

ORDINANCE NO. 2011- 08

AN ORDINANCE OF THE TOWN OF CAREFREE, MARICOPA COUNTY, ARIZONA, ADOPTING AMENDMENTS TO THE TOWN OF CAREFREE ZONING ORDINANCE AMENDED THROUGH MARCH 1, 2011, ARTICLE VII SIGNS PERMITTED; PROVIDING FOR REPEAL OF CERTAIN PROVISIONS OF THE TOWN OF CAREFREE ZONING ORDINANCE; PROVIDING FOR SEPARABILITY, ADOPTION AND APPROVAL BY THE MAYOR AND COMMON COUNCIL OF THE TOWN AS REQUIRED BY LAW AND DIRECTING THE TOWN CLERK OF THE TOWN OF CAREFREE TO INCORPORATE THIS AMENDMENT INTO THE TOWN OF CAREFREE ZONING ORDINANCE.

BE IT ORDAINED BY THE MAYOR AND COMMON COUNCIL OF THE TOWN OF CAREFREE, MARICOPA COUNTY, ARIZONA, AS FOLLOWS:

Section 1: That certain document known as "The Town of Carefree Zoning Ordinance, amended through March 1, 2011, is hereby amended as stated below in Section 4 (the "Amendments"), in order to (1) conserve and promote the public health, safety and general welfare; (2) promote economic viability and assist businesses within the Commercial and Garden Office Zoning Districts as requested by many such business owners; and (3) at the same time, improve the visual environment for the citizens of and visitors to the Town of Carefree.

Section 2: The amended copy shall be known as "The Town of Carefree Zoning Ordinance, amended through January 3, 2012" and is hereby declared to be a public record. Three copies of said amendment are hereby placed and ordered to remain on file in the Office of the Town Clerk.

Section 3: All ordinances and portions of ordinances in conflict with the provisions of this Ordinance, or inconsistent with the regulations of this Ordinance, are hereby repealed to the extent necessary to give this Ordinance full force and effect.

Section 4: The Amendments are made to Article VIII. Signs Permitted of the Town of Carefree Zoning Ordinance, adopted March 2, 2004 and amended through March 1, 2011 as follows (added language is shown in **BOLD CAPITALIZED**, deleted language is shown ~~crossed out~~).

Article VIII. SIGNS PERMITTED

Section 8.03. ADDITIONAL REQUIREMENTS AND CLARIFICATIONS

(1) – (11) No changes.

(12) SIDEWALK SIGNS shall require a temporary sign permit, comply with all provisions of Article VIII, and meet the following standards (Ord. #2010-06, #2010-11, #2011- 08):

- (A) A sidewalk sign shall only be allowed when a banner sign is not feasible, as determined by the Zoning Administrator. However, ~~between September 30, 2010 and January 31, 2012~~ **JANUARY 31, 2012 TO DECEMBER 31, 2013**, a sidewalk sign may be permitted by the Zoning Administrator in his discretion and without regard to whether or not a banner sign is feasible if provisions (B) through (H) hereafter are met; no banner sign is used; a temporary sign permit application is completed; and a flat administrative fee of \$15 for ~~September 30, 2010~~ **JANUARY 31, 2012 TO DECEMBER 31, 2013** to ~~January 31, 2012~~ time period is paid to the Town.
- (B) Each sidewalk sign must be removed at close of each business day.
- (C) No more than (1) sidewalk sign is allowed for each business.
- (D) Sidewalk signs shall be constructed as follows:
 - 1) Of a minimum one-half (½) inch high density exterior grade compressed wood, including but not limited to Omega or Medium Density Overlay board.
 - 2) Of sufficient weight so as to resist wind gusts, storms, etc.
 - 3) Sidewalk signs shall not be constructed of paper, poster board, or cardboard.
- (E) A sidewalk sign shall be placed on the subject property in which the business is located.
- (F) A sidewalk sign shall not obstruct any pedestrian walkway or public right-of-way.
- (G) The maximum allowed size shall be three and one-half (3.5) feet high and two and one-half (2.5) feet wide.
- (H) No sidewalk sign shall be illuminated.


Section 5. If any section, subsection, sentence, clause, phrase or portion of this Ordinance or any part of the amendments of this Ordinance is for any reason held to be invalid or unconstitutional by the decision of any

court of competent jurisdiction, such decision shall not affect the validity of the remaining portions thereof.


PASSED AND ADOPTED by the Common Council of the Town of Carefree, Arizona this 10th day of January, 2012.

Ayes 6 Noes 0 Abstentions 1 Absent 0


TOWN OF CAREFREE,
An Arizona Municipal Corporation


David Schwan, Mayor

ATTEST:


Elizabeth L. Wise, Town Clerk

APPROVED AS TO FORM:


Michael W. Wright, Town Attorney