

**NOTICE OF THE SPECIAL MEETING OF THE
PIMA TOWN COUNCIL
SEPTEMBER 7, 2023**

Pursuant to A.R.S. §38- 431.02, notice is hereby given to the members of the Town Council of the Town of Pima and the general public that the Town Council will hold its meeting on **Thursday, September 7, 2023, beginning at 7:00pm, in the Pima Town Hall located at 110 W Center, Pima, Arizona 85543**

Call to Order:

Prayer:

Pledge of Allegiance:

Those Present:

**Approval of Minutes of the Regular Town Meeting held August 8, 2023.
Action**

CALL TO THE PUBLIC

Please submit a Request to the Town Council. The Council will hear brief comments (3min.) from the general public, and can respond to criticism, ask staff to review a matter or direct staff to include the matter on a future agenda.

DECLARATION ON CONFLICT OF INTEREST

The council members and staff have a right to declare a conflict of interest. The declaration of a conflict of interest must be made prior to discussion of any agenda item in which Council members or staff members determine they have a conflict of interest.

COUNCIL BUSINESS:

- 1. Discussion and possible action regarding the Heritage House: (Vernon B.)**
- 2. Discussion and possible action regarding Chip Sealing: (Vernon B.)**
- 3. Discussion and approval regarding amending Section 12-3-8, 12-3-9, 12-3-10, 12-3-11 of the Town Code (Manufactured Homes, Mobile Homes, and RV Parks): 2nd Reading: (Jimmie L.)**
- 4. Discussion and approval regarding amending Section 7-1-2 of the Town Code (Building Code): 2nd Reading: (Jimmie L.)**
- 5. Discussion regarding amending Section 12-3-3.B.5 of the Town Code (Multi Family Dwellings): 1st Reading: (Jimmie L.)**

6. **Discussion regarding adding Article 12-4-11 to the Town Code (Septic Tanks): 1st Reading:** (Jimmie L.)
7. **Discussion regarding amending Article 12-5 of the Town Code (Manufactured Homes, Mobile Homes and RV Parks): 1st Reading:** (Jimmie L.)

Pursuant to (A.R.S. §38-431.03(A)(3), the Council may vote to recess into executive session for discussion. No action will be taken during the executive session.

DEPARTMENT BUSINESS:

CITY SERVICES
SANITATION
PUBLIC WORKS
EMERGENCY SERVICES
BUILDING PERMIT REPORT

CONSENT AGENDA:

MANAGER'S REPORT
A. Pima High School

FINANCIAL REPORT
PLANNING AND ZONING
POLICE REPORT
LIBRARY REPORT
FIRE DEPARTMENT
COUNCIL REPORT

ADJOURNMENT:

***Section 504 of the Rehabilitation Act & Title II of the Americans with Disabilities Act prohibits discrimination based on disability in public meetings. Individuals with disabilities who need a reasonable accommodation to participate in these meetings, or who require this information in an alternate format, may call the Town of Pima at 485-2611 or TDD (928) 428-0778, as soon as possible to allow sufficient time to arrange for the accommodation.

**NOTICE OF THE REGULAR MEETING MINUTES OF THE
PIMA TOWN COUNCIL
AUGUST 8, 2023**

Pursuant to A.R.S. §38-431.02, notice is hereby given to the members of the Town Council of the Town of Pima and the general public that the Town Council will hold its meeting on **Tuesday, August 8, 2023, beginning at 7:00pm, in the Pima Town Hall located at 110 W Center, Pima, Arizona 85543**

Call to Order: Brian P. 7:03pm

Prayer: Lucas H.

Pledge of Allegiance: Sherrill T.

Those Present: Vernon B., Jon P.(via phone), Brian P., C.B. Fletcher, Teresa B., Sherrill T., Lucas H.

**Approval of Minutes of the Regular Town Meeting held July 11, 2023. Action
Motion to approve minutes from meeting held July 11, 2023 by: Sherrill T. 2nd: C.B.
Fletcher Vote: unanimous**

CALL TO THE PUBLIC - NONE

Please submit a Request to the Town Council. The Council will hear brief comments (3min.) from the general public, and can respond to criticism, ask staff to review a matter or direct staff to include the matter on a future agenda.

DECLARATION ON CONFLICT OF INTEREST - NONE

The council members and staff have a right to declare a conflict of interest. The declaration of a conflict of interest must be made prior to discussion of any agenda item in which Council members or staff members determine they have a conflict of interest.

C.B. Fletcher took a moment to recognize Dennis Lunt with his passing on August 4, 2023, for his 24 years of service and employment with The Town of Pima. He mentioned his great work ethic, and how valuable he was to The Town. He was dependable, always jolly, and did a great job. Everyone participated in a moment of silence on behalf of Dennis Lunt.

COUNCIL BUSINESS:

- 1. Presentation and update on the new Pima High School: (Sean R.)
Sean presented the layout of the new school and projected the project to be done the summer of 2025.**
- 2. Discussion and possible action regarding spending money for a new Skid Steer:
(Jimmie L.)**

Motion to approve the purchase of a new Skid Steer up to \$40,000 as budgeted by: Teresa B. 2nd: C.B. Fletcher Vote: unanimous

- 3. Discussion and approval regarding adding Section 12-3-8, 12-3-9, 12-3-10 to Town Code: 1st Reading: (Jimmie L.)
Jimmie explained these sections are all additions, they do not currently exist.**
- 4. Discussion and approval regarding adding to Section 7-1-2 to Town Code: 1st Reading: (Jimmie L.)
Jimmie explained that this Section 7-1-2 has been an ordinance #53 in 1970 and ordinance #79 in 1984, but wanted to revisit it to put it into current Town Code.**
- 5. Discussion and approval regarding Trip Canyon Road Railroad Crossing AZER (Arizona Eastern Railway)-ADOT IGA : (Vernon B.)
Motion to approve Resolution 2023-12 for the ADOT IGA pertaining to Trip Canyon Road Railroad Crossing with the cost modified from the amount of 300,000.00 to 1,000,000.00 by: C.B. Fletcher 2nd: Sherrill T. Vote: unanimous**
- 6. Discussion and approval regarding Patterson Mesa Road Railroad Crossing AZER-ADOT IGA
Motion to approve Resolution 2023-11 for the ADOT IGA pertaining to Patterson Mesa Road Railroad Crossing by: C.B. Fletcher 2nd: Lucas H. Vote: unanimous**
- 7. Discussion and approval regarding the Rural Surface Transportation Grant: (Vernon B.)
Vernon explained that he received information from the administrator of this particular grant and that we will not be competitive for it after all, but will be applying for a Smart Funds Grant through ADOT instead.**
- 8. Discussion and approval regarding Town Funds Investments: (Vernon B.)
Motion to approve Vernon to reinvest Town Funds for 3 more months by: Lucas H. 2nd: Sherrill T. Vote: unanimous**
- 9. Discussion and possible decision: Seeking legal advice for possibility of providing collateral for the building of a new Circle K and Town Matters. (Vernon B.)
Motion to adjourn into executive session by: Sherrill T. – 8:02pm 2nd: Lucas H. Vote: unanimous**

Motion to adjourn executive session by: Sherrill T. 2nd: Teresa B. Vote: 4-0 (Lucas H. was not present)

Pursuant to (A.R.S. §38-431.03(A)(3), the Council may vote to recess into executive session for discussion. No action will be taken during the executive session.

DEPARTMENT BUSINESS:

CITY SERVICES
SANITATION
PUBLIC WORKS
EMERGENCY SERVICES
BUILDING PERMIT REPORT

CONSENT AGENDA:

MANAGER'S REPORT

- A. Update on Soccer Fields – **moving along**
- B. CDBG – **moving forward**
- C. Heritage House
- D. Graham Economic Partnership **-planning to have a presentation next month**
- E. Grants **-several in the works**

FINANCIAL REPORT

PLANNING AND ZONING

POLICE REPORT – **doing well**

LIBRARY REPORT – **after school program starts next week**

FIRE DEPARTMENT

COUNCIL REPORT

ADJOURNMENT: Motion to adjourn by: Sherrill T. 9:07pm 2nd: Lucas H. Vote: unanimous

***Section 504 of the Rehabilitation Act & Title II of the Americans with Disabilities Act prohibits discrimination based on disability in public meetings. Individuals with disabilities who need a reasonable accommodation to participate in these meetings, or who require this information in an alternate format, may call the Town of Pima at 485-2611 or TDD (928) 428-0778, as soon as possible to allow sufficient time to arrange for the accommodation.

**Memorandum of
Understanding between
the**

**City of Safford (the "City"), The Town of Thatcher
("Thatcher"), the Town of Pima ("Pima"), Graham
County (the "County") and the Gila Valley
Samaritan Home (501 c3) ("GVSH").**

This Memorandum of Understanding ("MOU") by and between the City of Safford a political subdivision of the State of Arizona ("City"), the Town of Thatcher a political subdivision of the State of Arizona ("Thatcher"), the Town of Pima ("Pima") a political subdivision of the State of Arizona, Graham County ("County") a political subdivision of the State of Arizona and Gila Valley Samaritan Home 501 c3 ("GVSH"), a nonprofit corporation in the State of Arizona, is dated as of September 11, 2023 (the "Effective Date").

RECITALS

Whereas, the above-named participants believe in maintaining a strong sense of community; and

Whereas, the above-named believe that being proactive in addressing community issues is an effective strategy for providing residents with a high quality of life; and

Whereas, the above-named believe that it is important to cultivate and utilize interorganizational resources and partnerships that allow individual entities to further leverage resources in pursuit of the above-mentioned goals; and

Whereas, the above-named participants are authorized pursuant to A.R.S. Section 9-500.11 to spend public monies to fund a project to assist in enhancing the welfare of the inhabitants of the Gila Valley; and

Whereas, the above-named participants believe that that utilizing those resources to support those most in need in our community is a high priority.

Now therefore, in furtherance of the recitals set forth above, the above-named participants agree to the following terms and conditions.

AGREEMENT

1. This agreement is being provided in support of a Gila Valley Samaritan Home initiative (the “**Project**”) through the cooperative efforts of the “**City**”, the “**County**”, “**Pima**”, “**Thatcher**” and the “**GVSH**” in order to make the facility available for transient persons to obtain relief from the elements and receive support services. The “**Project**” is located at located at 114 W 5th Street, Safford, Arizona 85546 (map attached).

2. The “**City**”, “**Pima**” and “**Thatcher**” shall cover the cost of utilities for the “**Project**”, to include water, wastewater, gas, electric and trash pickup. Costs will be split 33% for the “**City**” and “**Pima**” and “**Thatcher**”. The “**City**” shall provide a copy of the total monthly utility bill that will be used to calculate the 33% cost breakout.

Commented [BS1]: Here the city is paying for utilities.

3. The “**City**” and “**Thatcher**” agree to make a one-time contribution of \$5,000 each (\$10,000 total) in support of “**Project**” startup costs.

4. The “**County**” has contributed \$250,000 to the project to cover building renovations and repairs as well the purchase of appliances, furniture, and equipment.

5. “**GVSH**” shall be responsible for staffing and operating the facility Monday through Friday from 9:00 a.m. to 5:00 p.m. Hours may vary in observance of federally recognized holidays.

6. Termination of this Agreement.

- a. The “**City**”, “**Thatcher**”, “**Pima**”, “**GVSH**” and the “**County**” reserve the right to terminate this agreement with 30 days’ notice, without cause.

7. Modification/Waiver. No modification, waiver, amendment, discharge or change of this MOU shall be valid unless the same is in writing and signed by the parties.

8. Attorneys’ Fees. In the event any party commences litigation for the judicial interpretation, enforcement, termination, cancellation or rescission hereof, or for damages for the breach hereof, then, in addition to any or all other relief awarded in such litigation, the prevailing party therein, as determined by the Court, shall be entitled to a judgment against the other party or parties for an amount equal to reasonable attorneys’ fees and court and other costs incurred, in such amount as may be determined by the Court.

9. Jurisdiction/Venue. Any action, suit or proceeding arising out of, based on or in connection with this MOU may be brought only in the Superior Court of the State of Arizona located in Graham County, Arizona (the “**Court**”). Each party covenants and agrees not to assert, by way of motion, as a defense or otherwise, in any such action, suit or proceeding, any claim that it is not subject to the jurisdiction of any such Court, that the action, suit or proceeding is brought in an inconvenient forum, that the venue of the action, suit or proceeding is improper, or that this MOU or the subject matter hereof may not be enforced in or by the Court. In the event a party is required to respond to a party seeking to challenge jurisdiction described in this Section 8, the responding party shall be entitled to recover its reasonable attorneys’ fees and costs.

Commented [BS2]: This implies that individuals could be personally liable.

10. Governing Law. This MOU shall be construed and enforced in accordance with the laws of the State of Arizona.

11. Counterparts. This MOU may be executed in any number of counterparts, each shall be deemed to be an original, and all of them together shall be deemed to be one and the same instrument; and this MOU shall become effective upon its execution by all parties. The signatures required for execution may be transmitted by facsimile, and the facsimile signature shall be deemed a duplicate original, shall be effective upon receipt, may be admitted in evidence, and shall fully bind the party and person making the signature.

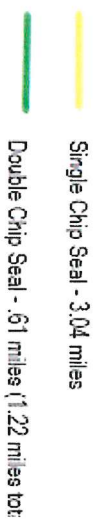
12. Severability. It is understood and agreed that the foregoing provisions shall be binding upon the Parties hereto, unless it shall be determined that any of said provisions are contrary to the prevailing laws of the State of Arizona, and in the event any such provision is determined to be contrary to the laws of the State of Arizona, it is the intention of the parties that this MOU is severable and that the remaining provisions of the MOU shall remain in full force and effect.

13. Binding Effect. This MOU shall be binding upon and inure to the benefit of the parties and their successors and assigns, including their respective councils, officers, employees, attorneys, and insurers.

14. Arbitration. Any dispute concerning this Agreement or the interpretation or application thereof, will be resolved solely by arbitration in Graham County, Arizona, by an arbitrator mutually acceptable to the parties. If the parties are not able to agree upon such arbitrator, the parties will request the Graham County Superior Court to appoint an arbitrator. If Graham County Superior Court is unable to appoint such arbitrator, the parties will request the Maricopa County Superior Court to appoint an arbitrator pursuant to Employee Arbitration Rules, of the American Arbitration Association.

15. Indemnity If a Claim or Claims by third parties become subject to this indemnity provision, the parties to this IGA shall expeditiously meet to discuss a common and mutual defense, including possible proportionate liability and payment of possible litigation expenses and damages. The obligations under this Section 4 shall survive termination of this IGA.

IN WITNESS WHEREOF, the Parties have executed this MOU the day and year first above written.



ORDINANCE NO. 2023-02

AN ORDINANCE OF THE COUNCIL OF THE TOWN OF PIMA, ARIZONA, AMENDING THE TOWN OF PIMA CODE CHAPTER 12 ZONING, ARTICLE 12-3 ESTABLISHMENT OF ZONES BY ADDING SECTIONS 12-3-8 MANUFACTURED HOME PARKS RELATED TO THE REGULATION OF DEVELOPMENT STANDARDS APPLICABLE TO MANUFACTURED HOME PARKS AND MANUFACTURED HOMES; 12-3-9 RECREATIONAL VEHICLE (RV) PARKS RELATED TO DEVELOPMENT STANDARDS FOR AN RV PARK; 12-3-10 MISCELLANEOUS RECREATIONAL VEHICLE (RV) REGULATIONS RELATED TO ADDITIONAL RV REGULATIONS; AND 12-3-11 DEFINITIONS; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY AND PROVIDING FOR PENALTIES.

WHEREAS, the Town Council of the Town of Pima has determined it is in the Town's best interest to amend the Town Code by amending Sections 12-3-8 MANUFACTURED HOME PARKS related to the regulation of development standards applicable to manufactured home parks and manufactured homes; 12-3-9 Recreational Vehicle (RV) Parks related to development standards for an RV park; 12-3-10 Miscellaneous Recreational Vehicle (RV) Regulations related to additional RV regulations; and 12-3-11 Definitions;

WHEREAS, in accordance with Article II, Sections 1 and 2, Constitution of Arizona, and the laws of the State of Arizona, the Town Council has considered the individual property rights and personal liberties of the residents of the Town and the probable impact of the proposed ordinance on the cost to construct housing for sale or rent before adopting this ordinance;

NOW THEREFORE, BE IT ORDAINED by the Town Council of the Town of Pima, Arizona, as follows:

Section I. In General.

The Pima Municipal Code, Title 12, Zoning, Article 12-3 Establishment of Zones is hereby amended by amending Section 12-3-8 Manufactured Home Parks, to read as follows (new text in ALL CAPS):

SECTION 12-3-8 MANUFACTURED HOME PARKS

12-3-8.1 DEVELOPMENT STANDARDS MANUFACTURED HOMES PARKS. THE FOLLOWING DEVELOPMENT STANDARDS SHALL APPLY TO MANUFACTURED HOMES PARKS AND MANUFACTURED HOMES LOCATED IN THEM.

12-3-8.1A MINIMUM SITE SIZE: TWO ACRES (87,120 SQUARE FEET).

12-3-8.1B MAXIMUM DENSITY: EIGHT (8) MANUFACTURED HOMES PER ACRE; PROVIDED, HOWEVER, THAT THE MANUFACTURED HOMES MAY BE CLUSTERED WITHIN THE

MANUFACTURED HOME PARK AS LONG AS THE OVERALL DENSITY DOES NOT EXCEED EIGHT (8) MANUFACTURED HOMES PER ACRE.

12-3-8.1C ROADS, DRIVEWAYS, AND ENTRANCES: ALL STREETS AND DRIVEWAYS SHALL BE OF ALL-WEATHER CONSTRUCTION IN COMPLIANCE WITH TOWN STANDARDS. NO ENTRANCE TO A MANUFACTURED HOME PARK SHALL BE LOCATED CLOSER THAN 50 FEET TO THE INTERSECTION OF TWO STREETS.

12-3-8.1D LOCAL DRAINAGE: THE GROUND SURFACE IN ALL PARTS OF THE MANUFACTURED HOME PARK SHALL BE GRADED AND EQUIPPED TO DRAIN ALL SURFACE WATER IN A SAFE AND EFFICIENT MANNER.

12-3-8.1E UTILITIES: MAJOR UTILITIES (WATER, SEWAGE, DISPOSAL, GAS, AND ELECTRICITY) SHALL BE PROVIDED TO EACH INDIVIDUAL MANUFACTURED HOME SPACE, EITHER THROUGH PUBLIC OR PRIVATE UTILITY COMPANIES OR PROVIDED FOR AND MAINTAINED BY THE PARK OWNER.

12-3-8.1F APPEARANCE OF ACCESSORY BUILDINGS: THE OUTSIDE MATERIAL OF ALL STORAGE AND ACCESSORY BUILDINGS SHALL BE CONSTRUCTED OF MATERIALS WHICH DO NOT DISTRACT FROM THE APPEARANCE OF THE MANUFACTURED HOME.

12-3-8.1G OPEN STORAGE PROHIBITED: OPEN STORAGE OF MATERIALS OR BELONGINGS OTHER THAN BOATS AND VEHICLES IS PROHIBITED.

12-3-8.1H MINIMUM SETBACKS FOR INDIVIDUAL MANUFACTURED HOMES WITHIN A PARK (ATTACHED ACCESSORY STRUCTURES SUCH AS AN AWNING, STORAGE CABINETS, CARPORTS, ETC., WHICH ARE ATTACHED TO THE MANUFACTURED HOME SHALL BE CONSIDERED PART OF THE MANUFACTURED HOME):

- A. FRONT: TWENTY (20) FEET.
- B. SIDE: TEN (10) FEET.

12-3-8.1I LANDSCAPING: THE YARD OR AREA BETWEEN ANY MANUFACTURED HOME AND A PUBLIC STREET SHALL BE LANDSCAPED.

12-3-8.1J ONE HOME PER SPACE OR LOT: ONLY ONE MANUFACTURED HOME SHALL BE PERMITTED ON EACH DESIGNATED SPACE OR LOT WITHIN A MANUFACTURED HOME PARK, AND EACH SPACE OR LOT SHALL BE CLEARLY MARKED AT ITS CORNERS. EACH SPACE OR LOT SHALL BE ACCESSIBLE FROM AN APPROVED STREET OR ROAD.

12-3-8.1K PARKING: AT LEAST ONE OFF-STREET PARKING SPACE SHALL BE PROVIDED ON EACH LOT.

12-3-8.1L SCREENING: ALL MANUFACTURED HOME PARKS LOCATED ADJACENT TO INDUSTRIAL OR COMMERCIAL LAND USES SHALL PROVIDE WITH SCREENING, SUCH AS

FENCES OR NATURAL GROWTH, ALONG THE PROPERTY BOUNDARY LINE SEPARATING THE PARK AND SUCH ADJACENT NONRESIDENTIAL USES.

12-3-8.1M COUNTY HEALTH APPROVAL: ALL MANUFACTURED HOMES PARKS SHALL FIRST BE APPROVED BY THE COUNTY HEALTH OFFICER BEFORE A PERMIT IS ISSUED.

12-3-8.1N PROCEDURE FOR APPROVAL: A PERMIT REQUESTED THROUGH THE PLANNING AND ZONING COMMITTEE, WHO WILL THEN RECOMMEND FOR OR AGAINST TO THE TOWN COUNCIL TO APPROVE OR DISAPPROVE IS REQUIRED BEFORE WORK ON THE MANUFACTURED HOMES PARK CAN BEGIN. THE APPLICATION FOR THIS PERMIT SHALL INCLUDE:

- A. THE NAMES AND ADDRESSES OF THE APPLICANT, PROPERTY OWNER, DESIGNER, AND ENGINEER.
- B. LOCATION AND LEGAL DESCRIPTION OF THE MANUFACTURED HOME PARK;
- C. AREA AND DIMENSIONS OF THE TRACT OF LAND;
- D. THE NUMBER, LOCATION AND SIZE OF ALL SPACES OR LOTS, EACH OF WHICH SHALL BE NUMBERED WITH ALL DIMENSIONS SHOWN;
- E. THE LOCATION AND WIDTH OF ROADWAYS AND WALKWAYS;
- F. PLANS AND SPECIFICATIONS OF WATER SUPPLY, AND REFUSE AND SEWAGE DISPOSAL FACILITIES;
- G. THE LOCATION AND DETAIL OF LIGHTING AND ELECTRICAL SYSTEMS.

SECTION 12-3-9 RECREATIONAL VEHICLE (RV) PARKS

12-3-9.1 DEVELOPMENT STANDARDS FOR A RECREATIONAL VEHICLE "RV" PARK. THE FOLLOWING DEVELOPMENT STANDARDS SHALL APPLY TO A RECREATIONAL VEHICLE PARK:

12-3-9.1A NO EXIT OR ENTRANCE FROM AN RV PARK SHALL BE THROUGH A RESIDENTIAL ZONE AND NO ENTRANCE OR EXIT SHALL BE LOCATED CLOSER THAN 50 FEET TO THE INTERSECTION OF TWO STREETS;

12-3-9.1B ALL RECREATIONAL VEHICLES SHALL BE SET BACK AT LEAST 20 FEET FROM ANY PUBLIC STREET;

12-3-9.1C ALL ONE-WAY ROADWAYS SHALL BE AT LEAST 18 FEET IN WIDTH, AND ALL TWO-WAY ROADWAYS AT LEAST 30 FEET IN WIDTH AND ALL ROADWAYS SHALL BE HARD SURFACED;

12-3-9.1D EACH RECREATIONAL VEHICLE SPACE SHALL BE AT LEAST 30 FEET IN WIDTH AND AT LEAST 60 FEET IN LENGTH AND SHALL BE CLEARLY MARKED ON THE GROUND;

12-3-9.1E EACH RECREATIONAL VEHICLE PARK SHALL BE HELD IN ONE OWNERSHIP AND SHALL CONTAIN AT LEAST ONE ACRE OF LAND;

12-3-9.1F IN ADDITION TO THE ABOVE REQUIREMENTS, ALL RV PARKS SHALL ALSO CONFORM TO REQUIREMENTS OF THE PLUMBING CODE OF THE TOWN, AND TO THE REGULATIONS OF THE COUNTY AND STATE HEALTH DEPARTMENTS;

12-3-9.1G EXTERIOR BOUNDARIES OF THE TRAVEL TRAILER PARK SHALL BE BOUND BY A SOLID FENCE OR WALL HAVING A MINIMUM HEIGHT OF FIVE (5) FEET AND A MAXIMUM HEIGHT OF SIX (6) FEET.

12-3-9.1H NO MANUFACTURED HOMES OR SITE BUILT DWELLING UNITS SHALL BE PERMITTED EXCEPT FOR THAT OF THE OWNER/MANAGER.

12-3-9.1I NO PARK MODEL UNITS SHALL BE PERMITTED WITHIN AN RV PARK.

12-3-9.1J RV PARKS SHALL NOT BE USED AS PERMANENT RESIDENCES EXCEPT FOR THAT OF THE OWNER/MANAGER. ALL RECREATIONAL VEHICLES WITHIN AN RV PARK SHALL DISPLAY CURRENT LICENSE PLATES/TAGS AND SHALL NOT BE PARKED NOR OCCUPIED FOR MORE THAN 180 DAYS PER CALENDAR YEAR.

12-3-9.1K THERE SHALL BE A MAXIMUM DENSITY OF 20 SPACES PER NET ACRE.

12-3-9.1L THE MINIMUM WIDTH OF ANY RV SPACE SHALL BE 30 FEET. THERE SHALL BE A MINIMUM OF FIVE (5) FEET BETWEEN ADJOINING RECREATIONAL VEHICLES, INCLUDING ALL ATTACHED AWNINGS OR SHADE CANOPIES.

12-3-9.1M EACH RV PARK MUST PROVIDE AN ADEQUATE AND EASILY IDENTIFIABLE OFFICE OR REGISTRATION AREA. THE LOCATION OF THE OFFICE SHALL NOT INTERFERE WITH THE NORMAL FLOW OF TRAFFIC INTO AND OUT OF THE RV PARK.

12-3-9.1N RECREATIONAL VEHICLE PARK DEVELOPMENTS SHALL BE IMPROVED WITH PAVED PRIVATE STREETS BUILT TO TOWN SPECIFICATIONS. PRIVATE STREETS SHALL BE MAINTAINED BY THE PRIVATE OWNER OF THE RV PARK.

12-3-9.1O NO RV SPACE WITHIN THE PARK SHALL HAVE DIRECT ACCESS TO A PUBLIC STREET OUTSIDE OF THE DEVELOPMENT.

12-3-9.1P AN APPROVED PERIMETER WALL SHALL BE CONSTRUCTED AROUND THE ENTIRE RV PARK.

12-3-9.1Q EACH DESIGNATED SPACE IN THE PARK SHALL HAVE A CONCRETE SLAB FOR THE PARKING OF THE RV UNIT. THERE SHALL BE NO RV PARKING OTHER THAN ON THE PAVED

SURFACE AREA WITHIN THE DESIGNATED SPACE. THE CONCRETE SLAB SHALL DIRECTLY CONNECT TO THE PAVED STREET SYSTEM OF THE RV PARK.

12-3-9.1R EACH RV UNIT SHALL BE EQUIPPED WITH WHEELS, WHICH REMAIN ON THE UNIT; HOWEVER, THE WHEELS MAY BE BLOCKED FOR STABILITY.

12-3-9.1S NO PERMANENT ROOM ADDITION SHALL BE ATTACHED TO THE RV UNIT NOR SHALL THE UNIT BE ATTACHED TO ANY PERMANENT STRUCTURE.

12-3-9.1T RECREATIONAL AMENITIES SUCH AS SWIMMING, SHUFFLEBOARD, AND TENNIS AND/OR SOCIAL CENTERS, WHICH MAY BE USED FOR DANCING, CRAFTS, HOBBIES, GAMES, MEETING, BANQUETS, AND SIMILAR RECREATIONAL USES, INTENDED FOR USE SOLELY BY THE RESIDENTS OF THE PARK, SHALL BE DEVELOPED AND MAY BE OF CONVENTIONAL CONSTRUCTION.

12-3-9.1U RESTROOM AND SHOWER FACILITIES SHALL BE PROVIDED SEPARATELY FOR MEN AND FOR WOMEN. A COMMON USE LAUNDRY FACILITY SHALL BE PROVIDED AT A RATIO OF ONE (1) WASHER AND ONE (1) DRYER FOR EACH 20 SPACES OR FRACTION THEREOF.

12-3-9.1V EACH RV PARK SHALL BE MASTER METERED FOR BOTH ELECTRIC AND WATER/SEWER SERVICE. INDIVIDUAL LEASE SPACES SHALL BE DEVELOPED WITH A HOOK-UP TO THESE UTILITIES. ADDITIONALLY, EACH DEVELOPMENT SHALL PROVIDE AT LEAST ONE (1) APPROVED DISPOSAL SITE/PUMPING STATION FOR BOTH WATER AND SEWER HOLDING TANKS FOR THE RV UNITS.

12-3-9.1W ALL RV PARKS MUST HAVE AN APPROVED SEWER PRE-TREAT FACILITY IN PLACE BEFORE ENTERING TOWN SEWER SYSTEM.

SECTION 12-3-10 MISCELLANEOUS RECREATIONAL VEHICLE (RV) REGULATIONS

12-3-10.1 NO RV MAY BE USED AS A LIVABLE STRUCTURE IN ANY PART OF TOWN WITH THE EXCEPTION OF INSIDE AN APPROVED RECREATIONAL VEHICLE PARK.

12-3-10.1A A RECREATIONAL VEHICLE SHALL NOT BE CONNECTED INTO THE TOWN OF PIMA SEWER EXCEPT FOR INSIDE OF AN APPROVED RECREATIONAL VEHICLE PARK. (REFERENCE RESOLUTION 2023-06)

12-3-10.1B STORAGE OF LICENSED MOTOR HOMES, FARM TRAILERS, BOATS, TRAVEL TRAILERS, CAMPING TRAILERS, UTILITY TRAILERS, OR OTHER SUCH TRAILERS MAY BE PERMITTED IN ANY RESIDENTIAL DISTRICT PROVIDED THAT THE OWNER OF THE MOTOR HOME, FARM TRAILER, BOAT, TRAVEL TRAILER, CAMPING TRAILER, UTILITY TRAILER, OR OTHER SUCH TRAILER RESIDES ON THE PROPERTY TO WHICH IT IS STORED. SUCH VEHICLES, IF LOCATED OR STORED OUTSIDE OF A GARAGE OR BARN, MUST BE STORED IN

THE FOLLOWING MANNER: 1. THE VEHICLE/TRAILER SHALL BE STORED IN THE REAR OR SIDE YARD BEHIND THE FRONT LINE OF THE PRIMARY STRUCTURE. 2. THE VEHICLE/TRAILER SHALL NOT BE LOCATED CLOSER THAN THREE (3) FEET TO ANY SIDE OR REAR LOT LINE. 3. PLACEMENT IN OTHER THAN THE REAR OR SIDE YARD FOR LOADING AND UNLOADING PURPOSES MAY BE PERMITTED FOR A PERIOD NOT TO EXCEED 72 HOURS.

12-3-10.1C A RECREATIONAL VEHICLE MAY BE PARKED ON RESIDENTIAL PROPERTY FOR UP TO 14 DAYS FOR USE BY VISITORS TO THE PROPERTY OWNER. THE RV MAY NOT BE PARKED ON THE STREET OR TOWN RIGHT OF WAY DURING USE.

12-3-10.1D ALL RECREATIONAL VEHICLES SHALL HAVE CURRENT LICENSE PLATES/TAGS.

12-3-10.1E A RECREATIONAL VEHICLE MAY BE OCCUPIED IN A RESIDENTIAL AREA WHEN TEMPORARILY LOCATED ON A LOT ON WHICH A BUILDING IS BEING CONSTRUCTED, BUT NOT TO EXCEED ONE YEAR FROM DATE OF PERMIT ISSUANCE AND MAY NOT BE PLACED ON LOT UNTIL PERMIT IS APPROVED.

12-3-10.1F THE TOWN WILL NOT ACCEPT A GRANDFATHERED OR EXEMPTED CLAUSE AS A REASON FOR NOT FOLLOWING ANY OF THE ABOVE-MENTIONED REGULATIONS.

SECTION 12-3-11 DEFINITIONS

- A. RECREATIONAL VEHICLE (RV): A VEHICLE PRIMARILY DESIGNED AS TEMPORARY LIVING QUARTERS FOR RECREATIONAL, CAMPING, OR TRAVEL USE.
- B. RV PARK: A DESIGNATED AREA WHERE RECREATIONAL VEHICLES MAY PARK AND BE ACCOMMODATED WITH FACILITIES AND AMENITIES.
- C. PARK OPERATOR: THE PERSON OR ENTITY RESPONSIBLE FOR THE OPERATION AND MANAGEMENT OF THE RV PARK OR MANUFACTURED HOMES PARK.
- D. CAMPER: ANY INDIVIDUAL OR GROUP UTILIZING THE FACILITIES AND SERVICES OF THE RV PARK.
- E. MANUFACTURED HOME: A STRUCTURE BUILT ON A PERMANENT CHASSIS, DESIGNED FOR USE AS A SINGLE-FAMILY DWELLING, AND CONSTRUCTED IN A FACTORY IN ACCORDANCE WITH THE FEDERAL MANUFACTURED HOME CONSTRUCTION AND SAFETY STANDARDS.

F. MANUFACTURED HOMES PARK: A DESIGNATED AREA WHERE MANUFACTURED HOMES MAY BE LOCATED AND OCCUPIED WITH APPROPRIATE FACILITIES AND AMENITIES.

G. RESIDENT: ANY INDIVIDUAL OR HOUSEHOLD RESIDING IN A MANUFACTURED HOME WITHIN THE PARK.

Section II. Providing for Repeal of Conflicting Ordinances.

All ordinances and parts of ordinances in conflict with the provisions of this Ordinance or any part of the Code adopted herein by reference are hereby repealed.

Section III. Providing for Severability.

If any section, subsection, sentence, clause, phrase or portion of this Ordinance or any part of the Code adopted herein by reference, 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 IV. Providing for Penalties.

As stated in Article 1-8 Penalty, Any person found guilty of violating any provision of this code shall be guilty of a misdemeanor, and upon conviction thereof shall be punished.

PASSED AND ADOPTED by the Council of the Town of Pima, Arizona, this 7th day of September, 2023.

Brian Paull, Mayor

ATTEST:

Cody Marshall, Town Clerk

APPROVED AS TO FORM:

Jon Paladini, Town Attorney
Pierce Coleman PLLC

Number of Councilmembers Present: _____

Number of Votes For: _____

Number of Votes Against: _____

Number of Abstentions: _____

CERTIFICATION

I HEREBY CERTIFY that the foregoing Ordinance Number 2023-02 was duly passed and adopted by the Council of the Town of Pima, Arizona, at a special meeting held on the ____ day of _____, 2023, and that a quorum was present at the meeting.

Cody Marshall, Town Clerk

ORDINANCE NO. 2023-03

AN ORDINANCE OF THE COUNCIL OF THE TOWN OF PIMA, ARIZONA, AMENDING THE TOWN OF PIMA CODE CHAPTER 7 BUILDING, ARTICLE 7-1 BUILDING CODE BY AMENDING SECTION 7-1-2 MUST CONFORM TO ZONING ORDINANCE RELATED TO PAYMENT OF A BUILDING PERMIT; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY AND PROVIDING FOR PENALTIES.

WHEREAS, the Town Council of the Town of Pima has determined it is in the Town's best interest to amend the Town Code Chapter 7 Building, Article 7-1 Building Code by amending Section 7-1-2 Must Conform To Zoning Ordinance related to the payment of building permits prior to construction;

WHEREAS, in accordance with Article II, Sections 1 and 2, Constitution of Arizona, and the laws of the State of Arizona, the Town Council has considered the individual property rights and personal liberties of the residents of the Town and the probable impact of the proposed ordinance on the cost to construct housing for sale or rent before adopting this ordinance;

NOW THEREFORE, BE IT ORDAINED by the Town Council of the Town of Pima, Arizona, as follows:

Section I. In General.

The Pima Municipal Code, Chapter 7 Building, Article 7-1 Building Code is hereby amended by amending Section 7-1-2 Must Conform To Zoning Ordinance, to read as follows (new text in ALL CAPS):

ARTICLE 7-1 BUILDING CODE

Section 7-1-2 Must Conform to Zoning Ordinance

Prior to a building permit being issued and or a building inspection performed, such Plans or building must conform to the provisions of the Zoning Ordinance of the Town of Pima in addition to the provisions of this chapter. IF A BUILDING PERMIT IS NOT APPROVED AND PAID FOR BEFORE THE BUILDING PROCESS HAS BEGUN, THE PERMIT FEE WILL BE DOUBLED. ONE FULL SET OF PHYSICAL PLANS MUST BE GIVEN TO TOWN HALL FOR REVIEW BY THE BUILDING INSPECTOR AND WILL BE FILED AT TOWN HALL FOR A PERIOD OF NO LESS THAN THREE (3) YEARS.

Section II. Providing for Repeal of Conflicting Ordinances.

All ordinances and parts of ordinances in conflict with the provisions of this Ordinance or any part of the Code adopted herein by reference are hereby repealed.

Section III. Providing for Severability.

If any section, subsection, sentence, clause, phrase or portion of this Ordinance or any part of the Code adopted herein by reference, 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 IV. Providing for Penalties.

As stated in Article 1-8 Penalty, any person found guilty of violating any provision of this code shall be guilty of a misdemeanor, and upon conviction thereof shall be punished.

PASSED AND ADOPTED by the Council of the Town of Pima, Arizona, this 7th day of September, 2023.

Brian Paull, Mayor

ATTEST:

Cody Marshall, Town Clerk

APPROVED AS TO FORM:

Jon Paladini, Town Attorney
Pierce Coleman PLLC

Number of Councilmembers Present:_____

Number of Votes For:_____

Number of Votes Against:_____

Number of Abstentions:_____

CERTIFICATION

I HEREBY CERTIFY that the foregoing Ordinance Number 2023-03 was duly passed and adopted by the Council of the Town of Pima, Arizona, at a special meeting held on the ____ day of _____, 2023, and that a quorum was present at the meeting.

Cody Marshall, Town Clerk

ORDINANCE NO. 2023-04

AN ORDINANCE OF THE COUNCIL OF THE TOWN OF PIMA, ARIZONA, AMENDING THE TOWN OF PIMA CODE CHAPTER 12 ZONING, ARTICLE 12-3 ESTABLISHMENT OF ZONES BY AMENDING SECTIONS 12-3-1 DIVISION OF ZONES AND 12-3-3 MH (MANUFACTURED HOUSING) ZONE RELATED TO THE REGULATION OF MH/MF (MANUFACTURED HOUSING/MULTI-FAMILY ZONE AND DEVELOPMENT WITHIN SAID ZONE; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY AND PROVIDING FOR PENALTIES.

WHEREAS, the Town Council of the Town of Pima has determined it is in the Town’s best interest to amending the Town Code amending Sections 12-3-1 Division of Zones and 12-3-3 MH (Manufactured Housing) Zone related to the regulation of MH/MF (Manufactured Housing/Multi-Family Zone and development within said Zone;

WHEREAS, in accordance with Article II, Sections 1 and 2, Constitution of Arizona, and the laws of the State of Arizona, the Town Council has considered the individual property rights and personal liberties of the residents of the Town and the probable impact of the proposed ordinance on the cost to construct housing for sale or rent before adopting this ordinance;

NOW THEREFORE, BE IT ORDAINED by the Town Council of the Town of Pima, Arizona, as follows:

Section I. In General.

The Pima Municipal Code, Title 12, Zoning, Article 12-3 Establishment of Zones is hereby amended by amending Section 12-3-1 Division of Zones, to read as follows (new text in ALL CAPS):

Section 12-3-1 Division of Zones

In order to carry out the purposed of this chapter, the Town of Pima, Arizona is hereby divided into zones as follows:

* * *

12-3-1.B. MH/MF (Manufactured Housing/~~Multi-Family~~) Zone

* * *

Section II. In General.

The Pima Municipal Code, Title 12, Zoning, Article 12-3 Establishment of Zones is hereby amended by amending Section 12-3-3 MH (Manufactured Housing) Zone, to read as follows (new text in ALL CAPS; deletions in ~~striketrough~~):

Section 12-3-3 MH/MF (Manufactured Housing/MULTI-FAMILY) Zone

- 12-3-3.A. Characteristics. The MH/MF (Manufactured Housing/MULTI-FAMILY) Zone covers those portions of the town where manufactured housing is **AND/OR MULTI-FAMILY HOUSING IS** or will be permitted land use.
- 12-3-3.B. Permitted Uses. The following uses are permitted in the MH/MF Zone:
- 12-3-3.B.1. All uses permitted in the AR Zone, subject to compliance with the regulations and restrictions required therein.
 - 12-3-3.B.2. Manufactured homes located on individually owned **PARCELS** lots, ~~except that members of the immediate family may have more than one manufactured home on a single lot provided that each manufactured home meets all minimum requirements for area, width, yard setbacks and any other requirement set forth for manufactured homes on individual lots, not manufactured home parks. Any additional dwelling on a single lot shall not be used as commercial or income property. For purposes of this paragraph, immediate family is defined to include, wife, husband, daughter, son, mother, father, brother, sister, grandmother, grandfather, grandson, granddaughter, mother-in-law, father-in-law, son-in-law, daughter-in-law.~~
 - 12-3-3.B.3. Manufactured home parks.
 - 12-3-3.B.4. RV parks.
 - 12-3-3.B.5. **MULTI-FAMILY DWELLINGS.**
* * *
- 12-3-3.E. Development standards (~~manufactured home parks~~**MULTI-FAMILY DWELLINGS**). The following development standards shall apply to **ALL MULTI-FAMILY DWELLINGS WITHIN TOWN OF PIMA LIMITS.**~~manufactured home parks and manufactured homes located in them.~~
- 12-3-3.E.1. **MINIMUM LOT SIZE: SEVEN THOUSAND (7000) SQUARE FEET PLUS TWO (2) SQUARE FEET OF LOT AREA FOR EACH SQUARE FOOT OF BUILDING FLOOR SPACE ABOVE FIVE HUNDRED (500) SQUARE FEET IN THE CASE OF A MULTI-FAMILY DWELLING (THREE (3) OR MORE). I.E., A TRI-PLEX WITH THREE (3) SEVEN HUNDRED (700) SQUARE FEET DWELLINGS WOULD REQUIRE A MINIMUM OF NINETY-SEVEN HUNDRED (9700) SQUARE FEET (700 FT² x 3 = 2100**

FT². 2 FT² x 200 FT² x 3 = 600 FT². 7000 FT² + 2100 FT² + 600 FT² = 9700 FT²). Minimum site size: Two acres (87,120 square feet).

12-3-3.E.2. MAXIMUM ALLOWABLE LIVABLE UNITS PER PARCEL NOT TO EXCEED EIGHT (8). ~~Maximum density: Eight manufactured homes per acre; provided, however, that the manufactured homes may be clustered within the manufactured home park as long as the overall density does not exceed eight manufactured homes per acre.~~

12-3-3.E.3. MINIMUM LOT WIDTH (MEASURED AT THE FRONT [NEAREST STREET FACING]) BUILDING LINE): SEVENTY (70) LINEAR FEET FOR DUPLEX, PLUS FIVE (5) LINEAR FEET FOR EACH ADDITIONAL DWELLING. ~~Roads, driveways, and entrances: All streets and driveways shall be of all weather construction in compliance with town standards. No entrance to a manufactured home park shall be located closer than fifty feet to the intersection of two streets.~~

12-3-3.E.4. Local drainage: ~~The ground surface in all parts of the manufactured home park shall be graded and equipped to drain all surface water in a safe and efficient manner.~~
MINIMUM SETBACKS FOR ALL INDIVIDUAL LOTS:

A. FRONT: TWENTY (20) FEET

B. SIDES: TEN (10) FEET

C. BACK: TEN (10) FEET

EXCEPTION: WHERE LOTS HAVE A DOUBLE FRONTAGE (CORNER LOTS), THEN THE REQUIRED FRONT YARD SET BACK (TWENTY (20) FEET) SHALL BE PROVIDED ON BOTH STREETS.

12-3-3.E.5. A MINIMUM OF TWO (2) OFF STREET PARKING SPACES SHALL BE PROVIDED PER LIVABLE UNIT.~~Utilities: Major utilities (water, sewage, disposal, gas and electricity) shall be provided to each individual manufactured home space, either through public or private utility companies or provided for and maintained by the park owner.~~

12-3-3.E.6. SIX HUNDRED (600) SQUARE FEET FOR EACH DWELLING UNIT IN A TWO (2) FAMILY OR MULTI-FAMILY DWELLING.

THIS SHALL BE AS INITIALLY CONSTRUCTED; E.G., THE DWELLING MAY NOT BE ADDED ON TO IN ORDER TO REACH THE MINIMUM SQUARE FOOTAGE. ~~Appearance of accessory buildings: The outside material of all storage and accessory buildings shall be constructed of materials which do not distract from the appearance of the manufactured home.~~

12-3-3.E.7. **MAXIMUM BUILDING HEIGHT: TWO (2) STORIES (34 FEET).** ~~Open storage prohibited: Open storage of materials or belongings other than boats and vehicles is prohibited.~~

12-3-3.E.8. **DOMESTIC ANIMALS PROHIBITED ON MULTI-FAMILY LOTS (EXCEPT HOUSEHOLD PETS).** ~~Minimum setbacks for individual manufactured homes within a park (attached accessory structures such as an awning, storage cabinets, carports, etc., which are attached to the manufactured home shall be considered part of the manufactured home):~~
~~a. Front: (15) Fifteen feet. b. Side: (5) Five feet.~~

~~12-3-3.E.9. Landscaping: The yard or area between any manufactured home and a public street shall be landscaped.~~

~~12-3-3.E.10. One home per space or lot: Only one manufactured home shall be permitted on each designated space or lot within a manufactured home park, and each space or lot shall be clearly marked at its corners. Each space or lot shall be accessible from an approved street or road.~~

~~12-3-3.E.11. Parking: At least one off-street parking space shall be provided on each lot.~~

~~12-3-3.E.13. County health approval: All manufactured home parks shall first be approved by the county health officer before a permit is issued.~~

~~12-3-3.E.14. Procedure for approval: A permit issued by the planning and zoning commission is required before work on the manufactured home park can begin. The application for this permit shall include:~~

~~a. The names and addresses of the applicant, property owner, designer and engineer.~~

- ~~b. Location and legal description of the manufactured home park.~~
- ~~c. Area and dimensions of the tract of land;~~
- ~~d. The number, location and size of all spaces or lots, each of which shall be numbered with all dimensions shown;~~
- ~~e. The location and width of roadways and walkways;~~
- ~~f. Plans and specifications of water supply, and refuse and sewage disposal facilities;~~
- ~~g. The location and detail of lighting and electrical systems.~~

~~12-3-3.F. Development standards (RV parks). RV parks shall meet the same development standards and shall be approved using the same procedures as manufactured home parks (see subsection 12-3-3.E), except that the density of RV parks shall not exceed fifteen units per acre.~~

Section II. Providing for Repeal of Conflicting Ordinances.

All ordinances and parts of ordinances in conflict with the provisions of this Ordinance or any part of the Code adopted herein by reference are hereby repealed.

Section III. Providing for Severability.

If any section, subsection, sentence, clause, phrase or portion of this Ordinance or any part of the Code adopted herein by reference, 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 IV. Providing for Penalties.

As stated in Article 1-8 Penalty, Any person found guilty of violating any provision of this code shall be guilty of a misdemeanor, and upon conviction thereof shall be punished.

PASSED AND ADOPTED by the Council of the Town of Pima, Arizona, this 12th day of September, 2023.

Brian Paull, Mayor

ATTEST:

Cody Marshall, Town Clerk

APPROVED AS TO FORM:

Jon Paladini, Town Attorney
Pierce Coleman PLLC

Number of Councilmembers Present: _____
Number of Votes For: _____
Number of Votes Against: _____
Number of Abstentions: _____

CERTIFICATION

I HEREBY CERTIFY that the foregoing Ordinance Number 2023-04 was duly passed and adopted by the Council of the Town of Pima, Arizona, at a regular meeting held on the ____ day of _____, 2023, and that a quorum was present at the meeting.

Cody Marshall, Town Clerk

ORDINANCE NO. 2023-05

AN ORDINANCE OF THE COUNCIL OF THE TOWN OF PIMA, ARIZONA, AMENDING THE TOWN OF PIMA CODE CHAPTER 12 ZONING, ARTICLE 12-4 SUPPLEMENTARY REQUIREMENTS AND GENERAL PROVISIONS BY ADDING SECTION 12-4-11 SEPTIC TANKS; RELATED TO THE REGULATION OF THE INSTALLATION OF SEPTIC TANKS; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY AND PROVIDING FOR PENALTIES.

WHEREAS, the Town Council of the Town of Pima has determined it is in the Town's best interest to add to the Town Code a new Section 12-4-11 Septic Tanks related to the regulation of the installation of septic tanks;

WHEREAS, in accordance with Article II, Sections 1 and 2, Constitution of Arizona, and the laws of the State of Arizona, the Town Council has considered the individual property rights and personal liberties of the residents of the Town and the probable impact of the proposed ordinance on the cost to construct housing for sale or rent before adopting this ordinance;

NOW THEREFORE, BE IT ORDAINED by the Town Council of the Town of Pima, Arizona, as follows:

Section I. In General.

The Pima Municipal Code, Title 12, Zoning, Article 12-4 Supplementary Requirements and General Provisions is hereby amended by adding Section 12-4-1 Septic Tanks, to read as follows (new text in ALL CAPS):

SECTION 12-4-11 SEPTIC TANKS

CONVENTIONAL SEPTIC SYSTEMS MAY BE INSTALLED ON LOTS WITH A MINIMUM OF ONE QUARTER ACRE (10,890 SQUARE FEET) PROVIDED THERE IS NOT A WELL WITHIN FIFTY (50) FEET OF THE SEPTIC SYSTEM. LOTS WITH BOTH A WELL AND SEPTIC SYSTEM MUST BE A LEAST ONE ACRE (43,560 SQUARE FEET).

Section II. Providing for Repeal of Conflicting Ordinances.

All ordinances and parts of ordinances in conflict with the provisions of this Ordinance or any part of the Code adopted herein by reference are hereby repealed.

Section III. Providing for Severability.

If any section, subsection, sentence, clause, phrase or portion of this Ordinance or any part of the Code adopted herein by reference, 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 IV. Providing for Penalties.

As stated in Article 1-8 Penalty, Any person found guilty of violating any provision of this code shall be guilty of a misdemeanor, and upon conviction thereof shall be punished.

PASSED AND ADOPTED by the Council of the Town of Pima, Arizona, this 12th day of September, 2023.

Brian Paull, Mayor

ATTEST:

Cody Marshall, Town Clerk

APPROVED AS TO FORM:

Jon Paladini, Town Attorney
Pierce Coleman PLLC

Number of Councilmembers Present:_____

Number of Votes For:_____

Number of Votes Against:_____

Number of Abstentions:_____

CERTIFICATION

I HEREBY CERTIFY that the foregoing Ordinance Number 2023-05 was duly passed and adopted by the Council of the Town of Pima, Arizona, at a regular meeting held on the ____ day of _____, 2023, and that a quorum was present at the meeting.

Cody Marshall, Town Clerk

ORDINANCE NO. 2023-06

AN ORDINANCE OF THE COUNCIL OF THE TOWN OF PIMA, ARIZONA, AMENDING THE TOWN OF PIMA CODE CHAPTER 12 ZONING, ARTICLE 12-5 MISCELLANEOUS REQUIREMENTS BY AMENDING SECTION 12-5-1 LIMITATION ON MANUFACTURED HOMES, MOBILE HOMES, AND RECREATIONAL VEHICLES; RELATED TO MISCELLANEOUS CONSTRUCTION REQUIREMENTS WITHIN THE TOWN OF PIMA; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY AND PROVIDING FOR PENALTIES.

WHEREAS, the Town Council of the Town of Pima has determined it is in the Town's best interest to add to the Town Code amend Section 12-5-1 Limitation on Manufactured Homes, Mobile Homes, and Recreational Vehicles related to miscellaneous construction requirements within the Town;

WHEREAS, in accordance with Article II, Sections 1 and 2, Constitution of Arizona, and the laws of the State of Arizona, the Town Council has considered the individual property rights and personal liberties of the residents of the Town and the probable impact of the proposed ordinance on the cost to construct housing for sale or rent before adopting this ordinance;

NOW THEREFORE, BE IT ORDAINED by the Town Council of the Town of Pima, Arizona, as follows:

Section I. In General.

The Pima Municipal Code, Title 12, Zoning, Article 12-5 Miscellaneous Requirements is hereby amended by amending Section 12-5-1 Limitation on Manufactured Homes, Mobile Homes, and Recreational Vehicles, to read as follows (new text in ALL CAPS; deletions in strikethrough):

Article 12-5 Miscellaneous Requirements

Section 12-5-1 ~~Limitation on Manufactured Homes, Mobile Homes, and Recreational Vehicles~~ CONSTRUCTION OF FOUNDATION PADS

~~No occupied manufactured home, mobile home, or recreational vehicle shall be placed on any lot or parcel of land within the town except in compliance with one or more of the following:~~

12-5-1.A. ~~When temporarily located on a lot on which a building is being constructed, but not to exceed one year.~~ FLOOD ZONE PERMIT MUST BE OBTAINED THROUGH GRAHAM COUNTY (IF APPLICABLE) BEFORE BUILDING PERMIT IS APPROVED.

~~12-5-1.B. When located in the MH zone and all the regulations of said zones are complied with.~~ FOUNDATION PAD MUST BE MINIMUM OF TWO INCHES (2") ABOVE THE CROWN OF THE NEAREST ROAD.

~~12-5-1.C. An unoccupied recreational vehicle shall be parked off the street in an area where it will not obstruct the view of the neighboring property.~~ A DRAINAGE PLAN MUST BE SUBMITTED TO THE BUILDING INSPECTOR. RAIN/FLOOD WATER RETENTION MAY BE REQUIRED ON INDIVIDUAL PARCELS.

12-5-1.D. Recreational vehicles shall not be allowed to dump holding tanks into the Town of Pima's sanitary sewer system. Violators may be charged with a class "C" misdemeanor.

Section II. Providing for Repeal of Conflicting Ordinances.

All ordinances and parts of ordinances in conflict with the provisions of this Ordinance or any part of the Code adopted herein by reference are hereby repealed.

Section III. Providing for Severability.

If any section, subsection, sentence, clause, phrase or portion of this Ordinance or any part of the Code adopted herein by reference, 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 IV. Providing for Penalties.

As stated in Article 1-8 Penalty, Any person found guilty of violating any provision of this code shall be guilty of a misdemeanor, and upon conviction thereof shall be punished.

PASSED AND ADOPTED by the Council of the Town of Pima, Arizona, this 12th day of September, 2023.

Brian Paull, Mayor

ATTEST:

Cody Marshall, Town Clerk

APPROVED AS TO FORM:

Jon Paladini, Town Attorney
Pierce Coleman PLLC

Number of Councilmembers Present: _____
Number of Votes For: _____
Number of Votes Against: _____
Number of Abstentions: _____

CERTIFICATION

I HEREBY CERTIFY that the foregoing Ordinance Number 2023-06 was duly passed and adopted by the Council of the Town of Pima, Arizona, at a regular meeting held on the ____ day of _____, 2023, and that a quorum was present at the meeting.

Cody Marshall, Town Clerk