

ORDINANCE NO. 2013-07

AN ORDINANCE OF THE TOWN OF CAREFREE, MARICOPA COUNTY, ARIZONA, ADOPTING AMENDMENTS TO CHAPTER 11 STREETS AND PUBLIC WAYS, ARTICLE 11-3, SECTION 11-3-3 OF THE CODE OF THE TOWN OF CAREFREE, ARIZONA, CONCERNING REGULATIONS FOR POSTING OPEN HOUSE SIGNS IN THE TOWN OF CAREFREE RIGHT-OF-WAYS; PROVIDING FOR REPEAL OF CERTAIN PROVISIONS OF THE TOWN CODE; PROVIDING FOR SEPARABILITY; PROVIDING FOR THE EFFECTIVE DATE; 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 CODE OF THE TOWN OF CAREFREE.

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

Section 1: The Mayor and Common Council deem it necessary, in order to conserve, promote, and protect the public health, safety and welfare, to amend that certain document known as the Code of the Town of Carefree, Arizona.

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in conflict with the provisions of this Ordinance, or inconsistent with the regulations of this Ordinance, are hereby repealed to the extent necessary to give this Ordinance full force and effect.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 Chapter 11 Streets and Public Ways, Article 11-3, Section 11-3-3 of the Town of Carefree Code, Amended as follows (additions are shown in **BOLD** and **CAPITALIZED**, and deleted language is ~~crossed-out~~):

## Chapter 11 Streets and Public Ways

### Article 11-3-3 Regulations Pertaining to Posting of Other Signs

A person may erect, place or post in the town rights-of-way ~~up to two, or in the case of any subdivision, such greater number as the zoning administrator may allow,~~ temporary "open house" signs **SUBJECT TO THE FOLLOWING PROVISIONS:** ~~provided that:~~

- A. Such "open house" signs **SHALL** conform with the format, content and posting requirements of **ARTICLE VIII, SECTION 8.03(12)** ~~Sections 402-3) d) or e)~~ of the ~~1987~~ **2004** Amended Zoning Ordinance for the Town of Carefree, or any successor provision.

B. The owner of the property advertised by THE "OPEN HOUSE" such sign(S), or THEIR his selling broker OR REPRESENTATIVE, shall OBTAIN have applied for a permit to post THE such "OPEN HOUSE" sign(S) on THE a dateS and at a location specified in the PERMIT application and shall have a paid a fee of five dollars per sign per 30 day period for the privilege of posting such sign, AND SHALL PAY A FEE EQUAL TO \$5.00 PER SIGN FOR EACH 30-DAY INCREMENT, NOT TO EXCEED ONE YEAR.

~~C. The town zoning administrator shall have issued a permit in writing for the posting of such sign pertaining to a specific property identified in such permit on the days specified in such permit.~~

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.

Section 6: This Ordinance and stated amendments shall become effective and in full force and effect thirty (30) days from and after the date of its adoption.

Section 7: The Town Clerk of the Town of Carefree shall incorporate the Amendment set forth herein in to the Town Code of the Town of Carefree, Arizona.


PASSED, ADOPTED AND APPROVED BY THE MAYOR AND COMMON COUNCIL OF THE TOWN OF CAREFREE, ARIZONA, this 5<sup>th</sup> day of November, 2013.

Ayes 7 Noes 0 Abstentions 0 Absent 0


TOWN OF CAREFREE

  
David Schwan, Mayor

Attest:

  
Kandace French, Town Clerk

Approved as to Form:

  
Mike Wright, Town Attorney