



TOWN OF JEROME

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Founded 1876
Incorporated 1899

ORDINANCE NO. 452

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF JEROME, YAVAPAI COUNTY, ARIZONA, AMENDING SECTION 301, "AMENDMENTS OR ZONE CHANGES," OF ARTICLE III, "PROCEDURES," OF THE JEROME ZONING ORDINANCE REGARDING COMPLIANCE WITH STATE STATUTES

WHEREAS, the Planning & Zoning Commission has recommended that the Jerome Zoning Ordinance be amended to include a reference to A.R.S. 9-462.04 regarding requirements for public hearings;

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF JEROME, YAVAPAI COUNTY, ARIZONA, AS FOLLOWS:

Section 1. Paragraph C, "Commission Action," of Section 301, "Amendments or Zone Changes," of Article III, "Procedures," is hereby amended as follows (additions underlined; deletions in strikethrough text):

C. COMMISSION ACTION

1. Upon receipt of any complete application for, and prior to holding a public hearing on, rezoning or ordinances that impose a new land use regulation or modify an existing land use regulation, a Neighborhood Meeting shall be required in accordance with Section 306 of this zoning ordinance. The Commission shall then fix a reasonable time for the hearing of the proposed zone change, amendment, or addition and shall give notice thereof to interested parties and to the public by publication of a notice in the official newspaper of the Town, and by posting the area included in the proposed change, not less than fifteen (15) days prior to the hearing. The notice shall set forth the time and place of the hearing including a general explanation of the matter to be considered and including a general description of the area affected. The Commission may for any reason, when it deems such action necessary or desirable, continue such hearing to a time and place certain. Within thirty (30) days after the close of the hearing, the Commission shall render its decision in the form of a written recommendation to the Council. The recommendation shall include the reasons for the recommendation.

2. Prior to scheduling a public hearing, the Zoning Administrator shall review A.R.S. 9-462.04, "Public Hearing Required; Definition," for current practices to assure compliance with State statutes.

Date of first reading: _____

Dates of publication: _____

Date of adoption: _____

Date of posting: _____

Voting record at adoption:

| | MOVED | SECONDED | AYE | NAY | ABSENT | ABSTAIN |
|------------|-------|----------|-----|-----|--------|---------|
| BARBER | | | | | | |
| DILLENBERG | | | | | | |
| HARVEY | | | | | | |
| MOORE | | | | | | |
| WORTH | | | | | | |

- 32. Prior to publishing a petitioned Zoning Map change, the Commission may, on its own motion, delimit or extend the boundaries of such area, so as to constitute a more reasonable zone district boundary.
- 43. The Commission may on its own motion propose any amendments to this ordinance and map. After holding a public hearing as required by this section, the Commission shall either:
 - a. Transmit such proposal to the Council which shall thereupon proceed as set forth herein for any other amendment, or
 - b. Vote to quash the Commission initiated proposal, in which case no further action need be taken by the Commission or Council.

Section 2. Following its adoption, this Ordinance shall be published by the Town Clerk in accordance with the requirements of A.R.S. § 39-203 *et seq.*

Section 3. All ordinances or parts of ordinances that are in conflict with the provisions of this Ordinance are hereby repealed to the extent of their inconsistency herewith.

Section 4. Should any section or provision of this Ordinance be declared invalid by a court of competent jurisdiction, such decision shall not affect the validity of this Ordinance, any provision incorporated by reference and any other provision of the Town Code as a whole or any part thereof other than the part so declared invalid.

PASSED AND ADOPTED BY THE TOWN COUNCIL OF THE TOWN OF JEROME, YAVAPAI COUNTY, ARIZONA, THIS ____ DAY OF _____ 2019.

ATTEST:

Candace Gallagher, Town Manager/Clerk

Christina "Alex" Barber, Mayor

APPROVED AS TO FORM:

William J. Sims, Esq.
Town Attorney

