

ORDINANCE 614

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF BENSON, ARIZONA, REPEALING PARAGRAPH (G) OF THE SUBSECTION ENTITLED “EXEMPTIONS AND SPECIAL USE” OF SECTION 15 OF THE CITY OF BENSON ZONING REGULATIONS AND REPEALING ORDINANCE 529

WHEREAS, the Mayor and Council have previously adopted a set of provisions regulating the use of land within the City to protect the general health, safety, and welfare of residence of the City and members of the public, and the aggregated set of regulations is designated as the City’s Zoning Regulations; and

WHEREAS, the Mayor and Council have from time to time amended its Zoning Regulations, including in 2008 by adopting Ordinance 529, which Ordinance adopted certain restrictions regarding the placement and maintenance of temporary political signs; and

WHEREAS, beginning in 2011 and continuing through the last Legislative Session, the State Legislature has amended State Law regarding the placement and maintenance of political signage, including through changes to A.R.S. § 16-1019; and

WHEREAS, the restrictions enacted as Paragraph (g) of the subsection entitled “Exemptions and Special Use” of Section 15 of the City Zoning Regulations has been inconsistent with State Law and accordingly has not been enforced for several election cycles; and

WHEREAS, the Mayor and Council of the City of Benson have reviewed Paragraph (g) of the subsection entitled “Exemptions and Special Use” of Section 15 of the City Zoning Regulations and find that repealing that section is in the best interest of the City and its residents, including to eliminate any confusion about what restrictions govern the placement and maintenance of political signage within the City.

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF BENSON, ARIZONA:

Section 1: Paragraph (g) of the subsection entitled “Exemptions and Special Use” of Section 15 of the City Zoning Regulations is hereby repealed in its entirety and shall be replaced with the following advisement: “Please refer to laws adopted by the State of Arizona regarding the placement and maintenance of political signs.”

Section 2: If any section, subsection, sentence, clause, phrase or portion of this Ordinance or any part 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 3: All previously adopted ordinances and portions of ordinances in conflict with the provisions of this Ordinance are hereby repealed, including Ordinance 529.

Section 4: The City Clerk is hereby directed to publish this Ordinance upon adoption as required by A.R.S. § 9-812.

PASSED AND ADOPTED BY THE MAYOR AND COUNCIL OF THE CITY OF BENSON, ARIZONA, this 14th of February, 2022.



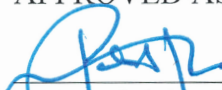
JOE A. KONRAD, Mayor

ATTEST:



VICKI L. VIVIAN, CMC, City Clerk

APPROVED AS TO FORM:



DeConcini, McDonald, Yetwin & Lacy, PC
By Paul A. Loucks
City's Attorney