

ORDINANCE NO. 739

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COTTONWOOD, ARIZONA, DECLARING THAT DOCUMENT ENTITLED “2023 CODE AMENDMENTS – FLOODPLAIN MANAGEMENT” TO BE A PUBLIC RECORD; AMENDING TITLE 18 (ZONING AND LAND USE), BY AMENDING CHAPTER 18.08 (FLOODPLAIN MANAGEMENT); PROVIDING FOR THE REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR PENALTIES.

WHEREAS, A.R.S. § 48-3610 authorizes a municipality to adopt regulations in conformance with A.R.S. § 48-3609 to promote the public health, safety, and general welfare of its citizens; and

WHEREAS, the City of Cottonwood adopted regulations in conformance with A.R.S. § 48-3609 in 1987 and has from time to time updated those regulations to maintain conformity with changes in state law; and

WHEREAS, the City’s Public Works Department has determined in consultation with state regulatory authorities that certain updates to the City’s floodplain management regulations are appropriate and necessary at this time.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Cottonwood, Arizona, as follows:

Section 1. That certain document known as “2023 Code Amendments – Floodplain Management” one paper copy and one electronic copy of which shall remain on file in the office of the City Clerk, is hereby declared to be a public record.

Section 2. That the Cottonwood Municipal Code is hereby amended by adoption of the amendments set forth in “2023 Code Amendments – Floodplain Management,” said document having been declared a public record.

Section 3. Providing for Repeal of Conflicting Ordinances.

All ordinances or parts of ordinances in conflict with the provisions of this ordinance, or any parts hereof, are hereby repealed.

Section 4. Providing for Severability.


If any section, subsection, sentence, clause, phrase, or portion 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 5. Providing for Penalties.


A violation of this ordinance is a class 2 misdemeanor and upon conviction shall be punishable as provided for in Cottonwood Municipal Code Sections 1.10.010 and 18.08.03.

INTRODUCED AND TENTATIVELY APPROVED by the City Council of the City of Cottonwood, Arizona this 5th day of December, 2023.

ATTEST:

DocuSigned by:



Tami Mayes, City Clerk

DocuSigned by:



Mayor Tim Elinski

PASSED AND ADOPTED by the City Council of the City of Cottonwood, Arizona this 19th day of December, 2023.

ATTEST:

DocuSigned by:


Tami Mayes, City Clerk

DocuSigned by:


Mayor Tim Elinski


CERTIFICATION

I HEREBY CERTIFY that the above and foregoing Ordinance No. 739 was duly passed and adopted by the City Council of the City of Cottonwood, Arizona, at a regular meeting held on the 19th day of December, 2023, and that a quorum was present thereat.

DocuSigned by:


Tami Mayes, City Clerk

APPROVED AS TO FORM:

DocuSigned by:


Jenny J. Winkler, City Attorney

Published in the _____ on: