sidewalk, multiuse path, or any other public right-of-way within the corporate limits of the City with any item, whether temporary or permanent, except as allowed with an applicable permit under this code or pursuant to an express authorization in another section of this code that authorizes certain, specific temporary use or obstruction.

B. If property is found in violation of this section it may be seized and impounded after reasonable efforts are made to locate the owner. An impoundment fee of one hundred dollars (\$100.00) shall be assessed and paid for the redemption and release of the property. If property is not claimed within ninety (90) days of impoundment it will be considered abandoned and subject to destruction or sale. (Ord. 2019-19, Enacted, 06/18/2019)

Division 13-18-005
Maintenance

Sections:

- [13-18-005-0001](#) Responsibility
- [13-18-005-0002](#) General Requirements
- [13-18-005-0003](#) Irrigation

13-18-005-0001 Responsibility

The adjacent property owner is responsible for maintenance of the right-of-way area bounded by the property line and the face of the curb (or edge of road pavement) for the full width of the property. A maintenance district, a business improvement district, homeowners' association, or the City of Flagstaff may, by prior agreement, be responsible for such maintenance. The City of Flagstaff performs maintenance of all medians. Contact the Parks Division for more information. (Ord. 2017-22, Rep&ReEn, 07/05/2017)

13-18-005-0002 General Requirements

- A. Maintenance shall be performed on an ongoing basis as needed.
- B. Required maintenance includes irrigation, weeding, mowing, pruning, replacement of dead or diseased plants, cleaning, raking, snow removal, pest control, and otherwise caring for and repairing all the landscape materials, including sidewalks and street trees. Required maintenance also includes removal of wildfire fuels such as dead plants and limbs, thinning of tree and shrub densities, and weed control.
- C. Replacement and repairs shall be in accordance with the approved streetscape plan, or in the absence thereof, in accordance with these standards.
- D. Maintenance priority shall be given to installation, placement, and planting safety items including lines of sight, blockage, and winter icing.
- E. Maintenance of plant materials, specifically including trimming and pruning, shall conform to applicable horticulture and arboriculture standards.
- F. General weeds shall not be permitted to exceed a height of six (6) inches.
 - 1. Noxious weeds shall be entirely removed.
 - 2. Cut or otherwise removed weeds shall be collected and properly disposed of and shall not be left on the ground. (Ord. 2017-22, Rep&ReEn, 07/05/2017)

13-18-005-0003 Irrigation

- A. Newly planted trees should be watered daily for the first two (2) weeks and then once a week from April through October and approximately twice a month through the winter.
 - 1. In the third year, if there has been a lack of moisture, extreme heat or drying winds, this amount of watering may still be necessary.
- B. The watering schedule for mature trees will be determined based on the species, the soil, and the weather.
- C. Irrigation shall be monitored to avoid over- or under-watering. Watering programs and automatic systems shall be adjusted as warranted.

1. Automatic irrigation systems shall receive appropriate design, installation, maintenance, repair, and winterizing so as to comply with water conservation strategies. (Ord. 2017-22, Rep&ReEn, 07/05/2017)
-

The Flagstaff City Charter and City Code are current through Ordinance 2022-10, and legislation passed through May 17, 2022.

Disclaimer: The City Clerk's Office has the official version of the Flagstaff City Code. Users should contact the City Clerk's Office for ordinances passed subsequent to the ordinance cited above.



Property Care Ordinance Survey

September 23, 2022, 11:44 AM

Contents

i.	Summary of responses	2
----	----------------------	---

Property Care Ordinance Survey

Property Care Ordinance Survey

Summary Of Responses

As of September 23, 2022, 11:44 AM, this forum had:

Attendees: 286
Responses: 179
Hours of Public Comment: 9.0

Topic Start









March 4, 2022, 3:59 PM

Topic End

September 21, 2022, 10:05 AM

QUESTION 1

**Thinking about your neighborhood, what are the biggest issues that you see related to property care?
(Select all that apply)**

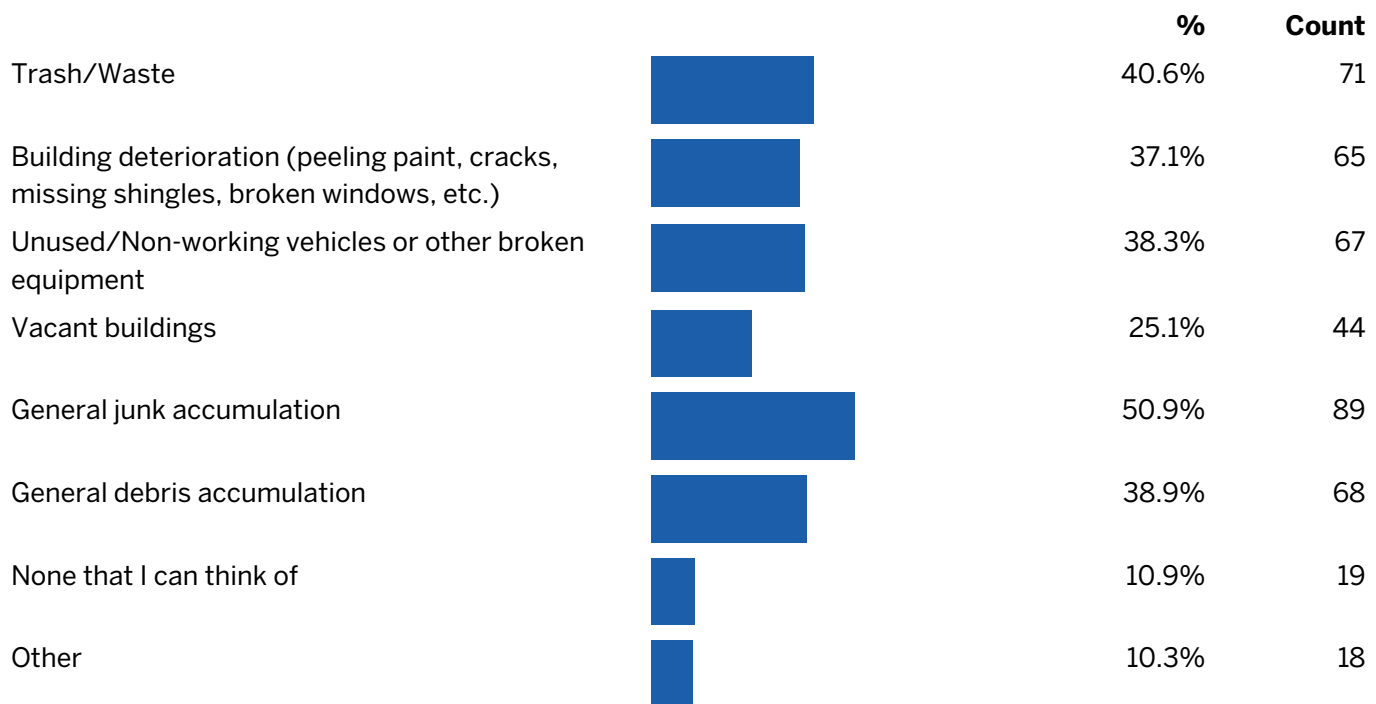
		%	Count
Trash/Waste		38.8%	69
Building deterioration (peeling paint, cracks, missing shingles, broken windows, etc.)		25.8%	46
Unused/Non-working vehicles or other broken equipment		30.3%	54
Vacant buildings		9.0%	16
General junk accumulation		34.8%	62
General debris accumulation		23.6%	42
None that I can think of		28.7%	51
Other		21.3%	38

QUESTION 2

**Now, thinking about the city as a whole, what are the biggest issues that you see related to property care?
(Select all that apply)**

Property Care Ordinance Survey

Property Care Ordinance Survey



QUESTION 3

Thinking about the property care items you selected, could you describe how those items impact your quality of life?

Answered	131
Skipped	48




QUESTION 4

And, more generally speaking, how much of an issue would you say property care is to you personally?









Property Care Ordinance Survey

Property Care Ordinance Survey

		%	Count
Not much of an issue		11.9%	21
Not an issue at all		9.6%	17
Unsure		0.6%	1

QUESTION 5

How often would you say you notice property care issues in your neighborhood?

		%	Count
Every week		39.9%	71
Once or twice a month		9.6%	17
Every few months		10.1%	18
<input type="checkbox"/> Once or twice a year		17.4%	31
Never		14.6%	26
Other		8.4%	15




QUESTION 6

Thinking about both your specific neighborhood and the city as a whole, how important do you think adopting this type of ordinance is for health, safety, and welfare in Flagstaff?

		%	Count
Very important		31.8%	56
Fairly important		17.6%	31
Important		14.2%	25









Property Care Ordinance Survey

Property Care Ordinance Survey

		%	Count
Slightly important		19.3%	34
Not important at all		15.3%	27
Unsure/No opinion		1.7%	3

QUESTION 7

**What issues would you like to see covered in the property care ordinance?
(Select all that apply)**

		%	Count
Trash/Waste		66.5%	117
Building deterioration (peeling paint, cracks, missing shingles, broken windows, etc.)		42.0%	74
Unused/Non-working vehicles or other broken equipment		63.1%	111
Vacant buildings		36.9%	65
General junk accumulation		65.3%	115
General debris accumulation		54.5%	96
Unsure/No opinion		4.5%	8
Other		19.9%	35

QUESTION 8

Do you have any concerns about the City adopting a property care ordinance?

		%	Count
Yes		40.0%	70

Property Care Ordinance Survey

Property Care Ordinance Survey

		%	Count
No		41.7%	73
Unsure/Need more information		18.3%	32

QUESTION 9

If you answered yes – please describe your primary concerns about the City adopting a property ordinance?

Answered	83
Skipped	96







QUESTION 10

Is there anything else you would like to share about the development and adoption of a property care ordinance?

Answered	70
Skipped	109

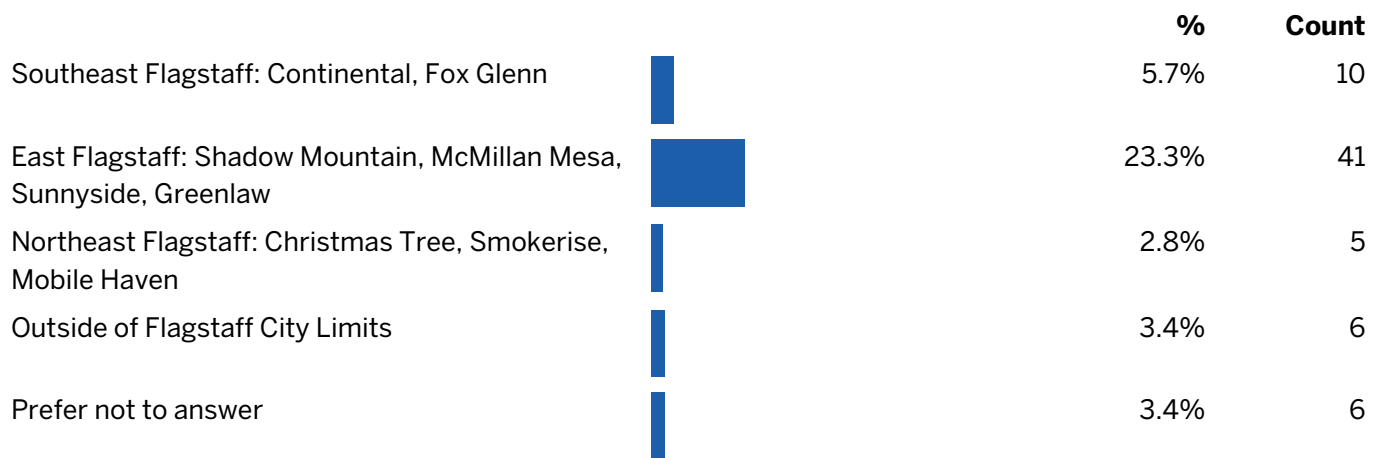
QUESTION 11

Please select the general area that best describes where you live:

		%	Count
Northwest Flagstaff: Coconino Estates, Cheshire, North Hospital		18.2%	32
Central Flagstaff: Townsite, Downtown, Cherry Hill, McMillan Mesa, Switzer Canyon		11.9%	21
South Central Flagstaff: NAU, Southside, La Plaza Vieja, Aspen Place, Rio Homes		6.8%	12
West Flagstaff: Woodlands Village, Boulder Point, Railroad Springs, Timber Sky		6.3%	11
Southwest Flagstaff: University Heights		9.7%	17
South Flagstaff: Ponderosa Trails, Bow & Arrow Estates		8.5%	15

Property Care Ordinance Survey

Property Care Ordinance Survey



QUESTION 12

Do you currently pay dues to a Homeowners Association in your neighborhood?



QUESTION 13

What is the highest grade of school or year of college that you have completed?








Property Care Ordinance Survey

Property Care Ordinance Survey

		%	Count
Prefer not to answer		2.8%	5



QUESTION 14

What best describes your current employment situation?

		%	Count
Employed Full-time		59.0%	105
Employed Part-time		7.9%	14
Homemaker		2.2%	4
Unemployed		1.1%	2
Student		2.2%	4
Retired		25.8%	46
Unable to work		0.6%	1
Other		2.8%	5
Prefer not to answer		2.8%	5

QUESTION 15

Which of the following best describe you? (Select all options that apply)

		%	Count
Asian		2.4%	4
Black or African American		1.8%	3

Property Care Ordinance Survey

Property Care Ordinance Survey



QUESTION 16

Which of the following age groups do you fall within?



QUESTION 17

What is your gender identity?



Property Care Ordinance Survey

Property Care Ordinance Survey



QUESTION 18

The city is putting together a working group to oversee the development of the property care ordinance. The working group would meet twice a month for roughly 3 months. Would you be interested in participating in such a group?



QUESTION 19

If yes or maybe, which of the following meeting types would you prefer?



QUESTION 20

If you are willing to be contacted about participating in a working group, please provide your preferred contact information.

Answered 44

Property Care Ordinance Survey

Property Care Ordinance Survey

Skipped

135

City of Flagstaff - Code Compliance Violation Reporting 2022

<u>Complaint</u>	<u>Jan</u>	<u>Feb</u>	<u>Mar</u>	<u>Apr</u>	<u>May</u>	<u>June</u>	<u>July</u>	<u>Aug</u>	<u>Sept</u>	<u>Oct</u>	<u>Nov</u>	<u>Dec</u>	
Staff Driven Complaint	108	99	170	68	116	172	147	163					
Citizen Driven Complaint	14	22	36	16	23	34	27	16					
New Cases	122	121	206	84	139	206	174	179					
<u>Case Status</u>													
Open Cases (of total new cases above)	13	12	30	27	32	36	20	32					
Closed Cases (of total new cases above)	109	109	176	57	107	170	154	147					

<u>Violation Type</u>	<u>Jan</u>	<u>Feb</u>	<u>Mar</u>	<u>Apr</u>	<u>May</u>	<u>June</u>	<u>July</u>	<u>Aug</u>	<u>Sept</u>	<u>Oct</u>	<u>Nov</u>	<u>Dec</u>	<u>Year End Totals</u>
Abandoned/Junked Vehicles	0	0	4	1	7	2	1	10					25
Accessory Dwelling Unit	0	0	0	0	0	0	0	0					0
Building Regulations	0	0	0	0	0	1	0	0					1
Camping on Public Property within City Limits	1	1	0	1	2	1	0	1					7
Collection/Disposal Practices	6	6	16	10	8	15	6	8					75
Commercial Work on Motor Vehicles	0	0	0	0	0	0	0	0					0
Displaying Vehicles for Sale of Private Property	3	2	1	0	0	0	0	4					10
Failure to Remove Snow/Obstructions from Sidewalk & Deposit of Snow in ROW/Hedges over Sidewalk	27	40	70	11	2	17	11	13					191
Failure to Meet Landscape Standards	0	0	0	0	1	0	0	0					1
Failure to Meet Outdoor Lighting Standards	1	6	9	5	2	6	1	0					30
Failure to Meet Parking Standards/General Parking Standards	0	1	15	1	2	1	2	1					23
Failure to Meet Resource Protection Standards	0	0	0	0	0	2	0	1					3
General Restrictions/Requirements for all Signs, Failure to Meet Temporary Sign Standards	3	8	0	3	23	69	65	27					198
Failure to Meet Building from Standards/Setbacks	0	0	0	0	0	0	0	0					0
Failure to Comply with Transect Zone Standards	0	0	0	0	0	0	0	0					0
General Rules & Standards (Solid Fuel Burning Devices)	0	0	0	0	0	0	1	0					1
Graffiti	73	49	77	41	83	85	75	98					581
Littering	1	2	1	0	3	0	2	6					15
Illegal Use or Activity without Permit	3	3	7	3	0	5	2	7					30
Illegal Use in Zone	1	0	0	1	0	1	0	0					3
Keeping of Certain Animals	0	1	3	0	0	0	3	0					7
Outdoor Feeding & Protection of Wildlife	0	0	0	0	0	0	0	0					0
Parking of Commercial Vehicles in Residential Zone	0	0	0	0	0	0	0	0					0
Parking of RV's	0	0	0	0	0	0	0	0					0
Posting of Handbills on Public/Private Property	0	0	0	0	0	0	0	0					0
Specific to Uses	0	0	1	0	0	0	1	2					4
Stopping, Standing & Parking Restrictions	0	0	0	0	0	0	0	0					0
Storage Containers Temporary/Permanent	0	0	0	0	0	0	0	0					0
Storage of Unregistered/Inoperable Vehicles	0	0	0	0	0	0	1	0					1
Storing or Placement of Solid Waste	1	0	0	7	0	0	0	0					8
Unauthorized Accumulation of Litter on Private Property	1	0	0	0	0	0	1	0					2
Uninhabited or Vacant Private Property	0	0	0	0	0	0	1	0					1
Violation of Encroachment Standards	0	0	1	0	0	0	0	0					1
Violation of Fence/Wall & Screening Standards	0	0	0	0	0	0	1	0					1
Water Conservation	0	0	0	0	1	0	0	1					2
Other Misc	1	2	1	0	5	1	0	0					10
Total Complaints by Month	122	121	206	84	139	206	174	179	0	0	0	0	1231

Property Care Standards

September 27, 2022





Property Care Standards

Work Session Outline

- Property Care Overview
- Property Maintenance Ordinance (PMO)
- Survey Results
- Working Group
- Property Care Standards
- City Code
- Next Steps



Property Care Standards

Project Team

Dan Folke, Community Development Director

Mark Reavis, Heritage Preservation Officer &
Neighborhood Planner

Jordan Hollinger, Associate Planner

Reggie Eccleston, Code Compliance Manager

Kevin Dunlap, Code Compliance Officer

Michelle McNulty, Planning Director

Tiffany Antol, Zoning Code Manager

Sara Dechter, Comprehensive Planning Manager

Staff Participation

Valeria Chase, Program Manager Off Campus Life &
Neighborhood Liaison

Steven Thompson, Sustainability Volunteer & Event
Coordinator

Jenny Neimann, Climate Program Manager

Robert Wallace, Open Space Specialist



Property Care Standards

Why consider property standards now?

- November 24, 2020 Future Agenda Item Request (FAIR)
- Property Maintenance Ordinance – 2012
- Work Session objective: receive direction on how to proceed



Property Care Standards

What is a Property Maintenance Ordinance?

- Rules for maintenance of all land and buildings
- Life and safety regulations
- Accumulation of garbage/debris/refuse/litter
- Hazardous and dangerous conditions
- Deteriorating structures
- Abandoned properties



Property Care Standards

Considerations

- Housing Emergency
- Climate Emergency
- Neighborhood & Heritage Preservation
- Social Equity
- Health and Safety



Property Care Standards

Equity in Planning

“It is not enough for cities to be beautiful and efficient. They could, and should, be just and fair as well, and planners should work toward human betterment.”

Norman Krumholz, FAICP



Property Care Standards

Property Maintenance Ordinance – 2012

- Traditional PMO
- New definition of terms
- Weather tight maintenance of structures
- Condition of property
- Abandoned building maintenance
- Repealed sections of City Code



Property Care Standards

Engaging the Community

- A League of Neighborhoods
 - Southside Community Association
 - Sunnyside Neighborhood Association
 - La Plaza Vieja Neighborhood Association
- Flagstaff Community Forum survey
- Project email list & social media
- Working group meetings
- Project web page



Property Care Standards

Flagstaff Community Forum Survey Overview

- 10 Questions that asked participants to identify:
 - the property care issues they see
 - how frequently they see these issues
 - how impactful they perceive them to be to quality of life in Flagstaff
 - the importance of adopting a property care ordinance
 - concerns related to the adoption of such an ordinance
- 7 Demographic Questions



Property Care Standards

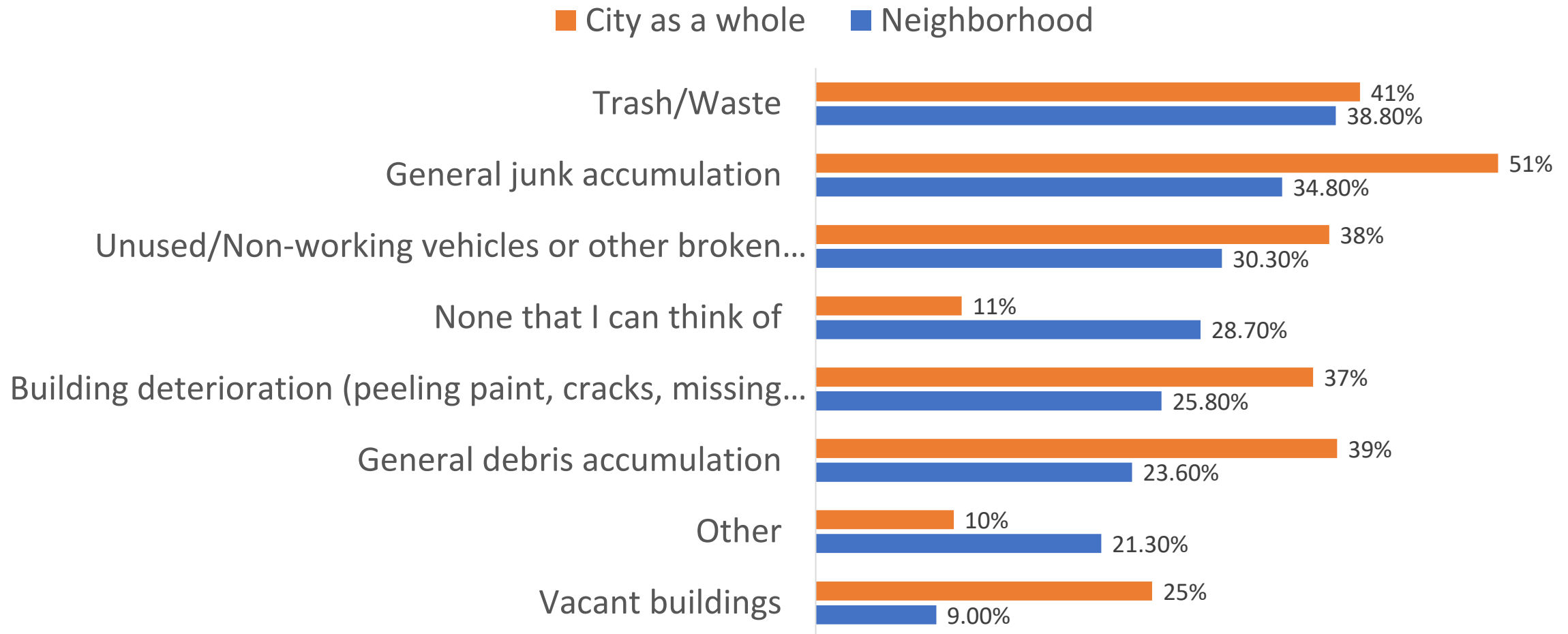
Flagstaff Community Forum Survey Responses

- 179 Total Responses
- At least 5 responses from each area of the City
 - Two largest response groups:
 - Northwest Flagstaff: Coconino Estates, Cheshire, North Hospital (18%)
 - East Flagstaff: Shadow Mountain, McMillan Mesa, Sunnyside, Greenlaw (23%)
- **73%** of Respondents do not pay HOA dues
- **85%** of Respondents have bachelor's or higher degree
- **66%** of Respondents over age of 40
- **75%** of Respondents are White



Property Care Standards

Survey Results – Issues





Property Care Standards

Survey Results – Issue Takeaways

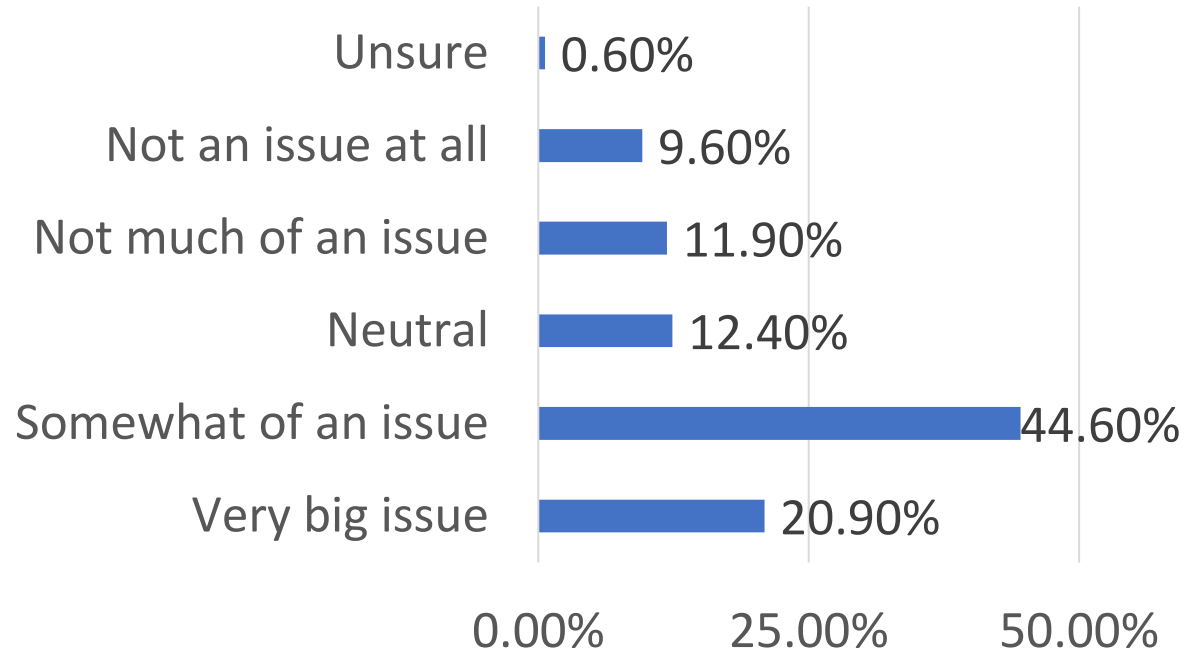
- At both the Neighborhood and City level, the perception of *Junk* and *Trash accumulation* were identified as the top issues.
- The majority of respondents listed at least one issue.
 - However: **29%** Of respondents answered that they did not notice property care issues in their Neighborhood.
- When asked what the respondent would like to see covered in a PCO, the top three items were:
 - Trash/Waste (67%), Junk accumulation (65%), Unused/Non working vehicles (63%)



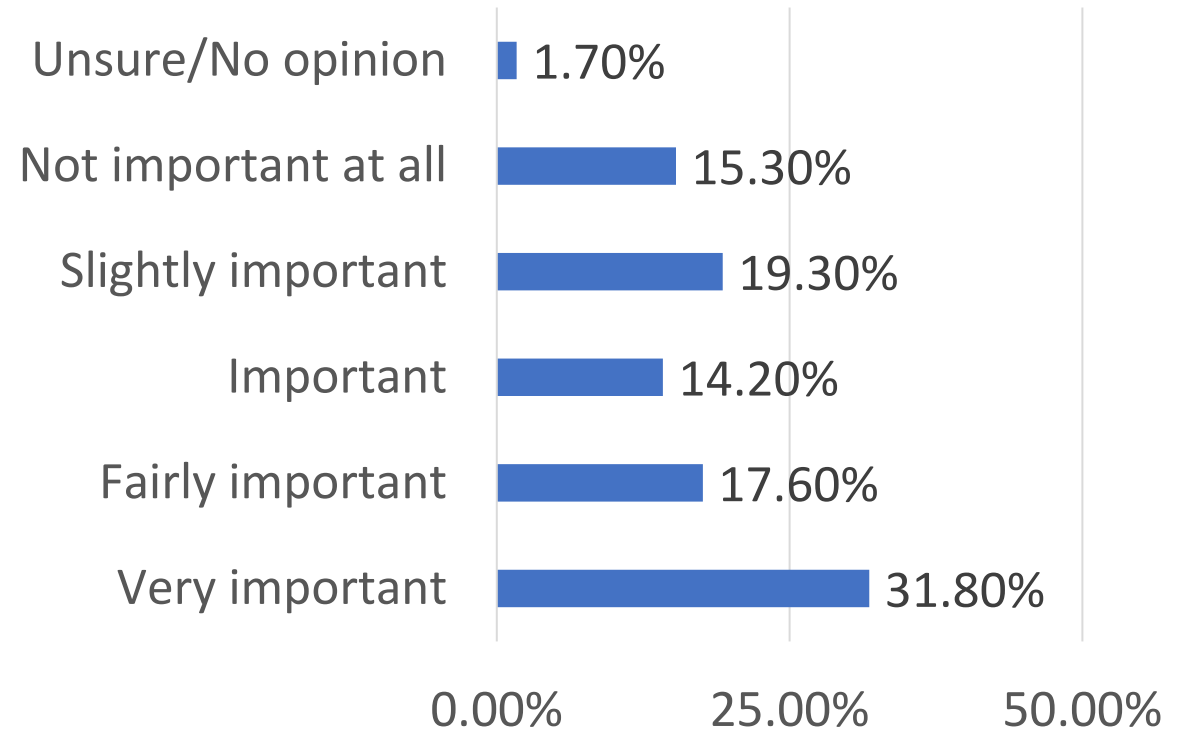
Property Care Standards

Survey Results – Impact and Importance

How much of an issue is property care?



Importance of adopting PCO?





Property Care Standards

Survey Results – Impact and Importance Takeaways

- **65%** of respondents answered that property care was either a *Very big issue*, or *Somewhat of an issue* to them personally.
- **49%** of respondents answered that adopting a PCO was *Very* or *Fairly important*.
 - Majority – Important or higher.
- **40%** of respondents answered that they had concerns about the City adopting a PCO. (18% Unsure, 42% No concerns)



Property Care Standards

Survey Results – Primary concerns

- Inequitable impacts/ability to comply
 - health, race, income
- Existing ordinances in place
 - Enforce existing codes
- Subjectivity of aesthetic elements
- Overbearing – sounds too much like HOA
 - Many people chose to live without HOA



Property Care Standards

Survey Takeaways

- Respondents clearly identified that they perceive issues with property care in the City.
 - Key issues are: Trash/Waste, Junk, Building Deterioration, and Unused/Nonworking vehicles.
- Majority of respondents believe adopting a PCO is important.
- Respondents were split almost down the middle on having concerns or not.



Property Care Standards

Working Group

- 6 hybrid meetings: May, June & July 2022
- Open meetings
- Meeting videos posted

[Property Care Ordinance | City of Flagstaff Official Website \(az.gov\)](#)



Property Care Standards

Working Group Topics

- Purpose and Intent
- Debris accumulation
- Hazards
- Equipment & vehicles
- Recycling & refuse
- Attractive nuisance
- Property perimeter & street frontage
- Building deterioration
- Abandoned/vacant building
- Vacant/undeveloped property



Property Care Standards

Selected Approach

- Create simple, clear standards for buildings and land
- Support standards with existing city code
- Appendix: how to meet the standards
- Consider new definitions
- Consider amendments to improve compliance efforts
- Continue to work with A League of Neighborhoods
- Create a Property Care program



Property Care Standards

Draft Standards

Purpose

The purpose of the Property Care Ordinance is to improve and maintain the appearance of neighborhoods and improve quality of life by protecting public health, safety, and welfare through the establishment of minimum exterior maintenance standards for all residential and non-residential buildings, structures and property, and vacant land in the city to protect against hazardous, deteriorating, and other dangerous conditions.

Intent

It is the intent of the city to work with property owners to preserve existing buildings and housing. The PCO shall be applied and enforced fairly and consistently. The city shall provide adequate notice to affected property owners to resolve conditions and the city may provide resources to assist property owners with compliance as they are available.



Property Care Standards

Draft Standards

Property Standard: Provide for and eliminate conditions of: Refuse-Recycling, Debris, Inoperable-Equipment, Hazard, Attractive Nuisance, for Health and Safety;

- Provide adequate capacity for refuse and recycling containers, providing additional capacity as required to protect health and safety.
- Eliminate debris accumulation that harbors pests, deteriorates conditions, presents a fire danger, and impacts health and safety.
- Remove inoperable equipment, vehicles & appliances that contributes to debris, hazard, safety and/or as an attractive nuisance to protect health and safety.
- Eliminate hazards on the property and encroaching hazards that impact health and safety.
- Remove invasive and noxious weeds
- Provide proper posting of no trespassing



Property Care Standards

Draft Standards

Buildings and Structures Standard: Provide for and eliminate conditions of Abandonment, Security, Deterioration, Attractive Nuisance, for Health and Safety;

- Resolve both visual and physical signs of vacancy of buildings and structures that invites issues as an attractive nuisance and/or criminal activities impacting health and safety. *NOTE: See appendix for recommended securing of a building or structure.*
- Provide security for buildings and structures that prevents unauthorized entry to a building or structure that impacts health and safety.
- Provide remedies to deterioration of a building or structure that threatens its longevity and/or impacts health and safety.
- Provide proper posting of no trespassing.



Property Care Standards

Draft Standards

Exemptions

It shall be the sole discretion of the City of Flagstaff to suspend enforcement of these standards due to circumstances beyond the control of the property owner, such as community events, natural disasters, fires, flooding and managing through recovery.



Property Care Standards

Appendix

Recommendations for securing of buildings and structures: Repair, secure, remove and properly dispose of deteriorated materials, which indicate an appearance of abandonment visible from street frontage.

Recommendation for preventing building and structure deterioration: Provide remedies to the deterioration of a building that threatens its longevity and allows for continued safe and future healthy habitation. Repair, secure, replace and properly dispose of deteriorated materials.

Recommendations for Posting & Security: Vacant property owners are responsible for security of and addressing problems associated with their property.

Weed Management Guidance: Invasive weeds are plants that establish, persist, and spread widely outside the plant's native range, causing environmental and often economic damage.



Property Care Standards

City Code

- Title 4 Building Regulations
- Title 5 Fire Code
- Chapter 6-04 Nuisances (abandoned buildings)
- Chapter 6-06 Littering
- Chapter 6-07 Abandoned Vehicles
- Chapter 7-01-001-0008 Collection Practices
- Chapter 7-04-001-0007 Storing or placement of Solid Waste and Recyclables
- Chapter 7-10 Graffiti Abatement
- Chapter 8-04 Trees and Shrubbery
- Chapter 8-13 Prohibition on Use of Right-of-Way
- Chapter 10-50.50.040 General Fencing and Screening Standards (refuse & recycling containers)
- Chapter 10-50.60.080 Maintenance (required landscaping)
- Chapter 10-50.80.030 General Parking Standards (unregistered & inoperable vehicles)
- Chapter 13-18-005 Maintenance (adjacent public right-of-way)



Property Care Standards

Next Steps

How would City Council like to proceed?

1. Prepare an ordinance with the new Property Care Standards
 - Rely on current code for compliance standards
 - Continue to review and improve current code
2. Prepare traditional PMO – repeal and replace
3. Continue with current City Code