



PUBLIC NOTICE
HUACHUCA CITY TOWN COUNCIL
MEETS FOR A WORK SESSION
THURSDAY, DECEMBER 13, 2018 AT 6:00PM
HUACHUCA CITY TOWN HALL-500 N. GONZALES BLVD. HUACHUCA CITY,
AZ 85616

AGENDA

A. Call to Order

Mayor

- Meeting was called to order at 6:00pm by Mayor Johann Wallace.
- Pledge of Allegiance was led by Mayor Wallace.
- Roll Call.

Present: Johann Wallace, Donna Johnson, Joy Banks, Cynthia Butterworth, Christy Hirshberg, Walt Welsch, Matthew Williams (Not voting), Jennifer Fuller (Not voting).

Absent: Thomas Benavidez, Attorney.

B. Business before the Council

Mayor

B.1 Discussion Only [Manager Williams]: Discussion of proposed Senior Center operation and use agreement and Request for Proposal (RFP). Guest speaker will be Laura Villa of SEAGO.

Motion: Open for Discussion and/or Action, **Moved by** Johann Wallace, **Seconded by** Joy Banks.

Mr. Williams introduced Laura Villa to the Council and public in attendance.

Ms. Villa explained to the Council how the SEAGO funding works and what responsibilities the successful vendor would need to meet. She explained that the Request for Application (RFA) would open in March 2019. She also explained that, the more meals and services that are provided, the more funding may be available.

There were no questions from Council.

Mr. Welsch brought a Point of Order. There was no discussion on the matter. Mayor Wallace advised he had asked if the Council had any questions. Mayor Wallace allowed Dave Perry of HCSC Management, LLC to address the Council.

Mr. Perry advised he had given each member of the Council a copy of the letter indicating the LLC's intent to terminate services. No one from the Council, save Mr. Welsch had approached him. Mr. Perry advised that the document from SEAGO is extensive and, while the funding sounds great, it won't work. He advised that Catholic Community Services, who ran the Center previously, had lost funding and was unable to get it back.

B.2 Discussion Only [Manager Williams]: Discussion of consolidating emergency dispatch services in Cochise County through the creation of an emergency services communication center known as the "Southeastern Arizona Communications Center ("SEACOM"). Discussion will include the proposed intergovernmental agreement to make Huachuca City a partner in SEACOM. Guest speaker will be Bill Duggan, SEACOM Director.

Motion: Open for Discussion and/or Action, Moved by Johann Wallace, Seconded by Christy Hirshberg.

Mr. Williams introduced Bill Duggan to the Council and public in attendance.

Mr. Duggan offered an explanation of the services SEACOM will provide and the pricing involved.

Mr. Welsch asked Mr. Duggan if he would consider interviewing the Town's currently employed dispatchers. Mr. Duggan advised they are welcome to apply.

Mayor Wallace allowed for public comment and Randy Keeling inquired as to the cameras that were installed at the school and are currently monitored by dispatch. He was advised that there would still be a person in the department Monday-Friday during business/school hours.

There were no other questions or comments.

C. Adjournment

Motion: Adjourn, Moved by Johann Wallace, Seconded by Donna Johnson.

Motion passed unanimously.

The Work Session was adjourned at 6:51pm.

Approved by Mayor Wallace on January 10, 2019.

Johann Wallace, Mayor

Attest:

Jennifer A. Fuller, Town Clerk

Seal:

Certification

I hereby certify that the foregoing is a true and correct copy of the Minutes of the Work Session for the Huachuca City Town Council held on December 13, 2018. I further certify that the meeting was duly called and a quorum was present.

Jennifer A. Fuller, Town Clerk



**MINUTES OF THE
HUACHUCA CITY TOWN COUNCIL
MEETING HELD
THURSDAY, DECEMBER 13, 2018 AT 7:00PM
HUACHUCA CITY TOWN HALL-500 N. GONZALES BLVD. HUACHUCA CITY,
AZ 85616**

AGENDA

- A. **Call to Order** The meeting was called to order at 7:00pm
- Pledge of Allegiance
Mayor Wallace led the Pledge of Allegiance.
 - Roll Call and Ascertain Quorum
Present: Johann Wallace, Donna Johnson, Joy Banks, Cynthia Butterworth, Christy Hirshberg, Walt Welsch, Matthew Williams (Not voting), Jennifer Fuller (Not voting), Thomas Benavidez, Attorney (Not voting).
 - Invocation
The Invocation was offered by Elder James Thomas.

Any prayer/invocation that may be offered before the start of regular Council business shall be the voluntary offering of a private citizen, for the benefit of the Council and the citizens present. The views or beliefs expressed by the prayer/invocation speaker have not been previously reviewed or approved by the Council, and the Council does not endorse the religious beliefs or views of this, or any other speaker. A list of volunteers is maintained by the Town Clerk's Office and interested persons should contact the Town Clerk's Office for further information.

B. **Call to the Public**

A.R.S. 38-431.01 states the Public Body may make an open call to the public during a public meeting, subject to reasonable time, place and manner restrictions, to allow individuals to address the public body on any issue within the jurisdiction of the Public Body. At the conclusion of an open call to the public, individual members of the Public Body may respond to criticism made by those who have addressed the Public Body, may ask staff to review a matter or may ask that a matter be put on a future agenda. However, members of the Public Body shall not discuss or take legal action on matters raised during an open call to the public unless the matters are properly noticed for discussion and legal action.

Mr. Randy Keeling addressed the Council to request they consider allowing the Huachuca City Elementary School to use the bleachers at Keeline Park that are not currently used in order that the school can get their fields up and running.

C. Consent Agenda

All items listed in the Consent Agenda are considered routine matters and will be enacted by one motion of the Council. There will be no separate discussion of these items unless a Member of the Town Council requests that an item or items be removed for discussion. Council Members may ask questions without removal of the item from the Consent Agenda. Items removed from the Consent Agenda are considered in their normal sequence as listed on the agenda, unless called out of sequence.

- C.1 Consider approval of the minutes of the Regular Council Meeting held on November 8, 2018.
- C.2 Consider approval of the minutes of the Special Council Meeting held on November 20, 2018.
- C.3 Consider approval of the minutes of the Work Session held on December 6, 2018.
- C.4 Consider approval of the Payment Approval Report in the amount of \$ 141,741.41.
- C.5 Consider acceptance of Judge Ann Lund resignation as Town Magistrate Judge on January 1, 2019

Motion: Open for Discussion and/or Action, **Moved by Johann Wallace, Seconded by Donna Johnson.**
Donna Johnson and Walt Welsch were absent for the 11/20/18 meeting and Christy Hirshberg was absent for the 11/8/2018 meeting.

Motion: Approve, **Moved by Johann Wallace, Seconded by Donna Johnson,** with Christy Hirshberg abstaining from C.1, Donna Johnson and Walt Welsch abstaining from C.2.

Motion passed unanimously.

D. Unfinished Business before the Council

Mayor

Public comment will be taken at the beginning of each agenda item, after the subject has been announced by the Mayor and explained by staff. Any citizen who wishes, may speak one time for five minutes on each agenda item before or after Council discussion. Questions from Council Members, however, may be directed to staff or a member of the public through the Mayor at any time.

- D.1 Discussion and/or Action [Manager Williams]: Second Required Reading and Adoption of Ordinance 2018-28, AMENDING THE TOWN CODE, TITLE 2 "ADMINISTRATION AND PERSONNEL," CHAPTER 2.15, "ELECTIONS," REMOVING THE REQUIREMENT OF A PRIMARY ELECTION AND ALLOWING THE TOWN TO HOLD A GENERAL ELECTION ONLY.

Motion: Open for Discussion and/or Action, **Moved by Johann Wallace, Seconded by Cynthia Butterworth.**
There was no discussion.

Motion: Approve adoption of 2018-28, **Moved by Johann Wallace, Seconded by Joy Banks.**
Motion passed unanimously.

- D.2 Discussion and/or Action [Councilor Welsch]:** Exploration of the ramifications of the Proposal from Waste Management for outsourcing of Town's garbage pickup.

Motion: Open for Discussion and/or Action, **Moved by Johann Wallace, Seconded by Donna Johnson.**

Mr. Welsch inquired as to how the Town Manager planned to address the employee that drove the trash trucks, now that Waste Management is hauling trash. Mr. Williams advised the Council that the employee has been moved to Public Works.

Mr. Welsch asked why the Town needs to still buy a roll off truck when there is no longer a driver. Mr. Williams explained that we are currently paying to have the landfill roll off dumpsters emptied by another company and that we can save money by emptying them ourselves, but we need a roll off truck to do so. Mr. Welsch indicated he was under the impression that we were getting that service for free in exchange for storing that company's extra containers. Mr. Welsch was advised that is incorrect. Mr. Welsch would like to see the figures on the money being spent to maintain a CDL and benefits and the cost of emptying the containers; he believes the town is losing money. Mr. Welsch requested Mr. Williams furnish the amounts for outsourcing versus an in-house estimate.

Motion: Direct Staff to gather the requested information, **Moved by Johann Wallace, Seconded by Donna Johnson.**

Motion passed unanimously.

- D.3 Discussion and/or Action [Councilor Welsch]:** Exploration of the possibility of funding a limited bus service for one year.

Motion: Open for Discussion and/or Action, **Moved by Johann Wallace, Seconded by Christy Hirshberg.**

Mr. Welsch advised he was thinking about the bus after reading comments. He offers that the Council rescind their stipends and run the bus with those funds.

Both Ms. Butterworth and Ms. Banks advised their stipends already go to another department.

Mayor Wallace advised there will be an item on the 1/10 agenda, but staff will need to see how much the stipends are and for whom to see if this plan is feasible. From Mr. Welsch, staff would need to know how limited the service will be.

E. New Business before the Council

Mayor

Public comment will be taken at the beginning of each agenda item, after the subject has been announced by the Mayor and explained by staff. Any citizen who wishes, may speak one time for five minutes on each agenda item before or after Council discussion. Questions from Council Members, however, may be directed to staff or a member of the public through the Mayor at any time.

- E.1 Discussion Only [Shelter Volunteers]: Presentation to Kalyssa White for volunteerism at the Huachuca City Animal Shelter.

Motion: Open for Discussion and/or Action, **Moved by** Johann Wallace, **Seconded by** Cynthia Butterworth.

Miss Kalyssa White was presented with a certificate of appreciation by Mayor Wallace.

- E.2 Discussion and/or Action [Manager Williams]: Monthly Budget Update Report presentation by Spencer Forsberg of Haymore and Forsberg, C.P.A.

Motion: Open for Discussion and/or Action, **Moved by** Johann Wallace, **Seconded by** Joy Banks.

Mr. Welsch questioned why the highest amount for professional services is paid by the Senior Center.

Mayor Wallace also questioned how it is determined who pays what.

Mr. Williams advised that the Council can be furnished with a breakdown by department of who is paying for what.

Mr. Welsch advised that would be nice for the upcoming budget review on January 10.

- E.3 Discussion and/or Action [Manager Williams]: Consider approval of a discount rental of the Huachuca City Community Center for the Huachuca United Methodist Church.

Motion: Open for Discussion and/or Action, **Moved by** Johann Wallace, **Seconded by** Christy Hirshberg.

Mrs. Doris Lehman addressed the Council.

After some discussion, it was determined that \$10.00 a day would cover the cost to the Town for the use of the Community Center.

Motion: Approve a discounted rate of \$10.00 per day for the use of the Community Center for the Huachuca United Methodist Church, **Moved by** Johann Wallace, **Seconded by** Joy Banks.

Motion passed unanimously.

- E.4 Discussion and/or Action [Mayor Wallace]: Consider Adoption of Resolution 2018-26, A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF HUACHUCA CITY,

ARIZONA, AUTHORIZING THE TOWN TO ENTER INTO AN INTERGOVERNMENTAL AGREEMENT WITH COCHISE COUNTY AND SIERRA VISTA FOR COOPERATION IN EMERGENCY COMMUNICATION AND DISPATCH SERVICES.

Motion: Open for Discussion and/or Action, **Moved by** Johann Wallace, **Seconded by** Donna Johnson.

Mr. Welsch asked Mr. Bill Duggan, SEACOM Director, if he would make an employment offer to the Town's currently employed dispatchers. Mr. Duggan advised they are more than welcome to apply for positions at SEACOM.

Ms. Butterworth advised that, while she knows this move will be good for the Town, she feels that we are losing more. She reminded the Council that once dispatch is gone, it's gone forever. She has some reservations.

Mayor Wallace advised that while he sees that side, we also can't afford to keep paying \$200,000 a year.

Motion: Approve adoption of Resolution 2018-26, entering into an Intergovernmental agreement with Cochise County and Sierra Vista, **Moved by** Johann Wallace, **Seconded by** Walt Welsch.

Vote: Motion passed (summary: Yes = 5, No = 1, Abstain = 0).

Yes: Johann Wallace, Donna Johnson, Joy Banks, Christy Hirshberg, Walt Welsch.

No: Cynthia Butterworth.

E.5 Discussion Only [Director Harvey]: Founders' Day Presentation

Motion: Open for Discussion and/or Action, **Moved by** Johann Wallace, **Seconded by** Joy Banks.

Library Services Director Suzanne Harvey offered a presentation demonstrating the history of the Town's incorporation.

After the presentation, Ms. Banks advised there was a fantastic display in the lobby and refreshments in the break room.

Motion: Enter Recess, **Moved by** Johann Wallace, **Seconded by** Joy Banks.
Motion passed unanimously.

Recess 8:20pm to 8:30pm.

When Council resumed, it was requested that Item E.19 and E.20 be moved up in order.

E.19 Direction and or/Action [Manager Williams]: Selection of Magistrate and staff direction to prepare a contract for Judge.

Motion: Open for Discussion and/or Action, **Moved by** Johann Wallace, **Seconded by** Donna Johnson.

Mayor Wallace asked Mr. Williams for his opinion. Mr. Williams advised, after speaking with both Judges, his choice was Judge Barth.
Mr. Welsch advised he would like to see the contract before it is offered to Judge Barth.
Mayor Pro Tem Johnson advised that Judge Barth would be her choice as well.

Motion: Approve naming Judge Keith Barth as the new Magistrate, **Moved by Johann Wallace, Seconded by Donna Johnson.**
Motion passed unanimously.

Motion: Direction to Staff to develop a contract for the Magistrate and making Judge Lund the Pro Tem, **Moved by Johann Wallace, Seconded by Christy Hirshberg.**
Motion passed unanimously.

- E.20 Direction and/or Action [Manager Williams]: Appointment of Judge Ann Lund as Magistrate Pro-Tem.
This Item was rolled into Item E.19.

- E.6 Discussion and/or Action [Manager Williams]: Direction of staff by Council to announce a Request for Proposal for Senior Center Operations and approval of a draft agreement with service provider.

Motion: Open for Discussion and/or Action, **Moved by Johann Wallace, Seconded by Cynthia Butterworth.**

Mayor Wallace asked the members of Council if they had enough time to look over the agreement.
Mayor Pro Tem Johnson asked if there is any way some of the terms can be changed.
Mr. Williams advised there is room to negotiate. The Town is not asking for any money; the provider would provide services in lieu of any rent. The agreement is based on agreements from Silver City, NM and Douglas, AZ who went through a similar process recently.
Mr. Welsch advised the HCSC Management, LLC was "out"; they had submitted their letter.
Mayor Wallace repeated his question. The Council appeared in agreement.

Motion: Direction to staff to announce the RFP, **Moved by Johann Wallace, Seconded by Cynthia Butterworth.**

Vote: Motion passed (summary: Yes = 5, No = 0, Abstain = 1).

Yes: Johann Wallace, Donna Johnson, Joy Banks, Cynthia Butterworth, Christy Hirshberg.

Abstain: Walt Welsch.

- E.7 Discussion and/or Action [Mayor Wallace]: Consider approval of Resolution 2018-35, Trash Fees.

Motion: Open for Discussion and/or Action, **Moved by Johann Wallace, Seconded by Donna Johnson.**

There was no discussion.

Motion: Approve, **Moved by Johann Wallace, Seconded by Christy Hirshberg.**

Motion passed unanimously.

- E.8 Discussion and/or Action [Manager Williams]: Adopt Notice of Intention to Increase rates for water and wastewater and related fees.

Motion: Open for Discussion and/or Action, **Moved by Johann Wallace, Seconded by Joy Banks.**

Motion: adoption of the Notice of Intent, **Action:** Approve, **Moved by Johann Wallace, Seconded by Donna Johnson.**
Motion passed unanimously.

- E.9 Discussion and/or Action [Mayor Wallace]: Nominations and selection of Mayor Pro Tem.

Motion: Open for Discussion and/or Action, **Moved by Johann Wallace, Seconded by Donna Johnson.**

Mayor Wallace opened the floor for nominations.

Ms. Hirshberg nominated Ms. Joy Banks, seconded by Ms. Banks.

Ms. Butterworth nominated Ms. Donna Johnson, seconded by Mr. Welsch.

Mayor Wallace advised he would call for the vote for Ms. Johnson. If Ms. Johnson did not receive enough votes, he would call for the vote for Ms. Banks.

Motion: call for the vote for Donna Johnson, **Action:** Free Form, **Moved by Johann Wallace, Seconded by Walt Welsch.**

Vote: Motion passed (summary: Yes = 4, No = 2, Abstain = 0).

Yes: Johann Wallace, Donna Johnson, Cynthia Butterworth, Walt Welsch.

No: Joy Banks, Christy Hirshberg.

Ms. Johnson was named Mayor Pro Tem.

- E.10 Discussion and/or Action [Manager Williams]: Renewal of Town's Contract with Dr. Jim Johnson of Southwest Building Inspection Services, Inc. to provide building and zoning code administration, inspection and enforcement services for 2019.

Motion: Open for Discussion and/or Action, **Moved by Johann Wallace, Seconded by Joy Banks.**

Dr. Johnson advised his renewal comes with a small 7.5% increase, effective July 2019.

Motion: Contract renewal for Dr. Johnson, **Action:** Approve, **Moved by Johann Wallace, Seconded by Donna Johnson.**

Vote: Motion passed (summary: Yes = 5, No = 1, Abstain = 0).

Yes: Johann Wallace, Donna Johnson, Joy Banks, Cynthia Butterworth, Walt Welsch.

No: Christy Hirshberg.

- E.11 Discussion and/or Action [Dr. Jim Johnson] First reading of Ordinance 2019-01, AN ORDINANCE OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF HUACHUCA CITY,

COCHISE COUNTY, ARIZONA, AMENDING THE TOWN CODE TITLE 18 "ZONING," CHAPTER 18.10 "DEFINITIONS" AND CHAPTER 18.100 "SUPPLEMENTAL REGULATIONS," SECTION 18.100.210 "HOME OCCUPATIONS" TO CLARIFY THAT HOME OCCUPATIONS REQUIRE A BUSINESS LICENSE, APPROVAL OF THE BUILDING OFFICIAL AND PERMISSION OF THE PROPERTY OWNER; AND TO PROHIBIT NAIL SALONS, DENTAL OFFICES AND AUTO REPAIR AND SERVICE BUSINESSES FROM BEING HOME OCCUPATIONS; AND TO PROHIBIT OUTSIDE DISPLAY OR STORAGE OF STOCK-IN-TRADE.

Motion: Open for Discussion and/or Action, Moved by Johann Wallace, Seconded by Donna Johnson.

Dr. Johnson gave a brief summary of the Ordinances 2019-01 through 2019-06.

This is a first reading, no council action or vote required.

- E.12 Discussion and/or Action [Dr. Jim Johnson]: First Reading of Ordinance 2019-02, AN ORDINANCE OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF HUACHUCA CITY, COCHISE COUNTY, ARIZONA, AMENDING THE TOWN CODE TITLE 18 "ZONING," CHAPTER 18.35 "R-1 RESIDENTIAL DISTRICTS," SECTION 18.35.040 "USE REGULATIONS," CHAPTER 18.40 "R-2 RESIDENTIAL DISTRICTS," SECTION 18.40.020 "USE REGULATIONS," CHAPTER 18.45 "R-3 RESIDENTIAL DISTRICTS," SECTION 18.45.010 "USES PERMITTED," AND CHAPTER 18.50 "R-4 RESIDENTIAL DISTRICTS," SECTION 18.50.010 "USES PERMITTED," TO PROHIBIT MANUFACTURED HOMES AND MOBILE HOMES IN RESIDENTIAL DISTRICTS 1 AND 2.

This is a first reading, no council action or vote required.

- E.13 Discussion and/or Action [Dr. Jim Johnson]: First Reading of Ordinance 2019-03, AN ORDINANCE OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF HUACHUCA CITY, COCHISE COUNTY, ARIZONA, AMENDING THE TOWN CODE TITLE 18 "ZONING," CHAPTER 18.110 "SIGN REGULATIONS," BY REPLACING THE TOWN'S SIGN REGULATIONS WITH THE NEW 2018 SIGN REGULATIONS.

This is a first reading, no council action or vote required.

- E.14 Discussion and/or Action [Dr. Jim Johnson]: First Reading of Ordinance 2019-04, AN ORDINANCE OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF HUACHUCA CITY, COCHISE COUNTY, ARIZONA, AMENDING THE TOWN CODE TITLE 18 "ZONING," CHAPTER 18.115 "MANUFACTURED HOME PARKS" BY REPLACING THE TOWN'S MANUFACTURED HOME PARKS REGULATIONS WITH THE NEW 2018 MANUFACTURED HOME PARKS REGULATIONS.

This is a first reading, no council action or vote required.

- E.15 Discussion and/or Action [Dr. Jim Johnson]: First Reading of Ordinance 2019-05, AN ORDINANCE OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF HUACHUCA CITY, COCHISE COUNTY, ARIZONA, AMENDING THE TOWN CODE TITLE 18 "ZONING," CHAPTER 18.120 "RECREATIONAL VEHICLE PARKS" BY REPLACING THE TOWN'S RECREATIONAL VEHICLE PARKS REGULATIONS WITH THE NEW 2018 RECREATIONAL VEHICLE PARKS REGULATIONS.

This is a first reading, no council action or vote required.

- E.16 Discussion and/or Action [Dr. Jim Johnson]; First Reading of Ordinance 2019-06, AN ORDINANCE OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF HUACHUCA CITY, COCHISE COUNTY, ARIZONA, AMENDING THE TOWN CODE TITLE 18 "ZONING," CHAPTER 18.135 "AMENDMENTS," TO ADD NEW SECTION 18.135.035, ESTABLISHING A NEW CITIZEN REVIEW PROCESS FOR REZONING OF PROPERTY, CONDITIONAL USE APPROVAL, DEVELOPMENT PLAN AMENDMENTS AND CHANGES TO ZONING REGULATIONS.

This is a first reading, no council action or vote required.

- E.17 Direction and or Action [Dr. Jim Johnson] Purchase approval of road repair to Skyline Drive.

Motion: Open for Discussion and/or Action, **Moved by Johann Wallace, Seconded by Donna Johnson.**

Dr. Johnson explained that the asphalt at the bottom of Skyline Drive is sliding. This is a required repair.

Motion: Approve repair to Skyline Drive, **Moved by Johann Wallace, Seconded by Walt Welsch.**

- E.18 Direction and or Action [Dr. Jim Johnson] Purchase approval of Senior Center roof repairs.

Motion: Open for Discussion and/or Action, **Moved by Johann Wallace, Seconded by Joy Banks.**

The Town received two quotes for the repair. One company, Artistic Roofing, offered a quote for full replacement of the roof. Ms. Hirshberg asked if staff can get a quote from Perrill Construction, who offered a quote for repairs only, for a full roof replacement. Dr. Johnson offered his opinion that the roof needs replacing, not just repairs.

No motion required, staff will get more quotes.

- E.21 Direction and or/Action [Manager Williams]: Approval of on-call policy for addition to employee manual.

Motion: Open for Discussion and/or Action, **Moved by Johann Wallace, Seconded by Joy Banks.**

There was brief discussion regarding an amendment to the policy. The policy will be amended to reflect personnel residing more than 20 miles will not be eligible for Stand-by and Call-out pay.

Motion: Resolution 2018-36, with amendment, **Action:** Approve, **Moved by Johann Wallace, Seconded by Cynthia Butterworth.**

Motion passed unanimously.

- E.22 Discussion and/or Action [Manager Williams]: Consider cancellation of the December 27 regular Council meeting, due to the Christmas holiday.

Motion: Open for Discussion and/or Action, **Moved by** Johann Wallace, **Seconded by** Donna Johnson.

There was brief discussion outlining the motion. Mayor Wallace explained he would make a motion to cancel the December 27 meeting.

Motion: Cancel the December 27 meeting due to the Christmas holiday, **Moved by** Johann Wallace, **Seconded by** Donna Johnson.

Vote: Motion failed (summary: Yes = 2, No = 3, Abstain = 1).

Yes: Johann Wallace, Joy Banks.

No: Donna Johnson, Cynthia Butterworth, Christy Hirshberg.

Abstain: Walt Welsch.

F. Town Manager Report

Mr. Welsch advised the Council that he had been told that the former Huachuca City Fire Chief was still the contact for State Fire and that was the reason State fire did not want to work with the town. Mr. Williams advised the Council that he and Ms. Banks had met with the head of the Forestry Service in October 2018 and had advised him then that the former Huachuca City Fire Chief was no longer with the town.

Mr. Welsch then asked why the Council had not been informed that a piece of equipment in the landfill had rolled. Mr. Williams summarized for the Council the events of that day, pointing out that the piece of equipment had not rolled; it had slid off the soft side of the hill.

G. Reports of Current Events by Council Members

Mayor Pro Tem Johnson recapped the Border Mayors' Meeting in Douglas. Ms. Banks recapped the SVMPO meeting and encouraged people to get involved. Ms. Hirshberg stated she thought the parade was fun. Mayor Wallace spoke at the Honor Society, is now on the SEAGO Executive Board and read at the Polar Express.

H. Items to be placed on future agendas.

There will be an item on the January 10 agenda, accepting the letter of intent from HCSC Management, LLC.

I. Adjournment.

Motion: Adjourn, **Moved by** Johann Wallace, **Seconded by** Christy Hirshberg.

Motion passed unanimously.

Meeting adjourned at 10:29pm.

Approved by Mayor Wallace on January 10, 2019.

Johann Wallace, Mayor

Attest: _____
Jennifer A. Fuller, Town Clerk

Seal:

Certification

I hereby certify that the foregoing is a true and correct copy of the Minutes of the Meeting for the Huachuca City Town Council held on December 13, 2018. I further certify that the meeting was duly called and a quorum was present.

Jennifer A. Fuller, Town Clerk

Report Criteria:

Detail report.

Invoices with totals above \$0 included.

Paid and unpaid invoices included.

Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid	Voided
1022500							
Cigna Healthcare (FACETS Plans	12202018	Employee Health Insurance	12/20/2018	12,198.77	12,198.77	12/21/2018	
Total 1022500:				12,198.77	12,198.77		
1022510							
Principal Life Insurance Co	12182018	employee benefit	12/18/2018	773.40	773.40	12/27/2018	
Total 1022510:				773.40	773.40		
1022520							
AFLAC	808811	Payroll Deduction	12/28/2018	523.60	523.60	01/07/2019	
Total 1022520:				523.60	523.60		
1022540							
Vision Service Plan	12172018	Vision Ins./30 049730 0001	12/17/2018	148.57	148.57	12/27/2018	
Total 1022540:				148.57	148.57		
1022550							
JNUM Life Ins. Co. of America	0012/12102018	Employee Life/AD&D Ins./060830	12/10/2018	224.02	224.02	12/13/2018	
UNUM Life Ins. Co. of America	0013/12102018	Voluntary Life/AD&D/0608295-00	12/10/2018	185.79	185.79	12/13/2018	
Total 1022550:				409.81	409.81		
1022700							
LegalShield	0104832/12202	employee benefit	12/20/2018	15.95	.00		
Total 1022700:				15.95	.00		
1042220							
Benavidez Law Group, P.C.	68248	Attorney Fees	12/19/2018	419.31	.00		
Total 1042220:				419.31	.00		
1042250							
Herald Review Media	489340/171287	Publication Ordinance 2018-28 EI	12/26/2018	824.18	.00		
Total 1042250:				824.18	.00		
1042290							
Wells Fargo Remittance Center	112042173248	Name Plates, Gavel	11/28/2018	23.92	23.92	12/19/2018	
Wells Fargo Remittance Center	236849	Name Badge	11/28/2018	15.75	15.75	12/19/2018	
Total 1042290:				39.67	39.67		
1043130							
Sunwest Pensions	37651	Plan Year Admin Fee - 1st Qtr	12/21/2018	78.58	.00		
Total 1043130:				78.58	.00		

Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid	Voided
1043220							
Benavidez Law Group, P.C.	68248	Attorney Fees	12/19/2018	419.31	.00		
Total 1043220:				419.31	.00		
1043250							
Herald Review Media	489340/111848	Ordinance For Beer&Wine, Plastic	11/25/2018	1,778.89	1,778.89	12/13/2018	
Total 1043250:				1,778.89	1,778.89		
1043271							
AT&T	9001/12042018	Phone Service	12/04/2018	756.92	756.92	12/13/2018	
Total 1043271:				756.92	756.92		
1043290							
Wist Office Products	1822098	Janitorial & Office Supplies	11/28/2018	816.03	816.03	12/13/2018	
Wist Office Products	1828071	Janitorial & Office Supplies	12/12/2018	44.06	.00		
Wist Office Products	1829550	Janitorial & Office Supplies	12/17/2018	356.73	.00		
Wells Fargo Remittance Center	1024450034	Christmas Flag	11/28/2018	80.02	80.02	12/19/2018	
Wells Fargo Remittance Center	112042173248	P&Z Name Plate	11/28/2018	9.94	9.94	12/19/2018	
Total 1043290:				1,308.77	905.99		
1043340							
S.S.V.E.C	12062018	Town Hall	12/06/2018	424.32	424.32	12/13/2018	
Total 1043340:				424.32	424.32		
1043360							
AZ Department of Corrections	D08108201812	Inmate Labor	12/11/2018	10.92	10.92	12/13/2018	
Total 1043360:				10.92	10.92		
1043440							
Purchase Power	10811630/1217	Postage	12/17/2018	251.75	251.75	12/27/2018	
Total 1043440:				251.75	251.75		
1043470							
Merle's Automotive Supply	16263370	Battery	12/14/2018	105.46	.00		
Total 1043470:				105.46	.00		
1043475							
Fleet Services	57089827	fuel expense	12/15/2018	115.63	115.63	01/07/2019	
Total 1043475:				115.63	115.63		
1043480							
Clark Information Systems	117979	Internet Service	12/28/2018	89.95	89.95	01/07/2019	
Caselle, Inc	82155	Source Code Escrow	12/08/2018	200.00	200.00	12/13/2018	
Wells Fargo Remittance Center	E010071VON	Email	11/29/2018	103.32	103.32	12/19/2018	
Total 1043480:				393.27	393.27		

Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid	Voided
1043500							
Cochise Lock & Safe	117453	Lock To Outside Storage Door	12/27/2018	135.00	.00		
Mr. Rooter Plumbing	8612	Repair Drainage In Town Hall	12/18/2018	189.89	.00		
Truly Nolen Exterminating, Inc	250128088	Pest Control	12/05/2018	44.00	44.00	12/13/2018	
Truly Nolen Exterminating, Inc	250129174	Pest Control	12/26/2018	44.00	.00		
Truly Nolen Exterminating, Inc	250129175	Pest Control	12/26/2018	44.00	.00		
Wells Fargo Remittance Center	10258958	Bulbs	11/26/2018	42.07	42.07	12/19/2018	
Wells Fargo Remittance Center	9211797	Timer Covers	12/07/2018	117.52	117.52	12/18/2018	
Siena Vista Plumbing Inc.	3764-6873	Repair Leak At Town Hall	12/28/2018	1,130.00	.00		
Total 1043500:				1,746.28	203.59		
1043680							
Wells Fargo Remittance Center	0001	Meeting	11/13/2018	15.87	15.87	12/19/2018	
Total 1043680:				15.87	15.87		
1043703							
Code Publishing, Inc.	62132	Municipal Code-Wed Update	12/29/2018	780.30	.00		
Total 1043703:				780.30	.00		
1043705							
Copygraphix	23865126	Copy Machine Lease/Town Hall	12/07/2018	594.21	594.21	12/17/2018	
Total 1043705:				594.21	594.21		
1045130							
Sunwest Pensions	37851	Plan Year Admin Fee - 1st Qtr	12/21/2018	78.57	.00		
Total 1045130:				78.57	.00		
1045221							
Thorpe, Jeffrey	20181228A	Court Appointed Legal Fees	12/28/2018	1,400.00	.00		
Thorpe, Jeffrey	20181228B	Court Appointed Legal Fees	12/28/2018	400.00	.00		
Thorpe, Jeffrey	20181228C	Court Appointed Legal Fees	12/28/2018	770.00	.00		
Thorpe, Jeffrey	20181228D	Court Appointed Legal Fees	12/28/2018	1,170.00	.00		
Total 1045221:				3,740.00	.00		
1045250							
Aaron Parr	12272018	Alternate Magistrate Reimburse	12/27/2018	60.00	.00		
Total 1045250:				60.00	.00		
1045810							
Benavidez Law Group, P.C.	68248	Prosecution Fees	12/19/2018	1,287.00	.00		
Cochise County Sheriff's Dept	REFHUAPD11	Inmate Housing	12/15/2018	318.06	.00		
Total 1045810:				1,605.06	.00		
1048275							
Verizon Wireless	9819807171	cell phones	12/07/2018	1,604.46	.00		
Total 1048275:				1,604.46	.00		

Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid	Voided
1048840							
Hewlett-Packard Financial Service	600585778	Computer	12/22/2018	683.75	.00		
EC Data Technologies	1042	Network Equipment (ERATE)	12/17/2018	633.69	.00		
Total 1048840:				1,317.44	.00		
1051130							
Sunwest Penslons	37651	Plan Year Admin Fee - 1st Qtr	12/21/2018	78.57	.00		
Total 1051130:				78.57	.00		
1051135							
Dennis Grey	12132018	PSPRS Refund	12/13/2018	160.02	160.02	12/14/2018	
Total 1051135:				160.02	160.02		
1051230							
Benavidez Law Group, P.C.	68248	Attorney Fees	12/19/2018	419.32	.00		
Total 1051230:				419.32	.00		
1051271							
AT&T	9001/12042018	Phone Service	12/04/2018	150.87	150.87	12/13/2018	
CenturyLink	12072018	Phone Service	12/07/2018	326.25	326.25	12/17/2018	
Total 1051271:				477.12	477.12		
1051340							
S.S.V.E.C	12062018	Police Dept	12/06/2018	364.89	364.89	12/13/2018	
Total 1051340:				364.89	364.89		
1051360							
AZ Department of Corrections	D08106201812	Inmate Labor	12/11/2018	10.92	10.92	12/13/2018	
Total 1051360:				10.92	10.92		
1051365							
Shred-It USA	8126198477	monthly shred service	12/15/2018	94.40	.00		
Total 1051365:				94.40	.00		
1051480							
Ace Hardware	161441/1	Floristic and Spot Light	12/13/2018	144.30	144.30	12/13/2018	
Ace Hardware	161634/1	Fire Extinguisher Sticker	12/26/2018	11.60	.00		
Total 1051480:				155.90	144.30		
1051470							
GCR Tucson Truck Tire Center	827-74346	Tires 2012 Charger	12/26/2018	258.75	.00		
Safelite Fulfillment Inc	06166-275627	Repair Chip Windshield	12/31/2018	283.28	.00		
Gardner's Garage	03364	Vehicle Maint	12/11/2018	42.46	.00		
Total 1051470:				584.47	.00		
1051475							
Fleet Services	57069827	fuel expense	12/15/2018	776.66	776.66	01/07/2019	

Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid	Voided
Total 1051475:				776.66	776.66		
1051480							
Wells Fargo Remittance Center	E010071VON	Email	11/28/2018	131.66	131.66	12/19/2018	
Total 1051480:				131.66	131.66		
1051505							
Maca Towing, LLC	5680	Vehicle Impound Tow Fee	12/18/2018	187.50	.00		
Total 1051505:				187.50	.00		
1051705							
Copygraphix	23875942	Copy Machine Lease/Police Dept	12/11/2018	206.93	206.93	12/17/2018	
Total 1051705:				206.93	206.93		
1052140							
Benavidez Law Group, P.C.	68248	Attorney Fees	12/19/2018	419.32	.00		
Total 1052140:				419.32	.00		
1052340							
S.S.V.E.C	12062018	Dog Shelter	12/08/2018	439.88	439.88	12/13/2018	
Total 1052340:				439.88	439.88		
1052360							
AZ Department of Corrections	D08106201812	Inmate Labor	12/11/2018	43.68	43.68	12/13/2018	
Total 1052360:				43.68	43.68		
1052460							
Ace Hardware	161573/1	Saw Blades, Hammer	12/20/2018	51.82	.00		
Arizona Comfort Systems	12367062	Repair Heater	12/12/2018	122.16	122.16	12/13/2018	
M&M Auto Paint Supplies Inc	59817	Glue Remover Auto & Towels	12/20/2018	78.73	.00		
Wells Fargo Remittance Center	01613	Disinfecting Wipes	11/28/2018	21.55	21.55	12/19/2018	
Wells Fargo Remittance Center	01614	Mops & Bucket	11/28/2018	33.40	33.40	12/19/2018	
Wells Fargo Remittance Center	14909	Gloves	11/14/2018	137.89	137.89	12/19/2018	
Total 1052460:				445.55	315.00		
1052461							
Wells Fargo Remittance Center	01615	Dog Food	11/28/2018	99.32	99.32	12/19/2018	
Wells Fargo Remittance Center	09872	Animal Food, Trash Bags	11/14/2018	174.34	174.34	12/19/2018	
Total 1052461:				273.66	273.66		
1052463							
New Frontier Animal Medical Cent	279020	Veterinary Service	12/04/2018	270.21	270.21	12/13/2018	
New Frontier Animal Medical Cent	279021	Veterinary Service	12/05/2018	128.35	128.35	12/13/2018	
Total 1052463:				398.56	398.56		
1052475							
Fleet Services	57069827	fuel expense	12/15/2018	92.28	92.28	01/07/2019	

Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid	Voided
Total 1052475:				92.28	92.28		
1052480							
Wells Fargo Remittance Center	E010071VON	Email	11/28/2018	25.22	25.22	12/19/2018	
TransWorld Network, Corp	14509850-054	Internet Services	12/25/2018	64.86	64.86	12/27/2018	
Total 1052480:				90.08	90.08		
1052500							
Eurus Electric	4474	Repair Electric Short In Main Pow	12/21/2018	234.05	.00		
Total 1052500:				234.05	.00		
1052800							
Verified Volunteers	7628843	New Hire Background Check	11/30/2018	20.00	.00		
Total 1052800:				20.00	.00		
1053340							
S.S.V.E.C	12082018	Fire Dept	12/08/2018	808.46	808.46	12/13/2018	
Total 1053340:				808.46	808.46		
1053480							
Wells Fargo Remittance Center	E010071VON	Email	11/29/2018	8.61	8.61	12/19/2018	
Total 1053480:				8.61	8.61		
1054290							
Wells Fargo Remittance Center	236849	Name Badge	11/28/2018	15.74	15.74	12/19/2018	
Total 1054290:				15.74	15.74		
1054300							
Benavidez Law Group, P.C.	68248	Attorney Fees	12/19/2018	419.32	.00		
Total 1054300:				419.32	.00		
1054360							
SW Building Inspection Service	9442	Contract Services	12/31/2018	3,950.00	.00		
Total 1054360:				3,950.00	.00		
1057340							
S.S.V.E.C	12082018	street lights	12/08/2018	2,541.48	2,541.48	12/13/2018	
Total 1057340:				2,541.48	2,541.48		
1057360							
Benavidez Law Group, P.C.	68248	Attorney Fees	12/19/2018	419.32	.00		
Total 1057360:				419.32	.00		
1058270							
CenturyLink	12072018	Phone Service	12/07/2018	51.93	51.93	12/17/2018	

Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid	Voided
Total 1058270:				51.93	51.93		
1058340 S.S.V.E.C	12062018	Pool	12/06/2018	394.40	394.40	12/13/2018	
Total 1058340:				394.40	394.40		
1060480 Wells Fargo Remittance Center	2218569	Light Bulbs, Garland, Fence	11/14/2018	142.30	142.30	12/19/2018	
Total 1060480:				142.30	142.30		
1060704 Wells Fargo Remittance Center	028292	Packing Blankets For Parade	11/28/2018	20.72	20.72	12/19/2018	
Wells Fargo Remittance Center	03812	X-Mas Candy & Garland For Par	11/14/2018	56.77	56.77	12/19/2018	
Daniel Boyer	01-2018	Santa For Polar Express, Xmas P	12/17/2018	75.00	75.00	12/17/2018	
Total 1060704:				152.49	152.49		
1062130 Sunwest Pensions	37661	Plan Year Admin Fee - 1st Qtr	12/21/2018	78.57	.00		
Total 1062130:				78.57	.00		
1062271 AT&T	3001/12042018	Phone Service	12/04/2018	54.56	54.56	12/13/2018	
CenturyLink	12072018	Phone Service	12/07/2018	115.55	115.55	12/17/2018	
Total 1062271:				170.11	170.11		
1062290 Wist Office Products	1623295	Cleaning Supplies	11/30/2018	99.97	99.97	12/13/2018	
Total 1062290:				99.97	99.97		
1062340 S.S.V.E.C	12062018	Library	12/06/2018	598.65	598.65	12/13/2018	
Total 1062340:				598.65	598.65		
1062368 AZ Department of Corrections	D08106201812	Inmate Labor	12/11/2018	21.84	21.84	12/13/2018	
Total 1062368:				21.84	21.84		
1062460 Benavidez Law Group, P.C.	68248	Attorney Fees	12/19/2018	419.32	.00		
Stronghold Signs, Inc	6944	New Sign Layout For Library	11/20/2018	491.47	.00		
Total 1062460:				910.79	.00		
1062480 Wells Fargo Remittance Center	E010071VON	Email	11/29/2018	15.25	15.25	12/19/2018	
Total 1062480:				15.25	15.25		

Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid	Voided
1062481							
Clark Information Systems	117978	Internet Service	12/28/2018	94.95	94.95	01/07/2019	
Yavapai County Ed Service Agenc	18-023	Consulting Service For E-Rate	10/03/2018	1,500.00	.00		
Total 1062481:				1,594.95	94.95		
1062705							
Copygraphix	23775825	Copy Machine Lease/Library	11/22/2018	416.76	416.76	12/13/2018	
Copygraphix	23949957	Copy Machine Lease/Library	12/24/2018	613.24	613.24	01/07/2019	
Total 1062705:				1,030.00	1,030.00		
1065475							
Fleet Services	57069827	fuel expense	12/15/2018	236.48	236.48	01/07/2019	
Total 1065475:				236.48	236.48		
1068140							
Benavidez Law Group, P.C.	68248	Attorney Fees	12/19/2018	419.32	.00		
Total 1068140:				419.32	.00		
1068271							
CenturyLink	12072018	Phone Service	12/07/2018	53.35	53.35	12/17/2018	
Total 1068271:				53.35	53.35		
1068340							
S.S.V.E.C	12062018	Senior Center	12/06/2018	267.35	267.35	12/13/2018	
Total 1068340:				267.35	267.35		
1068462							
Truly Nolen Exterminating, Inc	250129173	Pest Control	12/26/2018	44.00	.00		
Total 1068462:				44.00	.00		
1069845							
Axon Enterprise, Inc.	SI-1559811	Taser, Battery Pack, Holster	11/01/2018	4,964.64	.00		
Total 1069845:				4,964.64	.00		
1070901							
AZ Mun Risk Retention Pool P&C	734	AMRRP Claim #BCLM GL 71578-	12/10/2018	1,544.68	1,544.68	12/13/2018	
Total 1070901:				1,544.68	1,544.68		
2040200							
AZ Dept of Public Safety	12312018	Additional Assessment	12/31/2018	8.00	.00		
Az State Treasurer	5135/12152018	monthly conversions	12/15/2018	7,703.60	7,703.60	01/07/2019	
Az State Treasurer	5135/12312018	monthly conversions	12/31/2018	4,625.53	.00		
Cochise County Superior Court	11302018	court revenue/\$1 Assessment	11/30/2018	41.86	41.86	01/07/2019	
Cochise County Superior Court	12312018	court revenue/\$1 Assessment	12/31/2018	157.02	.00		
General Fund(Trust)	11302018	monthly court conversions	11/30/2018	10,809.85	10,809.85	01/07/2019	
General Fund(Trust)	12312018	monthly court conversions	12/31/2018	7,082.16	.00		

Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid	Voided
Total 2040200:				30,226.02	18,355.31		
5113110							
Fredrick Krewson	1001395/01032	Credit Balance Refund	01/03/2019	12.72	.00		
Total 5113110:				12.72	.00		
5121350							
Richard Machowski	10003096/1224	Water Deposit Refund	12/24/2018	11.56	.00		
Cassandra Butler	4000406/01032	Water Deposit Refund	01/03/2019	25.00	.00		
Fredrick Krewson	1001395/01032	Water Deposit Refund	01/03/2019	25.00	.00		
Total 5121350:				61.56	.00		
5140110							
Cintas Corporation No. 445	4013918362	Uniform and Rentals/Public Works	12/12/2018	87.92	.00		
Cintas Corporation No. 445	4014185362	Uniform and Rentals/Public Works	12/27/2018	88.88	.00		
Cintas Corporation No. 445	4014501687	Uniform and Rentals/Public Works	01/03/2019	88.88	.00		
Total 5140110:				265.68	.00		
5140130							
Sunwest Pensions	37651	Plan Year Admin Fee - 1st Qtr	12/21/2018	78.57	.00		
Total 5140130:				78.57	.00		
5140340							
S.S.V.E.C	12062018	Wells	12/06/2018	2,869.55	2,869.55	12/13/2018	
Total 5140340:				2,869.55	2,869.55		
5140360							
AZ Department of Corrections	D08108201812	Inmate Labor	12/11/2018	65.54	65.54	12/13/2018	
Benavidez Law Group, P.C.	68248	Attorney Fees	12/19/2018	419.32	.00		
Apache Real Estate Investments	13-2018	Contract Service-Water Site Inspe	01/01/2019	500.00	.00		
Total 5140360:				984.86	65.54		
5140370							
AZ Dept of Revenue	EFT12312018	Sales Tax	01/11/2019	1,072.40	1,072.40	01/04/2019	
Total 5140370:				1,072.40	1,072.40		
5140440							
Purchase Power	10811630/1217	Postage	12/17/2018	251.75	251.75	12/27/2018	
Total 5140440:				251.75	251.75		
5140460							
Ace Hardware	161748/1	Parts For Lift Basket	01/03/2019	155.33	.00		
Ferguson Enterprises #1001	6990866	Jumbo Meter	12/12/2018	78.94	.00		
Hitchin' Post Iron	19514	3x6 Tube	12/14/2018	55.75	.00		
Phoenix Welding Supply Co.	SV101289	Round Stocks, Gas Cylinder	12/19/2018	120.61	.00		
Willden Financial Services	010-40049	HC 2018 Rate Study	12/14/2018	2,035.00	.00		

Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid	Voided
Total 5140460:				2,446.63	.00		
5140470							
Merle's Automotive Supply	18282384	Brake Pads, Cylinder	12/07/2018	268.57	268.57	12/13/2018	
Merle's Automotive Supply	18283108	Brake Pads, Cylinder	12/12/2018	27.01-	27.01-	12/13/2018	
Wells Fargo Remittance Center	07583	Safety Flag, Horn	12/04/2018	11.71	11.71	12/18/2018	
Mace Towing, LLC	5877	Tow PW1	12/27/2018	70.00	.00		
Total 5140470:				323.27	263.27		
5140475							
Fleet Services	57089827	fuel expense	12/15/2018	844.88	844.88	01/07/2019	
Senergy Petroleum LLC	499403	Diesel #2	12/12/2018	137.90	.00		
Senergy Petroleum LLC	501163	Diesel #2	12/19/2018	302.81	.00		
Senergy Petroleum LLC	502126	Diesel #2	12/27/2018	245.79	.00		
Total 5140475:				1,331.38	844.88		
5140480							
Wells Fargo Remittance Center	E010071VON	Email	11/29/2018	8.81	8.81	12/18/2018	
Total 5140480:				8.81	8.81		
5140510							
State of Arizona - ADEQ	0000290616X	Water Quality	12/02/2018	1,000.00	1,000.00	12/13/2018	
Turner Laboratories, Inc	18L0339	Semi-Annual Ground Water	12/21/2018	845.00	.00		
YL Technology, LLC	32282	Sampling Fee	12/24/2018	92.00	.00		
Total 5140510:				1,937.00	1,000.00		
5221350							
REMAX Homestores	4001169/12012	Sewer Deposit Refund	12/01/2018	3.09	3.09	12/13/2018	
Cassandra Butler	4000409/01032	Sewer Deposit Refund	01/03/2019	15.00	.00		
Fredrick Krewson	1001395/01032	Sewer Deposit Refund	01/03/2019	15.00	.00		
Total 5221350:				33.09	3.09		
5240130							
Sunwest Pensions	37651	Plan Year Admin Fee - 1st Qtr	12/21/2018	78.57	.00		
Total 5240130:				78.57	.00		
5240340							
S.S.V.E.C	12062018	Sewer Ponds	12/08/2018	607.88	607.88	12/13/2018	
Total 5240340:				607.88	607.88		
5240360							
AZ Department of Corrections	D08106201812	Inmate Labor	12/11/2018	65.55	65.55	12/13/2018	
Valenzuela, Jr. Carlos S.	195636	Contract Labor	01/04/2019	400.00	.00		
Total 5240360:				465.55	65.55		
5240475							
Senergy Petroleum LLC	499403	Diesel #2	12/12/2018	137.90	.00		
Senergy Petroleum LLC	501163	Diesel #2	12/19/2018	302.80	.00		

Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid	Voided
Senergy Petroleum LLC	502128	Diesel #2	12/27/2018	245.79	.00		
Total 5240475:				686.49	.00		
5240610							
Ace Hardware	181574/1	Paint & Battery	12/20/2018	60.84	.00		
Total 5240610:				60.84	.00		
5240650							
Benavidez Law Group, P.C.	68248	Attorney Fees	12/19/2018	419.32	.00		
Willdan Financial Services	010-40049	HC 2018 Rate Study	12/14/2018	2,036.00	.00		
Total 5240650:				2,454.32	.00		
5240702							
Turner Laboratories, Inc	18L0340	Wastewater Annual Tests	12/28/2018	892.60	.00		
Total 5240702:				892.60	.00		
5440450							
Herald Review Media	489340/111848	Ordinance For Trash	11/25/2018	834.73	834.73	12/13/2018	
Total 5440450:				834.73	834.73		
5440475							
Test Services	57069827	fuel expense	12/15/2018	196.01	196.01	01/07/2019	
Total 5440475:				196.01	196.01		
5540110							
Cintas Corporation No. 445	4013918362	Uniform and Rentals/Landfill	12/12/2018	112.55	.00		
Cintas Corporation No. 445	4014185392	Uniform and Rentals/Landfill	12/27/2018	102.72	.00		
Cintas Corporation No. 445	4014501687	Uniform and Rentals/Landfill	01/03/2019	102.72	.00		
Total 5540110:				317.99	.00		
5540130							
Sunwest Pensions	37651	Plan Year Admin Fee - 1st Qtr	12/21/2018	78.57	.00		
Total 5540130:				78.57	.00		
5540250							
Herald Review Media	489184/111848	Ad For New Hire	11/21/2018	70.74	70.74	12/13/2018	
Total 5540250:				70.74	70.74		
5540340							
AT&T	9001/12042018	Phone Service	12/04/2018	99.60	99.60	12/13/2018	
S.S.V.E.C	12062018	Landfill Scales	12/06/2018	738.73	738.73	12/13/2018	
CenturyLink	12072018	Phone Service	12/07/2018	83.31	83.31	12/17/2018	
Total 5540340:				921.64	921.64		
50380							
AZ Department of Corrections	D08106201812	Inmate Labor	12/11/2018	65.55	65.55	12/13/2018	
Bernal Maintenance & Repair	005819	Repair Scraper	12/29/2018	1,500.00	.00		

Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid	Voided
Lal Enterprises, Inc	28784	septic clean out scalehouse	12/31/2018	57.75	.00		
McCoy's Septic Pumping Service	3998	Clean Landfill Septic Tank	12/19/2018	190.00	.00		
Total 5540360:				1,813.30	85.55		
5540460							
Gagnons Sand and Gravel	1885	Leach Rock	12/21/2018	414.19	.00		
D&M Tire & Wheel	34337	Mount Tires	01/04/2019	70.00	.00		
Sparkletts	117434481208	Water	12/08/2018	58.81	58.81	12/13/2018	
Phoenix Welding Supply Co.	SV101228	Tubes	12/14/2018	188.33	.00		
Phoenix Welding Supply Co.	SV101290	Metal, Gauge	12/19/2018	80.81	.00		
Waste Management of AZ	0873604-0587-	Relocate	12/03/2018	1,580.00	1,580.00	12/13/2018	
Grunt-Work, LLC	12182018	Landfill Deposit Refund	12/19/2018	101.33	101.33	12/19/2018	
Total 5540460:				2,450.87	1,717.84		
5540470							
Gingers Auto Title Service, LLC	113018/120318	titles	12/03/2018	136.00	.00		
Total 5540470:				136.00	.00		
5540475							
Fleet Services	57088827	fuel expense	12/15/2018	141.48	141.48	01/07/2019	
Senergy Petroleum LLC	499403	Red Dyed Diesel #2	12/12/2018	999.28	.00		
Senergy Petroleum LLC	501183	Red Dyed Diesel #2	12/19/2018	1,140.34	.00		
Senergy Petroleum LLC	502126	Red Dyed Diesel #2	12/27/2018	779.88	.00		
Total 5540475:				3,060.98	141.48		
5540480							
Wells Fargo Remittance Center	E010071VON	Email	11/28/2018	17.22	17.22	12/19/2018	
TransWorld Network, Corp	14807703-053	Internet Services	12/22/2018	48.86	48.86	12/27/2018	
Total 5540480:				66.08	66.08		
5540610							
Bernal Maintenance & Repair	005820	Inspect, Labor, Part For Front Loa	10/16/2018	500.00	.00		
Empire Southwest, LLC	EMPC0613395	Starter For Loader	12/05/2018	842.74	842.74	12/13/2018	
Empire Southwest, LLC	EMPS4628323	Starter For Loader	12/03/2018	1,244.42	1,244.42	12/13/2018	
Redburn Tire Co	40114024	tires	01/03/2019	519.74	.00		
Merle's Automotive Supply	18285828	Radiator Cap	01/03/2019	30.95	.00		
Total 5540610:				1,862.37	801.88		
5540650							
Benavidez Law Group, P.C.	88248	Attorney Fees	12/19/2018	419.32	.00		
Total 5540650:				419.32	.00		
5540705							
Wells Fargo Equipment Finance	5005855451	836H Caterpillar Landfill Compact	12/18/2018	9,431.50	.00		
Total 5540705:				9,431.50	.00		
7340860							
APS	1283280000/12	electric bill	12/07/2018	110.11	110.11	12/13/2018	

Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid	Voided
Total 7340850:				110.11	110.11		
Grand Totals:				128,303.23	81,842.85		

Dated: _____

Mayor: _____

City Council: _____

City Recorder: _____

City Treasurer: _____

Report Criteria:

Detail report.

Invoices with totals above \$0 included.

Paid and unpaid invoices included.

January 8, 2019

Mayor and Town Council
Town of Huachuca City
Huachuca City, AZ 85616

Subject: Revised Senior Center Closure


This is to notify you that HCSC Management, LLC will cease operation of the Huachuca City Senior Center on January 31, 2019. The last day of meal service will be January 31, 2019.

This new date is due to the resignation of the city provided cook. HCSC has volunteers to provide the preparation of meals until the closure date.

With this in mind we ask that HCSC be given 45 days to inventory and dispose of all property owned within the building. We also request that all utilities remain on.

A representative of the towns choosing should be available to ensure that what's owned by the town of Huachuca City is noted and listed as to remain with the building.

Thank You,


David A. Perry
President
HCSC Management, LLC


Walter Welsch
Secretary/Treasurer
HCSC Management, LLC

November 12, 2019

Mayor and Town Council
Town of Huachuca City
Huachuca City, AZ 85616

Subject: Senior Center Closure

This is to notify you that HCSC Management, LLC will cease operation of the Huachuca City Senior Center on March 31, 2019. The last day of meal service will be March 29, 2019.

With this in mind we ask that HCSC be given 45 days to inventory and dispose of all property owned within the building. We also request that all utilities remain on.

A representative of the town's choosing should be available to ensure that what's owned by the town of Huachuca City is noted and listed as to remain with the building.

Thank You,


David A. Perry
President
HCSC Management, LLC


Walter Welsch
Secretary/Treasurer
HCSC Management, LLC



11/13/19

Gardner's Garage
127 huachuca blvd.
Huachuca City AZ 85616
5205598707

Estimate #238

Customer: WILLIAMS, MATT
Address: 500 GONZALES BLVD.
 HUACHUCA CITY, AZ

Cell:
Home:
Work: 520-456-1354

Vehicle: 2005 Ford F250 Super Duty 3/4 Ton - Pickup F250 Su
VIN:
Created: 12/28/2018

Odometer:
Tag:

Type	Description	Part No	Condition	Qty/Hrs	Price	Total
Labor	LONG BLOCK - R&R All F250 Super Duty,F350 Super Duty,4WD,Gas,V8,5.4L Eng,Automatic Trans Consists of a Cylinder Block fitted with Pistons, Rings, Connecting Rods, Crankshaft and all Bearings, Cylinder Head(s), Camshaft(s), Timing Chain or Belt and Sprockets or Gears. Includes (where applicable): Clean and transfer Fuel and Electrical Assemblies, Engine Mounts, Manifolds, Valve Cover(s), Oil Pan, Oil Pump, Timing Cover(s), Water Pump, Clutch and Flywheel. Adjust (where applicable): Fuel mixture, Idle speed, timing and Valves.		-	20.6	\$85.00	\$1,751.00
Part	CORE CHARGE ON LONG BLOCK WILL BE CREDITED IF POSSIBLE TO LABOR		-	1	\$600.00	\$600.00
Part	Oil Filter - ProSelect - Master Pack	SFI 21372MP	-	1	\$2.04	\$2.04
NPart	Antifreeze - Extended Life - Universal - 1 gal	NAF RTU1EXT	-	3	\$10.05	\$30.15
NPart	Engine - Complete - Remanufactured	ATK DFDW	-	1	\$5,494.48	\$5,494.48
NPart	NAPA Premium Performance 5W20 Motor Oil - 1 qt	NOL 75150	-	7	\$4.10	\$28.70
NPart	Air Filter - NAPA Gold	FIL 6804	-	1	\$23.22	\$23.22
LaborDisc	Discount		-	1.0	-\$733.59	-\$733.59

Note: M - Labor Database, Copyright, Mitchell International, All Rights Reserved

Supplies: \$7.00
Tax: \$494.85
Total: \$7,697.85

I do _____ do not _____ request the return of replaced parts. Flat Rate/ Hourly Rate/ Both Apply If your vehicle is not picked up within 72 hours after completion of work performed, customer agrees to a daily storage fee of not more than \$50.00. Customer further agrees that the repair shop will not be liable for the vehicle or articles left in the vehicle in case of fire, theft, accidents or other causes beyond control. My vehicle may be driven by your employees for road testing at my risk.

SIGNED _____ **DATE** _____

Estimates are valid for 5 Days

Payment Type: CASH___ CHECK___ CHARGE___ OTHER___



Town of Huachuca City

The Sunset City

500 N Gonzales Blvd • Huachuca City, Arizona 85616

Phone: (520) 456-1354 • TDD: (520) 456-1353 • Fax: (520) 456-2230

ORDINANCE NO. 2019-01

AN ORDINANCE OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF HUACHUCA CITY, COCHISE COUNTY, ARIZONA, AMENDING THE TOWN CODE TITLE 18 "ZONING," CHAPTER 18.10 "DEFINITIONS" AND CHAPTER 18.100 "SUPPLEMENTAL REGULATIONS," SECTION 18.100.210 "HOME OCCUPATIONS" TO CLARIFY THAT HOME OCCUPATIONS REQUIRE A BUSINESS LICENSE, APPROVAL OF THE BUILDING OFFICIAL AND PERMISSION OF THE PROPERTY OWNER; AND TO PROHIBIT NAIL SALONS, DENTAL OFFICES AND AUTO REPAIR AND SERVICE BUSINESSES FROM BEING HOME OCCUPATIONS; AND TO PROHIBIT OUTSIDE DISPLAY OR STORAGE OF STOCK-IN-TRADE.

WHEREAS, the Town Council of the Town of Huachuca City has adopted by Resolution No. 84-002 a code known as the Town Code of the Town of Huachuca City, Arizona [the "Code"], and has amended and republished the Code from time to time, as authorized by A.R.S. 9-240 (B) (28) and Town Ordinance No. 15-02; and

WHEREAS, pursuant to A.R.S. 9-462.01 (A) and 9-240(B)(19), the Town is empowered to adopt and amend zoning regulations and issue business licenses; and

WHEREAS, the Town Council has determined that it would be in the best interest of the health, safety and welfare of the Town's residents to revise the Town's zoning regulations pertaining to home occupational uses; and

WHEREAS, a public hearing was held on November 7, 2018, to receive public comment, pro and con, for adopting the following Code amendments; and

WHEREAS, as required by the Code, section 2.25.040, this Ordinance was first read at a public meeting of the Town Council on December 13, 2018, and at a subsequent meeting on January 10, 2019.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the Town of Huachuca City, as follows:

SECTION 1. The Code, Title 18 "ZONING," Chapter 18.10 "DEFINITIONS," SECTION 18.10.010 "Definitions" is amended by changing the definition of "Home occupation," as follows, with deletions in ~~strikeout~~ and additions in underlined text:

"Home occupation" means an activity carried on by the occupant of a dwelling as a secondary use, including professional and semi-professional offices when conducted

and entered from within the dwelling, in ~~connection with~~ which there is no public outside display or storage of stock-in-trade upon the premises, not more than one nonresident of the premises is employed and not more than one-fourth of the floor area of one story of the principal building, or a detached home workshop of not more than 200 square feet in area is used for such home occupation; and provided, that the residential character of the dwelling is not changed by said use and that such occupation does not cause any sustained changes by said use and that such occupation does not cause any sustained or unpleasant or unusual noises, vibrations, noxious fumes, odors, or cause any parking or traffic congestion in the immediate neighborhood.

SECTION 2. The Code, Title 18 "ZONING," CHAPTER 18.100 "SUPPLEMENTAL REGULATIONS," SECTION 18.100.210 "Home occupations," subsections (A) and (C)(2), are amended as follows, with deletions in ~~strikeout~~ and additions in underlined text:

18.100.210 Home occupations.

A home occupation may be permitted upon application to the ~~zoning commission~~ town clerk in any residential district, subject to the following conditions:

A. The home occupation ~~must be registered with~~ requires a business license from the town clerk and is subject to review by the ~~planning and zoning commission~~ building official. ~~The building official will issue a permit. If the applicant is not the owner of the premises, written owner permission for the home occupation must accompany the business license application.~~

B. *[No changes]*

C. Prohibited Home Occupation Uses.

1. *[No changes]*

2. Barber and beauty shops, nail salons, commercial stables, cosmetologists, ~~dog~~ pet grooming or boarding, embalmers and morticians, human and animal medical/dental services, massage therapists, restaurants, storage, painting, ~~washing and sales on property not owned by the occupants of the property, and all~~ auto-related service and repair.

SECTION 3. All ordinances, parts of ordinances, resolutions, parts of resolutions, policies, and parts of policies in conflict with the provisions of this Ordinance, or any part hereof, are hereby repealed.

SECTION 4. If any section, subsection or portion of this Ordinance is for any reason held to be invalid or unenforceable by the decision of a court of competent jurisdiction, such decision shall not affect the validity or enforceability of the remaining portions hereof.

SECTION 5. The Town Clerk is hereby directed, pursuant to the Code, sections 2.25.080 and 2.25.090, to post this Ordinance in three or more public places within the Town, and to publish this Ordinance as required by A.R.S. 9-812 and 39-204 (C)(3).

PASSED AND ADOPTED BY THE MAYOR AND TOWN COUNCIL OF THE TOWN OF HUACHUCA CITY, COCHISE COUNTY, ARIZONA, THIS 10TH DAY OF JANUARY, 2019.

Johann Wallace, Mayor

ATTEST:

Jennifer Fuller, Town Clerk

Approved as to Form:

Thomas Benavidez, Town Attorney



Town of Huachuca City

The Sunset City

500 N Gonzales Blvd • Huachuca City, Arizona 85616

Phone: (520) 456-1354 • TDD: (520) 456-1353 • Fax: (520) 456-2230

ORDINANCE NO. 2019-02

AN ORDINANCE OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF HUACHUCA CITY, COCHISE COUNTY, ARIZONA, AMENDING THE TOWN CODE TITLE 18 "ZONING," CHAPTER 18.35 "R-1 RESIDENTIAL DISTRICTS," SECTION 18.35.040 "USE REGULATIONS;" CHAPTER 18.40 "R-2 RESIDENTIAL DISTRICTS," SECTION 18.40.020 "USE REGULATIONS;" CHAPTER 18.45 "R-3 RESIDENTIAL DISTRICTS," SECTION 18.45.010 "USES PERMITTED;" AND CHAPTER 18.50 "R-4 RESIDENTIAL DISTRICTS," SECTION 18.50.010 "USES PERMITTED," TO PROHIBIT MANUFACTURED HOMES AND MOBILE HOMES IN RESIDENTIAL DISTRICTS 1 AND 2.

WHEREAS, the Town Council of the Town of Huachuca City has adopted by Resolution No. 84-002 a code known as the Town Code of the Town of Huachuca City, Arizona [the "Code"], and has amended and republished the Code from time to time, as authorized by A.R.S. 9-240 (B) (28) and Town Ordinance No. 15-02; and

WHEREAS, pursuant to A.R.S. 9-462.01 (A), the Town is empowered to adopt and amend zoning regulations; and

WHEREAS, the Town Council has determined that it would be in the best interest of the health, safety and welfare of the Town's residents to revise the Town's zoning regulations pertaining to permitted and conditional uses in the Town's Residential Districts; and

WHEREAS, a public hearing was held on November 7, 2018, to receive public comment, pro and con, for adopting the following Code amendments; and

WHEREAS, as required by the Code, section 2.25.040, this Ordinance was first read at a public meeting of the Town Council on December 13, 2018, and at a subsequent meeting on January 10, 2019.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the Town of Huachuca City, as follows:

SECTION 1. The Code, Title 18 "ZONING," Chapter 18.35 "R-1 RESIDENTIAL DISTRICTS," SECTION 18.35.040 "Use Regulations" is amended by deleting the text in its entirety and replacing it with the following text:

"Manufactured homes and mobile homes are not allowed to be installed within this zone. Any manufactured home or mobile home existing within this zone at the time

of enactment of this provision is permitted to remain, provided it is occupied as a residence and in good repair."

SECTION 2. The Code, Title 18 "ZONING," CHAPTER 18.40 "R-2 RESIDENTIAL DISTRICTS," SECTION 18.40.020 "Use Regulations" is amended by deleting the text in its entirety and replacing it with the following text:

"Manufactured homes and mobile homes are not allowed to be installed within this zone. Any manufactured home or mobile home existing within this zone at the time of enactment of this provision is permitted to remain, provided it is occupied as a residence and in good repair."

SECTION 3. The Code, Title 18 "ZONING," CHAPTER 18.45 "R-3 RESIDENTIAL DISTRICTS," SECTION 18.45.010 "Uses Permitted" is amended by deleting the text of current subsection (F) in its entirety and replacing it with the following text:

"F. By conditional use permit from the Planning and Zoning Commission."

SECTION 4. The Code, Title 18 "ZONING," CHAPTER 18.50 "R-4 RESIDENTIAL DISTRICTS," SECTION 18.50.010 "Uses Permitted" is amended by deleting the text "Tourist park or" from subsection (B). It is further amended by deleting the text from subsections (C) and (D) in their entirety and replacing it with the following text:

"C. Manufactured home park in accordance with regulations outlined in Chapter 18.115 Manufactured Home Parks"

"D. By conditional use permit from the Planning and Zoning Commission."

SECTION 5. All ordinances, parts of ordinances, resolutions, parts of resolutions, policies, and parts of policies in conflict with the provisions of this Ordinance, or any part hereof, are hereby repealed.

SECTION 6. If any section, subsection or portion of this Ordinance is for any reason held to be invalid or unenforceable by the decision of a court of competent jurisdiction, such decision shall not affect the validity or enforceability of the remaining portions hereof.

SECTION 7. The Town Clerk is hereby directed, pursuant to the Code, sections 2.25.080 and 2.25.090, to post this Ordinance in three or more public places within the Town, and to publish this Ordinance as required by A.R.S. 9-812 and 39-204 (C)(3).

PASSED AND ADOPTED BY THE MAYOR AND TOWN COUNCIL OF THE TOWN OF HUACHUCA CITY, COCHISE COUNTY, ARIZONA, THIS 10TH DAY OF JANUARY, 2019.

Johann Wallace, Mayor

ATTEST:

Jennifer Fuller, Town Clerk

Approved as to Form:

Thomas Benavidez, Town Attorney



Town of Huachuca City

The Sunset City

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ORDINANCE NO. 2019-03

AN ORDINANCE OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF HUACHUCA CITY, COCHISE COUNTY, ARIZONA, AMENDING THE TOWN CODE TITLE 18 "ZONING," CHAPTER 18.110 "SIGN REGULATIONS," BY REPLACING THE TOWN'S SIGN REGULATIONS WITH THE NEW 2018 SIGN REGULATIONS.

WHEREAS, the Town Council of the Town of Huachuca City has adopted by Resolution No. 84-002 a code known as the Town Code of the Town of Huachuca City, Arizona [the "Code"], and has amended and republished the Code from time to time, as authorized by A.R.S. 9-240 (B) (28) and Town Ordinance No. 15-02; and

WHEREAS, pursuant to A.R.S. 9-462.01 (A) (2), the Town is empowered to adopt and amend sign regulations; and

WHEREAS, the Town Council has determined that it would be in the interest of the health, safety and welfare of the Town's residents and visitors to revise the Town's sign regulations by replacing the current regulations with the new 2018 sign regulations; and

WHEREAS, the Town Council previously adopted Resolution No. 2019-01 declaring the "2018 Sign Regulations," a public record of the Town; and

WHEREAS, a public hearing was held on November 7, 2018, to receive public comment, pro and con, for adopting the following Code amendments; and

WHEREAS, as required by the Code, section 2.25.040, this Ordinance was first read at a public meeting of the Town Council on December 13, 2018, and at a subsequent meeting on January 10, 2019.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the Town of Huachuca City, as follows:

SECTION 1. The Code, Title 18 "ZONING," Chapter 18.110 "SIGN REGULATIONS," is amended by replacing it with the 2018 Sign Regulations, a public record of the Town, three copies of which are on file in the office of the Town Clerk, and which is hereby approved and adopted.

SECTION 2. All ordinances, parts of ordinances, resolutions, parts of resolutions, policies, and parts of policies in conflict with the provisions of this Ordinance, or any part hereof, are hereby repealed.

SECTION 3. As provided in the Code, section 18.155.010, any person found guilty of violating any provision of this Ordinance, shall be guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not to exceed \$2,500.00 or by imprisonment for a period of not to exceed six months, or by both such fine and imprisonment. Each day that a violation continues shall be a separate offense punishable as hereinabove described. In addition, the Court may award restitution to recover costs of prosecution.

SECTION 4. If any section, subsection or portion of this Ordinance is for any reason held to be invalid or unenforceable by the decision of a court of competent jurisdiction, such decision shall not affect the validity or enforceability of the remaining portions hereof.

SECTION 5. The Town Clerk is hereby directed, pursuant to the Code, sections 2.25.080 and 2.25.090, to post this Ordinance in three or more public places within the Town, and to publish this Ordinance as required by A.R.S. 9-812 and 39-204 (C)(3).

PASSED AND ADOPTED BY THE MAYOR AND TOWN COUNCIL OF THE TOWN OF HUACHUCA CITY, COCHISE COUNTY, ARIZONA, THIS 10TH DAY OF JANUARY, 2019.

Johann Wallace, Mayor

ATTEST:

Jennifer Fuller, Town Clerk

Approved as to Form:

Thomas Benavidez, Town Attorney



Town of Huachuca City

The Sunset City

500 N Gonzales Blvd • Huachuca City, Arizona 85616

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ORDINANCE NO. 2019-04

AN ORDINANCE OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF HUACHUCA CITY, COCHISE COUNTY, ARIZONA, AMENDING THE TOWN CODE TITLE 18 "ZONING," CHAPTER 18.115 "MANUFACTURED HOME PARKS" BY REPLACING THE TOWN'S MANUFACTURED HOME PARKS REGULATIONS WITH THE NEW 2018 MANUFACTURED HOME PARKS REGULATIONS.

WHEREAS, the Town Council of the Town of Huachuca City has adopted by Resolution No. 84-002 a code known as the Town Code of the Town of Huachuca City, Arizona [the "Code"], and has amended and republished the Code from time to time, as authorized by A.R.S. 9-240 (B) (28) and Town Ordinance No. 15-02; and

WHEREAS, pursuant to A.R.S. 9-462.01 (A), the Town is empowered to adopt and amend zoning regulations; and

WHEREAS, the Town Council has determined that it would be in the interest of the health, safety and welfare of the Town's residents to revise the Town's manufactured home parks regulations by replacing the current regulations with the new 2018 manufactured home parks regulations; and

WHEREAS, the Town Council previously adopted Resolution No. 2019-02 declaring the "2018 Manufactured Home Parks Regulations," a public record of the Town; and

WHEREAS, a public hearing was held on November 7, 2018, to receive public comment, pro and con, for adopting the following Code amendments; and

WHEREAS, as required by the Code, section 2.25.040, this Ordinance was first read at a public meeting of the Town Council on December 13, 2018, and at a subsequent meeting on January 10, 2019.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the Town of Huachuca City, as follows:

SECTION 1. The Code, Title 18 "ZONING," Chapter 18.115 "MANUFACTURED HOME PARKS," is amended by replacing it with the 2018 Manufactured Home Parks Regulations, a public record of the Town, three copies of which are on file in the office of the Town Clerk, and which is hereby approved and adopted.

SECTION 2. All ordinances, parts of ordinances, resolutions, parts of resolutions, policies, and parts of policies in conflict with the provisions of this Ordinance, or any part hereof, are hereby repealed.

SECTION 3. If any section, subsection or portion of this Ordinance is for any reason held to be invalid or unenforceable by the decision of a court of competent jurisdiction, such decision shall not affect the validity or enforceability of the remaining portions hereof.

SECTION 4. The Town Clerk is hereby directed, pursuant to the Code, sections 2.25.080 and 2.25.090, to post this Ordinance in three or more public places within the Town, and to publish this Ordinance as required by A.R.S. 9-812 and 39-204 (C)(3).

PASSED AND ADOPTED BY THE MAYOR AND TOWN COUNCIL OF THE TOWN OF HUACHUCA CITY, COCHISE COUNTY, ARIZONA, THIS 10TH DAY OF JANUARY, 2019.

Johann Wallace, Mayor

ATTEST:

Jennifer Fuller, Town Clerk

Approved as to Form:

Thomas Benavidez, Town Attorney



Town of Huachuca City

The Sunset City

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ORDINANCE NO. 2019-05

AN ORDINANCE OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF HUACHUCA CITY, COCHISE COUNTY, ARIZONA, AMENDING THE TOWN CODE TITLE 18 "ZONING," CHAPTER 18.120 "RECREATIONAL VEHICLE PARKS" BY REPLACING THE TOWN'S RECREATIONAL VEHICLE PARKS REGULATIONS WITH THE NEW 2018 RECREATIONAL VEHICLE PARKS REGULATIONS.

WHEREAS, the Town Council of the Town of Huachuca City has adopted by Resolution No. 84-002 a code known as the Town Code of the Town of Huachuca City, Arizona [the "Code"], and has amended and republished the Code from time to time, as authorized by A.R.S. 9-240 (B) (28) and Town Ordinance No. 15-02; and

WHEREAS, pursuant to A.R.S. 9-462.01 (A), the Town is empowered to adopt and amend zoning regulations; and

WHEREAS, the Town Council has determined that it would be in the interest of the health, safety and welfare of the Town's residents to revise the Town's recreational vehicle parks regulations by replacing the current regulations with the new 2018 manufactured home parks regulations; and

WHEREAS, the Town Council previously adopted Resolution No. 2019-03 declaring the "2018 Recreational Vehicle Parks Regulations," a public record of the Town; and

WHEREAS, a public hearing was held on November 7, 2018, to receive public comment, pro and con, for adopting the following Code amendments; and

WHEREAS, as required by the Code, section 2.25.040, this Ordinance was first read at a public meeting of the Town Council on December 13, 2018, and at a subsequent meeting on January 10, 2019.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the Town of Huachuca City, as follows:

SECTION 1. The Code, Title 18 "ZONING," Chapter 18.120 "RECREATIONAL VEHICLE PARKS," is amended by replacing it with the 2018 Recreational Vehicle Parks Regulations, a public record of the Town, three copies of which are on file in the office of the Town Clerk, and which is hereby approved and adopted.

SECTION 2. All ordinances, parts of ordinances, resolutions, parts of resolutions, policies, and parts of policies in conflict with the provisions of this Ordinance, or any part hereof, are hereby repealed.

SECTION 3. If any section, subsection or portion of this Ordinance is for any reason held to be invalid or unenforceable by the decision of a court of competent jurisdiction, such decision shall not affect the validity or enforceability of the remaining portions hereof.

SECTION 4. The Town Clerk is hereby directed, pursuant to the Code, sections 2.25.080 and 2.25.090, to post this Ordinance in three or more public places within the Town, and to publish this Ordinance as required by A.R.S. 9-812 and 39-204 (C)(3).

PASSED AND ADOPTED BY THE MAYOR AND TOWN COUNCIL OF THE TOWN OF HUACHUCA CITY, COCHISE COUNTY, ARIZONA, THIS 10TH DAY OF JANUARY, 2019.

Johann Wallace, Mayor

ATTEST:

Jennifer Fuller, Town Clerk

Approved as to Form:

Thomas Benavidez, Town Attorney



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ORDINANCE NO. 2019-06

AN ORDINANCE OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF HUACHUCA CITY, COCHISE COUNTY, ARIZONA, AMENDING THE TOWN CODE TITLE 18 "ZONING," CHAPTER 18.135 "AMENDMENTS," TO ADD NEW SECTION 18.135.035, ESTABLISHING A NEW CITIZEN REVIEW PROCESS FOR REZONING OF PROPERTY, CONDITIONAL USE APPROVAL, DEVELOPMENT PLAN AMENDMENTS AND CHANGES TO ZONING REGULATIONS.

WHEREAS, the Town Council of the Town of Huachuca City has adopted by Resolution No. 84-002 a code known as the Town Code of the Town of Huachuca City, Arizona [the "Code"], and has amended and republished the Code from time to time, as authorized by A.R.S. 9-240 (B) (28) and Town Ordinance No. 15-02; and

WHEREAS, pursuant to A.R.S. 9-462.01 (A), the Town is empowered to adopt and amend zoning regulations; and

WHEREAS, the Town Council has determined that it would be in the best interest of the health, safety and welfare of the Town's residents to revise the Town's zoning regulations to establish a citizen review process; and

WHEREAS, a public hearing was held on November 7, 2018, to receive public comment, pro and con, for adopting the following Code amendments; and

WHEREAS, as required by the Code, section 2.25.040, this Ordinance was first read at a public meeting of the Town Council on December 13, 2018, and at a subsequent meeting on January 10, 2019.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the Town of Huachuca City, as follows:

SECTION 1. The Code, Title 18 "ZONING," Chapter 18.035 "AMENDMENTS," is revised by adding new section 18.135.035 "Citizen Review Process" reading as follows:

18.135.035 Citizen Review Process.

The citizen review process shall apply to any application for a rezoning of property, conditional use permit, general development plan amendment, that impose any regulation not previously imposed, or that removes or modifies any such regulation previously imposed. This process involves holding neighborhood meetings to provide reasonable opportunity for the applicant, adjacent landowners and those other

potentially affected citizens to discuss and express their respective views concerning the application and any issues or concerns that they may have with the zoning application.

Prior to any public hearing as required in this chapter, the zoning administrator, in coordination with the applicant, shall establish a time, date and place for a neighborhood meeting. The zoning administrator, or representative, shall attend the meeting, but is not required to conduct the meeting. The zoning administrator, or representative, shall record minutes of the meeting to include a list of all individuals in attendance and general matters discussed.

The zoning administrator shall provide a written report regarding the results of the neighborhood meeting to the Planning and Zoning Commission and/or Town Council at such time they take action on the application or proposed text amendments. The report shall include a summary of the concerns, issues and problems expressed during the meeting and how the applicant proposes to address or resolve the concerns, issues or problems.

Written notice of the neighborhood meeting shall be given at least ten (10) days prior to the meeting and shall include the time, date and location of the meeting and sufficient details regarding the substance of the proposed application so as to allow citizens and other affected persons to determine how they might be affected by the proposed application.

The applicant shall provide to the Town proof of mailing such notices by first class mail to:

1. Each property owner within 300 feet of all boundaries of the property subject to the application.
2. All other interested parties who have requested that they be placed on a notification list maintained by the zoning administrator.
3. Such other persons the zoning administrator reasonably determines to be other potentially affected citizens.

In addition to the above required notification, notice of the neighborhood meeting stating the date, time and place of the meeting and including a general explanation of the substance of the proposed application shall be:

1. Published in a local newspaper distributed to residents living within the Town;
2. Posted at the official posting locations for the Town; and
3. Posted on the subject property

On applications involving text amendments to the zoning regulations, a neighborhood meeting shall be held prior to the public hearing for the consideration of the proposed text amendments. Written notice of the neighborhood meeting shall be given at least ten (10) days prior to the meeting and shall include the time, date and location of the meeting and sufficient details regarding the substance of the proposed text amendments so as to allow citizens and other affected persons to determine how they

might be affected by the proposed text amendments. The form of notice to be used will vary according to the type of text amendment proposed, and any means deemed by the Town to provide the appropriate method of notice for the proposed text amendment shall be considered sufficient. The following forms of notice shall be considered sufficient:

1. Publication in a local newspaper distributed to residents living within the Town;
2. Posting at the official posting locations for the Town;
3. Posting on the Town's website

After the neighborhood meeting, the Planning and Zoning Commission may take all issues and concerns raised by Landowners and other citizens potentially affected by the proposed text amendments at such meeting into account when it holds its public hearing on the proposed text amendments. When preparing its recommendation to the Town Council on the proposed text amendments, Planning and Zoning Commission shall report the issues and concerns raised during the neighborhood meeting.

At the discretion of the zoning administrator, an alternative citizen review process may be used that does not involve a neighborhood meeting. The alternative process shall consist of the following:

1. The written notice described in this section shall be followed, except that it shall only indicate the name, address and phone number of the zoning administrator to whom an adjacent landowner or other potentially affected citizen may contact to express any issues or concerns that the landowner or citizen may have with the proposed zoning application or text amendment.

2. A staff report summarizing any issues or concerns so expressed shall be presented to the Planning and Zoning Commission and Town Council at such time as they take action on the application or proposed text amendments and to the applicant at a reasonable period of time prior to the public hearing.

If the applicant's Citizen Review Process and/or corresponding report do not meet the requirements of this Section, the application shall be considered incomplete and any scheduled public hearing will be cancelled.

SECTION 2. All ordinances, parts of ordinances, resolutions, parts of resolutions, policies, and parts of policies in conflict with the provisions of this Ordinance, or any part hereof, are hereby repealed.

SECTION 3. If any section, subsection or portion of this Ordinance is for any reason held to be invalid or unenforceable by the decision of a court of competent jurisdiction, such decision shall not affect the validity or enforceability of the remaining portions hereof.

SECTION 4. The Town Clerk is hereby directed, pursuant to the Code, sections 2.25.080 and 2.25.090, to post this Ordinance in three or more public places within the Town, and to publish this Ordinance as required by A.R.S. 9-812 and 39-204 (C)(3).

PASSED AND ADOPTED BY THE MAYOR AND TOWN COUNCIL OF THE
TOWN OF HUACHUCA CITY, COCHISE COUNTY, ARIZONA, THIS 10TH DAY OF
JANUARY, 2019.

Johann Wallace, Mayor

ATTEST:

Jennifer Fuller, Town Clerk

Approved as to Form:

Thomas Benavidez, Town Attorney



Town of Huachuca City

The Sunset City

500 N Gonzales Blvd • Huachuca City, Arizona 85616

Phone: (520) 456-1354 • TDD: (520) 456-1353 • Fax: (520) 456-2230

ORDINANCE NO. 2019-07

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE TOWN OF HUACHUCA CITY, ARIZONA, AMENDING THE TOWN CODE CHAPTER 2.85 "TOWN FACILITY USE POLICY," SECTION 2.85.050 "CHARGES" AND CHAPTER 10.30 "PARKS, RECREATION AND TRANSPORTATION FACILITIES," SECTION 10.30.030 "USE OF COMMUNITY CENTER," TO REMOVE THE OPTION FOR CERTAIN PRIVATE ORGANIZATIONS TO USE TOWN FACILITIES FREE OF CHARGE.

WHEREAS, the Town Council of the Town of Huachuca City has adopted by Resolution No. 84-002 a code known as the Town Code of the Town of Huachuca City, Arizona [the "Code"], and has amended and republished the Code from time to time, as authorized by A.R.S. section 9-240 (B) (28); and

WHEREAS, pursuant to the Code, Chapters 2.85 and 10.30, the Town establishes regulations and fees for use of its facilities; and

WHEREAS, the Town Council wishes to amend the Code, to remove the option of allowing certain private organizations to use town facilities free of charge; and

WHEREAS, as required by the Code, section 2.25.040, this Ordinance was first read at a public meeting of the Town Council on August 16, 2018, and at a subsequent meeting on January 10, 2019.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the Town of Huachuca City, Arizona, as follows:

SECTION 1. The Code, Chapter 2.85 "TOWN FACILITY USE POLICY," Section 2.85.050 "Charges," is amended as follows, with deletions in ~~strike through~~ and additions in underlined text:

2.85.050 Charges.

The mayor and council recognize that certain costs are associated with usage of the facilities and have developed the following guidelines:

A. All residents and/or organizations will be required to pay the scheduled fee. ~~except the following who shall be allowed free or reduced fee use of the facilities~~ with the exception of the following:

1. Governmental jurisdictions conducting town-related business will have no fee assessed.

B. Any organization denied ~~free~~-use under this policy as defined in this section may appeal to the city council.

SECTION 2. The Code, Chapter 10.30 "PARKS, RECREATION AND TRANSPORTATION FACILITIES" Section 10.30.030 "Use of Community Center," is amended as follows, with deletions in ~~strike through~~ and additions in underlined text:

10.30.030 Use of Community Center.

A. *[Unchanged]*.

B. *[Unchanged]*.

C. ~~Except as provided in Chapter 2.85, Section 2.85.050, A a use fee and a cleaning deposit are required. in most instances; however, the council, upon request, may take into consideration whether or not to waive or reduce the use fee for governmental organizations, or nonprofit organizations, under special circumstances. It is in the discretion of the council to determine whether to waive or reduce the fee.~~ All users will pay the refundable cleaning deposit which shall be refunded if, upon inspection by a town staff member, the building is clean. The town council shall adopt, by resolution, a schedule of fees for use of the Community Center. The town's facility use policy which contains additional rules and procedures for using town facilities may be found in Chapter 2.85.

D. *[Unchanged]*.

E. *[Unchanged]*.

F. A copy of the rules and regulations will be given to all individuals requesting the use of the Community Center. The keys to the Community Center will be given out by ~~the police department~~ town personnel and a log will be kept stating the identity of the person who signed them out.

SECTION 3. All ordinances, parts of ordinances, resolutions, parts of resolutions, policies, and parts of policies in conflict with the provisions of this Ordinance, or any part hereof, are hereby repealed.

SECTION 4. If any section, subsection or portion of this Ordinance is for any reason held to be invalid or unenforceable by the decision of a court of competent jurisdiction, such decision shall not affect the validity or enforceability of the remaining portions hereof.

SECTION 5. The Town Clerk is hereby directed, pursuant to the Code section 2.25.080, to publish this Ordinance as required by A.R.S. 9-812 and 39-204.

PASSED AND ADOPTED BY THE MAYOR AND TOWN COUNCIL OF THE TOWN OF HUACHUCA CITY, COCHISE COUNTY, ARIZONA, THIS 10th DAY OF JANUARY, 2019.

Johann Wallace, Mayor

ATTEST:

Jennifer Fuller, Town Clerk

Approved as to Form:

Thomas Benavidez, Town Attorney

Council Stipend Bus Line Proposal

Old Bus Line System Costs

3 runs per day, M-F. 15 runs per week

750 runs per year excluding holidays (*15 x 50 weeks*)

2017-18 Actual costs \$58,279/750 runs=\$77.70 per run

2017-18 Bus Line actual costs

- Personnel Costs \$29,050 (2 drivers)
- Employee Benefits \$4054.06
- Cell Phone \$994
- Insurance \$10,025
- Vehicle Expense \$6865
- Fuel Expense \$7290
- Total \$58,279

Councilmember Welsch Proposal

1 run per day 10am-2pm, Tuesday-Friday. 4 runs per week.

200 runs per year excluding holidays (*4 x 50 weeks*)

Welsch Proposal Projected Costs

- Wages \$8800 (*1 driver- \$11 per hour @ 16 hours per week @ 50 weeks per year*)
- Benefits \$611 (*1 driver-6.95% of wages-P/T Position*)
- Insurance \$6683 (*Based on 2 vehicles*)
- Vehicle Expense \$2288 (*17-18 costs/3-Reduced Bus Runs*)
- Fuel Expense \$2430 (*17-18 costs/3-Reduced Runs*)
- Total \$20,812

**CONTRACT FOR SERVICES BY AND BETWEEN
THE TOWN OF HUACHUCA CITY, A MUNICIPAL CORPORATION
HEREINAFTER REFERRED TO AS "TOWN"
AND
THE HONORABLE KEITH BARTH, TOWN MAGISTRATE
HEREINAFTER REFERRED TO AS "CONTRACTOR"**

WHEREAS, the written Agreement under which the parties shall be operating expires on or about the 31st day of December 2022; and,

WHEREAS, the Mayor and Common Council of the Town passed and approved a motion, on the ____ day of January, 2019, appointing Contractor as its Town Magistrate for the term aited; and,

WHEREAS, it is the intention of both parties that Contractor is and shall remain, at all times, an independent Contractor.

THE PARTIES HERETO MUTUALLY AGREE to the following:

1. That Contractor possesses the knowledge, skills, and experience to be the Town's Municipal Judge.
2. That in keeping with the separation of powers between the judicial and legislative, and the judicial and executive branches of government, Contractor, so long as he performs his duties in a competent manner and commits no act nor fails to act in such a manner that gives good cause for the Town to terminate this Agreement, shall be independent of those other branches of the Town's government and shall be free of restrictions in performing his judicial duties.
3. Contractor shall have limited administrative duties insofar as it is necessary to administer the Court and its personnel, but said duties shall not interfere with the Town personnel assigned to the Court insofar as the Town's Personnel Rules and Regulations are concerned. Court personnel's salaries and wages, as well as their rights and obligations, shall remain under the control of the Town provided, however, that this provision shall not in any way deprive Contractor of sufficient, adequate, and competent personnel necessary for Contractor to properly perform his judicial duties and his limited administrative duties.
4. The Town, with the assistance of the Contractor, will make available, independently or in conjunction with Cochise County, at all times during the term of his Agreement, adequate and comfortable physical facilities in which to perform his duties, including filing facilities, supplies, and equipment deemed necessary for the expedient and orderly operation of the Municipal Court.
5. The Town has already engaged Judges pro tempore. However, Contractor may, as necessary, recommend to the Town's Common Council, other competent individuals to perform Contractor's duties in cases where Contractor may be prohibited by law, ethics, illness, vacations, overload, and other reasonable reasons from performing his duties. Extended periods during which Contractor is unable or unwilling to perform his duties due to illness, absences, incapacitation, or suspension by higher judicial authority, may be cause for the Town to terminate this Agreement or, at his option, shall allow the Town to withhold installment payments to Contractor and use said sums to compensate temporary or permanent replacement of Contractor. It is understood by Contractor that he is an independent Contractor and not entitled to all rights and benefits afforded Town employees save and except for cost-of-living adjustments specifically awarded Contractor by the Town's Common Council, if any, from time to time. Due to one (1) or more Internal Revenue Service rulings, Contractor shall have deducted from his bi-weekly installments any and all Federal and State withholding and taxes, including FICA payments, but Contractor shall not be covered under Workers' Compensation and Unemployment Benefits.
6. It is understood that various Judicial Commissions, the State Legislature or the Arizona Supreme Court may impose additional obligations, duties, and limitations upon Contractor, in which event the provisions of this Agreement shall be modified or terminated, as the case may be, to the extent such Commission, Legislative, or Court directives are imposed and enforced.

7. Contractor recognizes that this Agreement is personal to him, and the benefits accruing to him and duties imposed on him hereunder may not be transferred or assigned, save and except this Paragraph does not alter the provision set forth in Paragraph "5" above.
8. The term of this Agreement shall be for a period of approximately 3 years expiring on December 31, 2022.
9. The Town hereby agrees to compensate Contractor in the sum of \$600.00 per month, while the court stays at 2 days per month. The \$600.00 compensation shall be payable in bi-weekly installments. If and when the court goes back to 4 days per month, as approved by the Town Manager, in place of the \$600.00 per month, Contractor will be provided with the Town's medical insurance coverage for him, and his spouse [if any], in lieu of any other payment or compensation. The insurance coverage shall be with the provider selected by the Town, at the Town's sole discretion. The Town's medical insurance is currently provided by Cigna, and valued at approximately \$1355 per month for Contractor and his spouse. The insurance premium shall be paid to the coverage provider in the Town's normal course of business. The contractor has the right to request payment to himself of the amount of the insurance premium in lieu of having the insurance coverage. If, during the term of this Agreement, the Town's Common Council specifically awards Contractor with one (1) or more cost-of-living increases, it shall be added to the above-mentioned compensation and paid over to the Contractor.
10. The Town hereby agrees to pay registration fees for all mandatory training courses as required by the State Judicial Court System, including pre-approved travel expenses.
11. Irrespective of the provision contained in Paragraph "6" above, and in addition thereto, the Town may terminate this Agreement and cease installments hereunder if, during the term of this Agreement either the Town Council, the Judicial or Legislative Branch, or both, or the State of Arizona, modify, merge, or abolish the lower Court Judicial System, or the Town's Magistrate Court, so as to make performance of this Agreement by Contractor impossible or impractical. Notwithstanding any other provision of this Agreement, the Town's Common Council may cancel this Agreement for "cause", but only after affording Contractor a Due Process hearing. "Cause" is herein defined to mean misfeasance or malfeasance in office.
12. It is understood that if on one (1) or more occasions Contractor, for whatever reason, cannot perform a duty required of him and a substitute Judge is called in to perform such duties, the costs and fees for such substitute Judge or Judges shall be at the sole expense of the Contractor. This provision does not apply in cases where the Rules of Criminal Procedure A.R.S. require the Contractor to recuse himself and not hear a matter. In such cases where the Contractor has a conflict of interest, the Town shall pay for a *Pro Tem* Judge.

CONTRACTOR: _____

TOWN: Town of Huachuca City, Arizona .

Signature

Johann Wallace, Mayor

Date Signed: _____

Date Signed: _____

ATTEST:

APPROVED AS TO FORM: Town Attorney

Jennifer Fuller, Town Clerk

Thomas Benavidez

Date Signed: _____



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The Sunset City

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RESOLUTION NO. 2019-01

A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF HUACHUCA CITY, COCHISE COUNTY, ARIZONA, DECLARING AS A PUBLIC RECORD OF THE TOWN THAT CERTAIN DOCUMENT KNOWN AS "2018 SIGN REGULATIONS."

WHEREAS, the Town of Huachuca City is required to preserve the official records of the Town, according to standards for the storage of permanent public records established by the director of the Arizona state library, archives and public records, pursuant to A.R.S. 39-101 and 39-121.01; and

WHEREAS, attached hereto and incorporated herein by this reference is a certain document known as "2018 SIGN REGULATIONS;" and

WHEREAS, the Mayor and Council wish to declare this document a public record of the Town.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Town of Huachuca City, "2018 SIGN REGULATIONS," three copies of which are on file in the office of the Town Clerk, is hereby declared to be a public record, and said copies are ordered to remain on file with the Town Clerk.

PASSED AND ADOPTED BY THE MAYOR AND TOWN COUNCIL OF THE TOWN OF HUACHUCA CITY, ARIZONA, THIS 10TH DAY OF JANUARY, 2019.

Johann Wallace, Mayor

ATTEST:

Jennifer Fuller, Town Clerk

Approved as to Form:

Thomas Benavidez, Town Attorney

["2018 SIGN REGULATIONS" must be attached.]

2018 SIGN REGULATIONS

Chapter 18.110 "SIGN REGULATIONS"

Sections:

- 18.110.010 Findings and Purpose
- 18.110.020 Interpretation of Chapter
- 18.110.030 Definitions
- 18.110.040 Requirement of Conformity
- 18.110.050 Nonconforming and Abandoned Signs
- 18.110.060 Enforcement
- 18.110.070 Required Signs
- 18.110.080 Permit Requirements and Procedures
- 18.110.090 Inspections
- 18.110.100 Identification
- 18.110.110 Maintenance
- 18.110.120 Construction Requirements
- 18.110.130 Design and Integration
- 18.110.140 Location Restrictions for all Signs
- 18.110.150 Sign Area and Height Calculations
- 18.110.160 Prohibited Signs
- 18.110.170 Permanent Signs in Single Family Residential Zoning District
- 18.110.180 Permanent Signs in Multiple Family Residential Zoning District
- 18.110.190 Permanent Signs in Manufactured Home/RV Parks
- 18.110.200 Permanent Signs in Quasi-Public Uses
- 18.110.210 Permanent Signs in B/C Commercial Zoning Districts
- 18.110.220 Permanent Signs in C2/C3 Industrial Zoning Districts
- 18.110.230 Flags
- 18.110.240 Window Signs
- 18.110.250 Digital Signs
- 18.110.260 Temporary Signs

18.110.010 Findings and Purpose.

Signs can obstruct view, distract motorists, obstruct pedestrian and/or vehicular traffic flow, create a safety hazard, create aesthetic blight and visual clutter, and pose other problems that legitimately call for regulation. The purpose of this chapter is to regulate the size, color, illumination, movement, materials, location, height and condition of signs displayed for exterior observation, in order to allow and promote sign communication in such a manner that:

- A. Preserves and protects the public health, safety and welfare within the Town of Huachuca City.
- B. Encourages development of private property in harmony with the desired character of the Town while providing due regard for the public and private interests involved.

- C. Protects and improves the aesthetic beauty of the Town's built environment by eliminating aesthetic blight and reducing visual clutter.
- D. Promotes the effectiveness of signs by preventing their over-concentration, improper placement, and excessive size.
- E. Protects the general public from damage and injury which may be caused by the faulty and uncontrolled construction of signs within the Town of Huachuca City.
- F. Protects pedestrians and motorists of the Town of Huachuca City from damage or injury caused, or partially attributable to the distraction and obstructions which are hereby declared to be caused, by improperly situated signs.
- G. Enhances the flow of traffic and convenience, ease and enjoyment of travel within the Town of Huachuca City.

18.110.020 Interpretation of Chapter.

- A. Where there is a conflict between the provisions of this chapter and provisions of other regulations of the Town of Huachuca City, the provisions of this chapter shall apply.
- B. The provisions of this chapter shall apply to the erection, construction, alteration, location, and maintenance of all signs within the Town of Huachuca City except as specified in Section 18.110.050.
- C. Any sign permitted by this chapter may contain a non-commercial message in lieu of any other message.
- D. Any provision of this Sign Code that imposes a limitation on freedom of speech shall be construed in a manner that is viewpoint neutral and treats expressive speech either the same as or less restrictive than commercial speech. Any provision of this Sign Code that is found to be an unconstitutional limitation on freedom of speech by any court shall be severed from this Sign Code in a manner that preserves the Sign Code and protects freedom of speech.

18.110.030 Definitions.

Balloon, common party: A common party balloon is a bag made of thin rubber or other light material that when fully inflated does not exceed three (3) feet in diameter. Common party balloons are typically inflated with air or gas that is lighter than air and tethered with a string or thin rope.

Balloon, fixed: A fixed balloon is any lighter-than-air or gas-filled balloon that is greater than three (3) feet in diameter when fully inflated and is attached by a tether to a fixed place and elevated to a height that is greater than fourteen (14) feet to attract attention to the business or property.

Banner: A temporary sign of fabric, plastic, paper or other flexible substrate on which copy or graphics may be displayed. Detached banners are not attached to a building and are secured to a freestanding temporary support structure, uprights, stakes or poles. Vertical banners are those that are affixed to a permanent structure such as a light pole located within a permitted outside display area. For vertical banners that are mounted in-ground or on top of the ground see the definition for feather signs.

Billboard: A permanent sign portraying information not related to an event, business, commodity, product, service, or entertainment occurring on the premises upon which the sign is located.

Building Code: Chapter 15 Buildings and Construction Regulations of the Town Code.

Building Envelope: The exterior area located within twenty (20) feet of the front of a building. Said area is typically designed for pedestrian use and may include features such as a sidewalk or colonnade parallel to the building front, the primary business entrance, signs, sidewalk furniture and planters.

Business frontage: For single tenant buildings the business frontage is the lineal distance of the building measured along a straight line parallel to the street. Where said building is not parallel to the street, the business frontage shall be measured along the exterior front wall of the building. For an individual business located within a multi-tenant building, the business frontage shall be the length of the space occupied by said business measured in a straight line along the exterior front wall of the building, except for an individual business with minimal exterior frontage occupying the interior corner space of an "L" shaped multi-tenant building, in which case the business frontage may be determined by the length of the space occupied by the individual business measured in a straight line parallel to the nearest street.

Fascia: A parapet-type wall used as part of the fascia of a flat-roofed building and projecting not more than six (6) feet from the building face. Such a wall shall enclose at least three (3) sides of the project flat roof and return to a parapet wall or the building.

Ground level: The finished grade of existing sidewalk; or where there is no sidewalk, the street centerline elevation shall be the established ground level.

Halo: See definition for internal indirect lighting.

Indirect lighting: A source of external illumination located a distance away from the sign, which lights the sign, but which is itself not visible to persons viewing the sign from any normal viewing position.

Internal indirect lighting: A source of illumination entirely within the sign visible at night by means of lighting the background upon which the freestanding character is mounted. The character itself shall be opaque, and thus will be silhouetted against the background. The source of the illumination shall not be visible.

Institutional: See definition for quasi-public.

Maintenance: The replacing or repairing a part or portion of a sign made unusable by ordinary wear or tear, not exceeding fifty (50) percent of the sign's value, as determined by a licensed sign contractor.

Model home cluster: A group of two (2) or more model homes (including the parking area) located next to each other, or on opposite sides of the same street that share a common sales office.

Non-commercial message: A message that does not propose a commercial transaction.

Parapet wall: An exterior wall of a building extending above the roof line.

Panel: The portion of a freestanding monument sign that is reserved for use by a single business, organization or other entity located in a commercial or industrial center. Panels can be replaced without replacing or modifying the entire freestanding sign structure.

Public right-of-way: Any highway, street, road, lane, thoroughfare, avenue, boulevard, path, alley or other right-of-way that is maintained for public use and is publicly accessible. Public right-of-way does not include access easements on private property or any privately-owned street, road, driveway, path or other similar passageway that may be connected to a public right-of-way. Public right-of-way typically includes sidewalks and landscaping on both sides of a street.

Quasi-public: Essentially public (as in services rendered) although under private or non-profit ownership or control. Quasi-public and institutional uses include educational institutions, medical institutions, religious institutions, fraternal organizations, civic organizations, and other similar uses.

Reverse pan channel: A three-dimensional letter or other sign component with opaque face and side walls and an open or translucent back that faces the wall on which it is mounted, concurrently blocking view of the light source within and allowing the wall behind to be illuminated, creating a halo effect around the letters or sign components.

Roof line: The height of the main roof structure but not to include cupolas, pylons, projections or other minor raised portions of the roof.

Seasonal decorations: Temporary decorations displayed around a holiday.

Sign: Any visual communication which is used to attract the attention of the public, when the display is visible beyond the boundaries of the property.

Sign, abandoned: A sign structure that is vacant, unoccupied, devoid of any message, or a sign that displays a message pertaining to a time, event, or purpose that no longer applies.

Sign, accessory: Category of signs which direct attention to a business, profession or activity conducted on the premises on which the sign is located, including:

1. **Bulletin board:** A wall or ground sign announcing activities of a permitted educational, governmental or recreation area.
2. **Contractor sign:** A wall or ground sign designating the name of persons or firms engaged in construction or repair on the premises.
3. **Developer sign:** A wall or ground sign designating the use which will occupy the premises at some future date.
4. **Home occupation sign:** A wall sign identifying a permitted home occupation on the premises
5. **Identification sign:** A wall or ground sign identifying the property address numbers, post box numbers, names of occupants of premises or other identification of premises, but not having commercial connotations.

6. Name plate sign: A wall or ground sign identifying the name and address of the occupant of the premises
7. Real estate sign: A wall or ground sign advertising the premises for lease, rent or sale.
8. Subdivision development sign: A wall or ground sign advertising the sale of properties in a subdivision.
9. Utility sign: A wall or ground sign listing parking regulations or marking the entrance or exit to a parking lot or other permitted accessory use.

Sign, A-frame: A type of temporary sign that is portable, self-supporting, and consists of a structure that resembles an "A" shape.

Sign, air-activated: Air-activated signs are temporary signs which include common party balloons, inflatable figures, balloon sculpture/arches, air-dancers, wind-driven spinners, pennants, streamers, and other figures or graphics that are filled with air or a gas that is lighter than air, or move with natural or artificially generated air flow, all of which are typically used in conjunction with a special event or activity.

Sign, awning: A permanent sign that is a part of or attached to an awning, canopy, or other fabric, plastic, or structural protective cover over a door, entrance, window, or outdoor service area.

Sign, cabinet: A permanent sign that is internally illuminated in which a removable sign face, usually with translucent sign graphics, is enclosed on all edges by a cabinet, and the source of illumination is not visible. A cabinet sign may be multi-faced.

Sign, change panel: A permanent sign designed to permit immediate change of copy.

Sign, digital: A permanent sign with an electrically activated changeable sign face whose variable message and/or graphic presentation capability can be electronically programmed by computer from a remote location. Digital signs may also be known as Electronic Message Displays (EMD's).

"Sign, Electronic Message Display (EMD)": An electronic or electronically controlled message board, capable of displaying words, symbols, figures or images, where scrolling or moving copy changes are shown on the same message board, or any sign that changes the text of its copy electronically or by electronic control. A nit is a unit of visible-light intensity, commonly used to specify the brightness of an LED, cathode ray tube or liquid crystal display computer display. One (1) nit is equivalent to one (1) candela per square meter. Such signs shall include the following modes of operation:

1. Dissolve: Signs where static messages are changed by means of varying light intensity or pattern, where the first message gradually appears to dissipate and lose legibility simultaneous to the gradual appearance and legibility of the subsequent message.
2. Fade: Signs where static messages are changed by means of varying light intensity, where the first message gradually reduces intensity to the point of not being legible and the subsequent message gradually increases intensity to the point of legibility.

3. **Scrolling:** Signs where the message is changed by the apparent vertical movement of the letters or graphic elements of the message.
4. **Static:** Signs which include no animation or effects simulating animation.
5. **Travel:** Signs where the message is changed by the apparent horizontal movement of the letters or graphic elements of the message.

Sign face: The entire display surface area of a sign upon, against or through which copy, symbol or similar component is placed.

Sign, feather: A type of temporary sign made of flexible material that is plain or includes copy and/or graphics and is supported by a vertical pole that is anchored in or on the ground. Such signs may also be referred to by other names such as feather flag, feather banner, teardrop flag, shark fin flag, blade flag, or bow sign.

Sign, freestanding monument: A permanent sign that is supported by one (1) or more uprights, poles, a base or other similar structural foundation that is braced in or upon the ground, is detached from any other structure or building, and is typically between six (6) feet to ten (10) feet in height.

Sign, ground: Any sign, other than a pole sign, placed upon or supported by the ground independent of any other structure.

Sign, illegal: Illegal signs include any sign except the following:

1. A sign allowed by this chapter and not requiring a permit.
2. A sign allowed by this chapter with a permit and carrying a valid permit.
3. A sign not allowed by this chapter, but which has been legalized by PAD zoning or variance and proper permit.
4. A sign allowed by this chapter subject to a use permit, provided the use permit has been granted and a proper permit is in force.
5. A nonconforming sign as defined by this chapter.

Sign, non-accessory: Category of signs which direct attention to a business, commodity, service, entertainment, or other activity, not exclusively related to the premises to which the sign is located, including:

1. **Billboard:** A permanent sign portraying information not related to an event, business, commodity, product, service, or entertainment occurring on the premises upon which the sign is located.
2. **Directional:** A sign directing or informing the public to the location of publicly owned facilities, historical or scenic points of interest, educational, charitable or religious institutions and hospitals.
3. **Logo:** A small sign permitted and sponsored by the Arizona Department of Transportation under the provisions of the right-of-way encroachment laws to advertise specific motorist services.

Sign, nonconforming: Any permanent sign which is not permitted by this chapter, but which, when first constructed, was legally permitted by the City or the political subdivision then having jurisdiction and regulation over construction of signs.

Sign, permanent: Any sign constructed and intended to be of an enduring and lasting condition, remaining unchanged in character, condition (beyond normal wear) and position.

Sign, pole: A sign that is mounted on a freestanding pole so that the bottom edge of the sign is eight feet or more above.

Sign, political: A sign supporting the candidacy of any candidate for office or urging action on any other matter on the ballot of primary, general or special elections.

Sign, portable: Any freestanding sign that is not permanently affixed to the ground, a structure or a building, but does not include soda, newspaper or snack machines.

Sign, projecting: Any permanent sign attached to a building or other structure in such a manner that its face is not parallel to the wall and is extending in whole or in part beyond the building line (e.g., hanging or projecting blade signs).

Sign, roof: A sign which extends above the walls and is supported by the roof of the building.

Sign, T-frame: A type of temporary sign that is portable, self-supporting, and consists of an upright component that is attached to a flat base, which resembles an upside-down "T".

Sign, Temporary: Any sign, banner, pennant, or valance constructed of cloth, canvas, plastic, light fabric, cardboard, wallboard, plywood or other like materials, with or without frames, and that appears to be intended or is determined by the Zoning Administrator to be displayed for a limited time of 30 days or less, unless otherwise stated.

Sign, temporary frame: Any sign not permanently embedded in the ground or not permanently affixed to a building or structure, which is not intended to be a long term permanent sign. Temporary signs include signs affixed to the ground by a temporary anchoring system such as, but not limited to, stakes or ballast, or footing for large temporary freestanding signs.

Sign, temporary freestanding: A temporary sign that is made of a rigid and durable material that will withstand the elements, is supported by one (1) or more posts, uprights or poles and is braced in or upon the ground. Each temporary freestanding signs may be single-faced, double-faced, or V-shaped with an interior angle that is forty-five (45) degrees or less as provided for in Section 18.110.150A3.

Sign, V-shaped: Signs erected upon common or separate structures which present a V-shape appearance and having an exterior angle between faces of not more than forty-five (45) degrees with a distance between faces of such signs at their closest point not exceeding two (2) feet.

Sign, vehicle: Any sign mounted or painted upon or otherwise erected on a trailer, truck, automobile or other vehicle.

Sign, wall: Any sign which is attached, fastened, connected or supported in whole or in part by a building or structure other than a freestanding sign structure which is supported wholly by the ground. Wall signs include wall-mounted signs, projecting signs, awning signs and window-mounted signs. A window-mounted sign is not a window sign as defined herein.

Sign, window: Any sign, painted on or adhered to the interior or exterior of a glass door or window or placed inside a glass door or window and is visible from the exterior of the window.

Sign, yard: A type of temporary sign that is typically less than six (6) square feet in area and is supported by one or more stakes or metal wires inserted into the ground. The sign face is typically made of a semirigid material such as corrugated plastic, sheet metal, foam board, cardboard or placard. Yard signs may also be referred to by other names including lawn signs, road signs, bandit signs, or placard signs.

Zoning Administrator: The person appointed and responsible for the enforcement of the Sign Code, or said person's designee.

18.110.040 Requirement of conformity.

Unless specifically exempted herein, no sign shall be erected, installed, enlarged or maintained without first obtaining a permit from the Town as herein provided. It shall be unlawful for any person, firm or corporation to erect, construct, enlarge, alter, repair, move, improve, remove, convert, demolish, equip, use or maintain any sign or structure in the Town, or cause or permit the same to be done contrary to or in violation of any of the provisions of this chapter. All signs maintained contrary to the provisions of this chapter are declared to be nuisances, and such nuisances may be abated as provided by law.

18.110.050 Nonconforming and abandoned signs.

- A. Any nonconforming sign, as defined in this chapter may be continued in use and reasonable repair and maintenance made to same.
- B. Any nonconforming sign shall not be altered, repaired, or restored to such an extent that the cost of such alteration, repair or restoration exceeds fifty (50) percent of the sign's value, as determined by a licensed sign contractor, unless said sign is brought into conformance with the current provisions of this Code.
- C. Any nonconforming sign that is damaged or vandalized must be restored in a like manner within ninety (90) days or it shall be required to be removed or replaced with a new sign that is in conformance with the current provisions of this Code at the owner's expense.
- D. Any sign (including nonconforming) that has been abandoned for more than ninety (90) days shall be required to be removed or replaced with a new sign in conformance with the current provisions of this Code at the owner's expense.
- E. A permit may be required for alterations or repairs to nonconforming signs that do not exceed fifty (50) percent of the sign's value depending on the scope of work (e.g. an electrical permit shall be required for signs that are illuminated electrically). Alterations or repairs to nonconforming signs that exceed fifty (50) percent of the sign's value shall require the sign to be brought into conformance with the current provisions of this Code and shall require a permit as provided for in Section 18-110-80.

18.110.060 Enforcement.

- A. The Zoning Administrator or designee is hereby authorized and directed to enforce all provisions of this chapter in conformance with the regulations and procedures specified herein and Section 18.155 of this Chapter.
- B. Each day a violation of any provision of this chapter or the failure to perform any act or duty required by this chapter continues shall constitute a separate violation or offense.
- C. The Town shall process violations of this chapter against a responsible person or entity. When two (2) or more persons have liability to the Town or are responsible for a violation of this chapter, their responsibility shall be joint and several.
- D. Permit Revocation. The Zoning Administrator shall have the authority to revoke any permit which has been granted when it has been determined that the sign authorized by the permit has been constructed or is being maintained in violation of the permit.
 - 1. Notice of the Zoning Administrator's decision to revoke a sign permit shall be served on the holder of the permit by:
 - a. Delivering a copy of the notice to the holder of the permit, mail return receipt requested, to the last-known post office address of the holder of the permit; and
 - b. Leaving a copy of the notice with any person in charge of the premises and a copy mailed to the property owner; or
 - c. In the event no such person can be found on the premises, by affixing a copy of the notice in a conspicuous position at or near the entrance to the premises.
 - 2. The holder of the permit may appeal the decision of the Zoning Administrator to the Board of Adjustment. This appeal must be made within thirty (30) days from the date when the notice was served.
 - 3. If no appeal has been filed by the end of the thirty-day appeal period, then the permit is revoked and the sign is deemed illegal. The Zoning Administrator shall then initiate the procedure for the removal of the illegal sign.
- E. Removal of Signs. The Zoning Administrator is hereby authorized to require the removal of any illegal sign as defined by this chapter.
 - 1. Before bringing action to require the removal of any illegal sign, except as noted hereafter, the Zoning Administrator shall give written notice to the owner of the sign or the owner of the premises on which the sign is located. The notice shall state the reasons for removal, listing the deficiencies or defects in the sign with reasonable definiteness, and the violations charged. The notice shall include what repairs if any will make such an installation conform to the requirements of this chapter. The notice shall specify that the sign must be removed or made to conform with the provisions of this chapter within the time period listed below. Service of the notice shall be by any of the following methods:
 - a. Delivery in person to the owner, occupant, manager or agent of the premises where the violation has occurred, or to the person responsible for the violation;
 - b. Posting on or about the entrance of the premises where the violation occurred;

- c. By first class mail, postage prepaid, addressed to the owner, occupant, agent, manager or responsible person at the last known address. Service by mail is deemed complete upon deposit in the U.S. mail;
 - d. By Certified mail;
 - e. By publication; or
 - f. By serving the owner, occupant, manager, agent, or responsible person in the same manner as provided by the Arizona Rules of Civil Procedure.
- 2. The Zoning Administrator shall not be required to give written notice before removing or bringing action to require the removal of any illegal yard sign or illegal temporary sign attached to any public facility such as government signs and supporting poles, utility poles, street lights, light poles, and trees on public property.
 - 3. The period of notice for permanent sign as defined by this chapter shall be thirty (30) days. The period of notice for temporary signs as defined by this chapter shall be three (3) working days.
 - 4. The re-erection of any sign or substantially similar sign on the same premises after a removal notice has been issued shall be deemed a continuance of the original violation.
 - 5. If the owner or lessee of the premises where the sign is located has not complied with this chapter by the end of the notice period, the Zoning Administrator may pursue enforcement as authorized by this chapter.
- F. **Emergency Removal or Repair.** The Zoning Administrator is hereby authorized to cause the immediate removal or repair of any sign or signs found to be unsafe, defective, or a traffic hazard to the extent that it creates an immediate and emergency hazard to persons or property.
- 1. Actual notice to the property owner or lessee shall not be required. The Zoning Administrator shall make a reasonable effort to notify the property owner or lessee that the defective and unsafe sign must be removed or repaired immediately.
 - 2. All actual costs incurred by the Zoning Administrator in the removal or repair of said sign shall be paid by the owner of the sign or the owner of the premises where the sign is located. Action for recovery may be brought by the Town Attorney upon proper certification to him/her by the Zoning Administrator

18.110.070 Required Signs

Every building, including single-family homes or group of buildings must be identified by a street address number.

18.110.080 Permit Requirements and Procedures

No sign shall hereafter be erected, re-erected, constructed or altered except as provided by this chapter. A separate permit shall be required for a sign or signs for each business entity, and/or separate permit shall be required for each group of sign panels on a single supporting structure. Said permits may include structural, electrical or other plan review as determined by Chapter 15 Buildings and Construction.

A. Examples of when a sign permit is required are as follows:

1. A newly constructed sign that may consist of footings, pole, frame, cabinet, electric, illumination and a sign face.
2. A permanently installed inground flagpole
3. Any repairs or renovations to a sign that changes the height, area or location.

B. Exceptions. A sign permit shall not be required for the following signs; however, such signs shall be subject to any and all applicable provisions of the Town Code, including this chapter:

1. Signs required under Section 18.110.070.
2. Any sign less than seven (7) square feet in area not otherwise prohibited or required to obtain a permit by this chapter.
3. Signs not visible from the public right-of-way or which are not visible from one property to another, except when said signs require a permit as provided by this chapter.
4. Vehicle signs as provided for in Section 18.110.140F
5. Window signs as provided for in Section 18.110.240
6. Temporary signs specifically identified in Section 18.110.260 as not requiring a permit.
7. Seasonal decorations.
8. Normal repair, maintenance or painting to a sign.
9. Signs changing a business name or wording over a sign face does not require a permit; however, if the sign face change is located on a currently legal non-conforming sign, the face change shall not expand the non-conformity.
10. Government signs: Nothing contained herein shall prevent the erection, construction, and maintenance of official signs of the State of Arizona and the Town of Huachuca City, or other competent public authorities, or the posting of notices required by law.
11. Signs protected by state statutes: Nothing contained herein shall prevent the erection, construction, and maintenance of signs authorized and/or protected by Arizona Revised Statutes.

C. Permit Application and Expiration.

1. Applicants may apply for a sign permit by completing and submitting a permit application provided by the Building Inspection Department together with required plans and/or details identified by said application. All plans submitted with the application shall show complete details, to include size, materials, method of support or attachments, name and address of the persons or firm designing said sign and plot plan showing location of sign on the premises. The Town Building Official must approve a sign application before any sign is constructed, re-constructed, altered, repaired, used or changed. An applicant may appeal a permit denial to the Board of Adjustment within thirty (30) days from the date of denial in

accordance with the appeal procedure set forth in Chapter 15 Buildings and Construction of the Town Code.

2. If actual work is not commenced under any permit issued under the provisions of this section within one (1) year from the date of such permit, such permit shall become null and void.

D. Permit Fees. Before issuing any sign permit required by this chapter, the Town shall collect a fee in accordance with the schedule adopted by Council.

18.110.090 Inspections.

All signs for which a permit is required shall be subject to the following inspections:

- A. Footing inspection.
- B. All signs containing electrical wiring shall be subject to the adopted Electrical Code of the Town and the electrical components shall bear the label of an approved testing agency.
- C. Inspection of all braces, anchors, supports and connections, including wall signs.

18.110.100 Identification.

All permanent signs regulated by this chapter shall be marked with the maker's name and the person or firm erecting such sign, the date of installation, and the permit number. This identification shall be permanently attached to the exterior surface of the sign in a location where the information will be readily visible, legible, and accessible after installation of the sign.

18.110.110 Maintenance.

All signs shall be maintained in good order and repair at all times so that they constitute no danger or hazard to public safety or create an aesthetic blight.

18.110.120 Construction Requirements.

All signs shall be designed and constructed in conformance with the Huachuca City adopted Building Codes. In the event there is a conflict between the provisions of this chapter and those in the Building Code, the more restrictive provision shall apply.

18.110.130 Design and Integration.

All new or retrofit permanent signs shall be fully integrated with the design of the building and the site development, reflecting the architecture, building materials, and landscape elements of the project.

- A. The means of integrating freestanding monument signs with the architecture of the building shall be achieved through replication of architectural embellishments, colors, building materials, texture, and other elements found in the building design. As an example, a cabinet sign mounted atop a masonry base or other fixture shall not be considered as integrated with the architecture of the building. Instead, where a cabinet

sign is proposed as a component of a freestanding sign, such cabinet shall be bordered or backgrounded by the architectural materials and embellishments found within the building design.

- B. Integration shall also include the use of sign graphics that are consistent in terms of lettering style, colors, and method of attachment as used for wall-mounted signage found on the building.
- C. Each unused panel on a freestanding monument sign shall have an integrated or decorative cover until said panel is utilized.
- D. When freestanding, the sign shall not exceed height standards set forth in Section 18.110.210.
- E. When mounted on a building, the sign shall be located on or below the fascia or parapet wall within the limits of the tenant's occupied space.
- F. Raceways shall be mounted behind the letters only, architecturally integrated and painted to match the building.
- G. In no case shall any sign be secured with wires such as guy wires or strips of wood which are visible and not on an integral part of the sign.
- H. Signs shall be designed in coordination with landscape plans, planting materials, storm water retention requirements, and utility pedestals, so as not to create problems with sign visibility or prompt the removal of required landscape materials.
- I. In no case shall any wall sign exceed eighty (80) percent of the height of the sign band or wall to which the sign is attached, and no such sign shall exceed eighty (80) percent of the length of the leased frontage or eighty (80) percent of the length of the sign band or wall to which the sign is attached. Sign band refers to the specific area on a building or tenant space where signs may be installed.

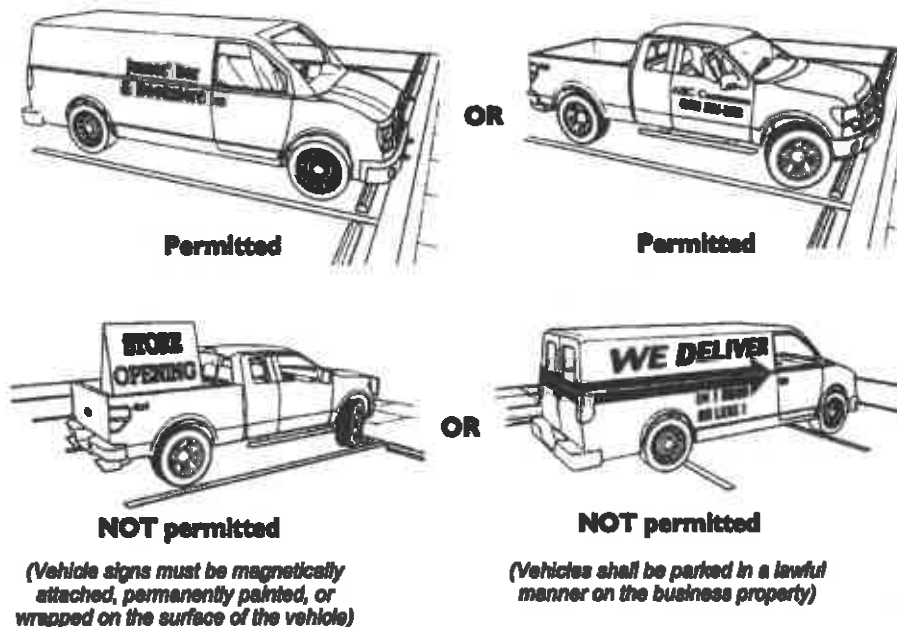
18.110.140 Location Restrictions for all Signs

All signs, whether permanent or temporary, must conform to the following location restrictions.

- A. Clearance from fire escapes, exits or standpipes. No sign or structure shall be erected in such a manner that any portion of its surface or supports will interfere in any way with the free use of any standpipe, or any ingress or egress from any door, window, fire escape or any other exit required by Building Code or Fire Department regulations.
- B. Vehicular and pedestrian traffic safety. No sign shall obstruct traffic by obstructing the vision of motorists as determined by the Police Chief. No detached sign shall be located adjacent to driveways which would result in a traffic hazard. No sign shall obstruct minimum pedestrian clearance required by Americans with Disabilities Act or as required by this chapter whichever is greater.
- C. Signs on public property. No person, firm or corporation shall erect or cause to be erected any sign which projects over any public sidewalk, street, alley or public place except for as hereinafter provided for by these regulations.
- D. Signs on natural features. No sign shall be erected or painted upon or attached to any tree, rock, or other natural feature.
- E. Signs of utility structures. No sign shall be attached to any fence post or utility pole. Hazardous warning or identification signs may be attached to utility structures.

- F. Signs on vehicles. The intent of these regulations is to prohibit the use of vehicle signs as permanent freestanding signs to protect the aesthetic qualities of the Town's built environment and promote the effectiveness of permitted signs as provided for in Section 18.110.010. No sign shall be erected or attached to any vehicle except for signs that are magnetically attached to or permanently painted or wrapped on the surface of a vehicle. The primary use of such vehicles shall be in the operation of the business, e.g. transporting goods or providing services, and not in displaying a sign. Vehicles shall be operable and properly licensed. When not in use, the vehicle shall be parked in a lawful manner on the business property so as not to be visible from the public right-of-way, or if this is not possible, as far from the public right-of-way as possible. Please refer to Figure 140-F.

Figure 140-F



- G. Signs in public right-of-way. The Town of Huachuca City finds that a proliferation of signs in the public right-of-way creates aesthetic blight and visual clutter, which obstructs views, distracts the traveling public and threatens the public health, safety and welfare. The intent herein is to allow a limited number of signs in the public right-of-way to maintain safe visibility and protect the aesthetic beauty of the Town's built environment. As such, no sign shall be erected or maintained in the public right-of-way except for:

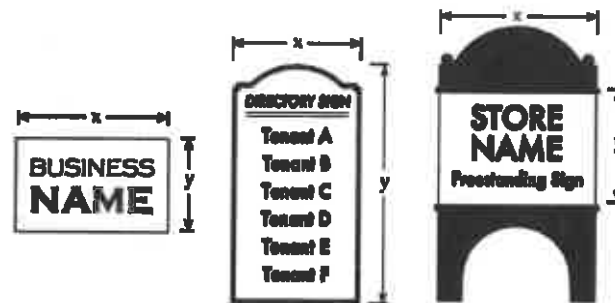
1. Temporary signs expressly provided for in Section 18.110.260.
2. Official signs posted by the State of Arizona, the Town of Huachuca City, or other public authorities.
3. The posting of notices required by law.
4. Signs protected by Arizona Revised Statutes.

18.110.150 Sign Area and Height Calculations.

A. Sign area is calculated as follows:

1. Signs with backgrounds. Signs with copy mounted, affixed, or painted on a background panel or surface distinctively painted, textured or constructed as a background for sign copy, shall be calculated as that area contained within the smallest rectangle that encloses both the sign copy and the background, not including the supporting structure or architectural embellishments, as shown in Figure 150-A1.

Figure 150-A1



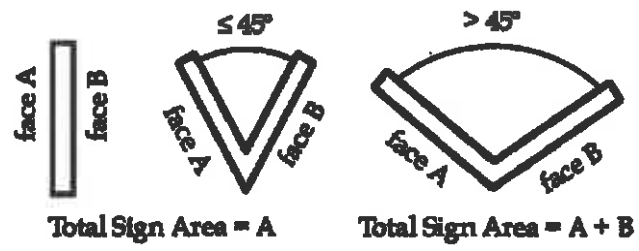
2. Signs with individual letters or graphics. The area for signs consisting only of individual letters, numerals, symbols, or other similar components shall be calculated as the area of a single rectangle that encompasses all sign components, as shown in Figure 150-A2.

Figure 150-A2



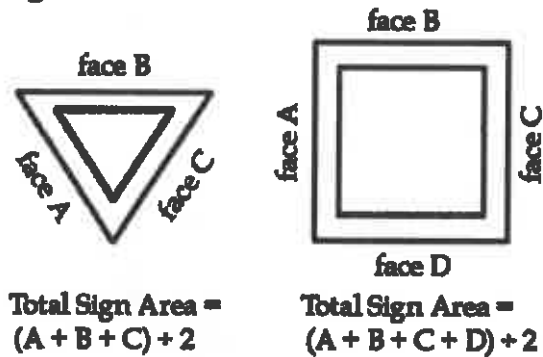
3. Two-face signs. Where a sign is double-faced, or V-shaped and the interior angle between the two (2) sign faces is forty-five (45) degrees or less, only the larger single face shall be used to determine sign area. If the angle between the two (2) sign faces is greater than forty-five (45) degrees, the sign area is the sum of the areas of the two sign faces, as shown in Figure 150-A3.

Figure 150-A3



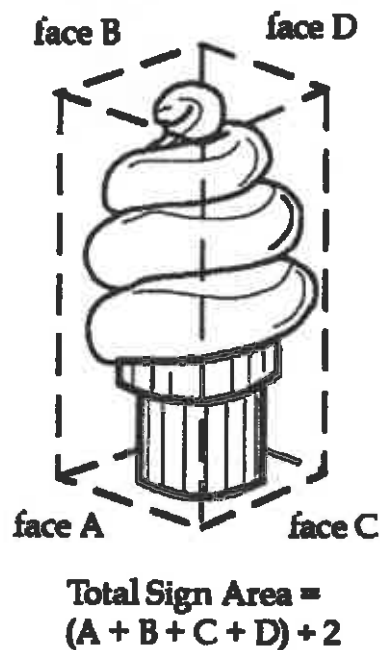
4. Three – or four-face signs. The sign area for three- or four-face signs shall be calculated as fifty (50) percent of the sum of the areas of all sign faces, as shown in Figure 150-A4.

Figure 150-A4



5. Spherical, free-form, sculptural or other non-planar signs. The area for non-planar signs shall be calculated as fifty (50) percent of the sum of the areas using only the four (4) vertical sides of the smallest four-sided polyhedron that will encompass the sign structure, as shown in Figure 150-A5.

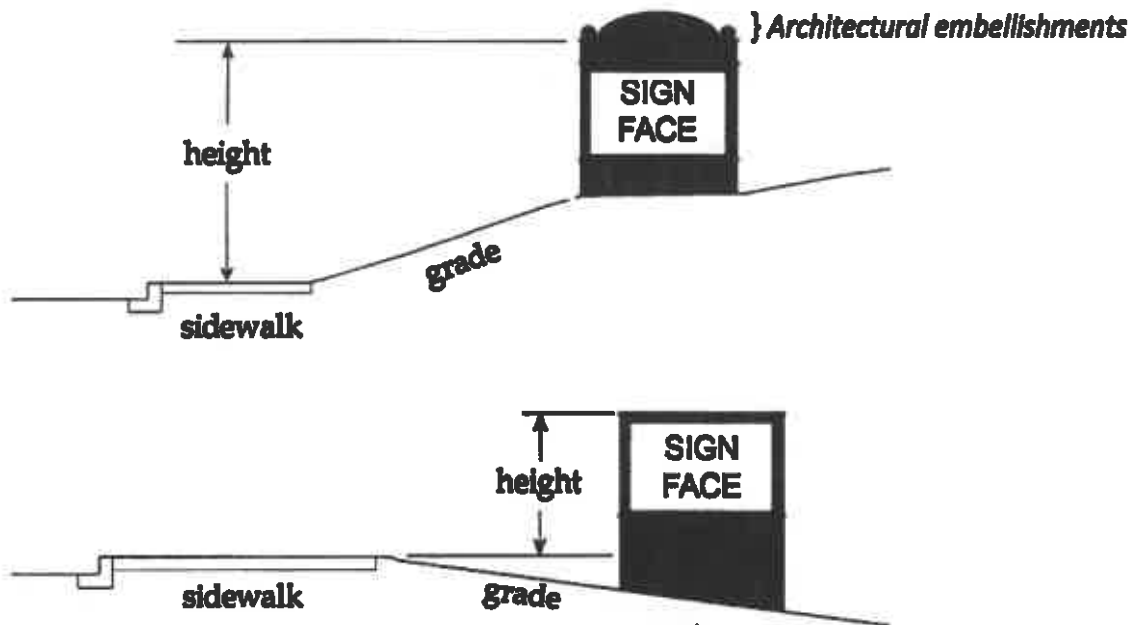
Figure 150-A5



B. Sign height shall be measured as follows:

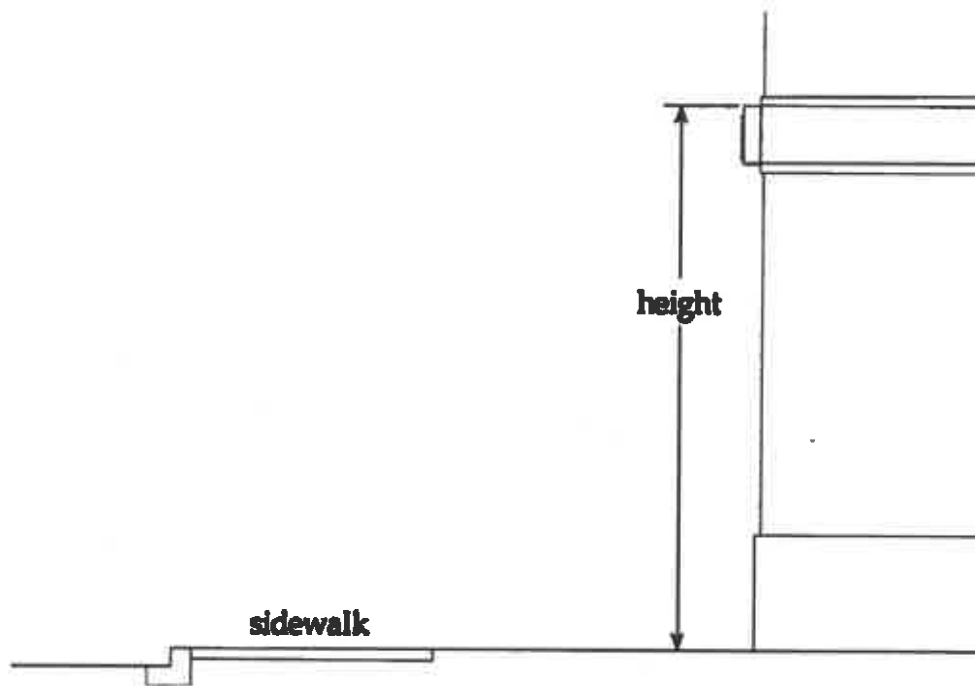
1. **Freestanding Monument Signs.** Sign height is measured as the vertical distance from ground level (finished grade of existing sidewalk, or where there is no sidewalk, the street centerline), to the top of the freestanding sign, not including architectural embellishments, as shown in **Figure 150-B1**.

Figure 150-B1



2. **Wall Signs.** The maximum height of wall, projecting, awning, fascia, mansard, parapet, window-mounted, or other building mounted signs is the vertical distance measured from the first-floor elevation to the top of the sign or sign structure as shown in **Figure 150-B2**.

Figure 150-B2



3. Temporary signs. The maximum height for all temporary signs is measured from the sidewalk to the highest point of any portion of the sign.

18.110.160 Prohibited Signs.

A. The following signs are prohibited in all zoning classifications:

1. Signs that pose a traffic hazard due to their position, size, shape, movement, coloring, or manner of illumination which may be confused as a traffic control device or which hide from view any traffic sign or signal; obstruct the view of motor vehicle operators entering the public right-of-way; or create an unsafe distraction or obstruction for motor vehicle operators.
2. Fixed balloons.
3. Signs that contain or consist of exposed incandescent bulbs exceeding forty (40) watts each, or neon or similar tube type of illumination exceeding thirty (30) milliamps.
4. Signs which are abandoned for a period of ninety (90) days or greater.
5. Any sign which advertises a business no longer conducted or products no longer sold, at the location of the sign.
6. Signs that have flashing, blinking, fluttering or rotating lights, lasers, or other illuminating devices which exhibit movement, except digital signs as provided for in Section 18.110.250 or when approved for Town sponsored public events.
7. Signs that produce odor or audible sound.
8. Signs that contain mechanical movement or movement controlled by any other means, except for air activated signs as provided for in Section 18.110.260C.

9. Signs that are painted, attached or mounted on fuel tanks, storage containers and/or solid waste receptacles or their enclosures, except for those required by law.
10. Signs that are installed or displayed without the property owner's approval.
11. Billboards.

18.110.170 Permanent signs in Single Family Residential Zoning Districts

- A. Individual Single-Family Lots: Signs may be displayed subject to the following standards:
 1. A single-family residence is allowed one (1) sign only, not to exceed five (5) feet in height or two (2) square feet in area, if it is freestanding. Said sign shall not be illuminated, except by indirect lighting. No permit shall be required.
 2. A residential lot which has been granted a Home-Occupation business license as provided for in Section 18.100.210 of this code.
- B. Single family subdivisions. Subdivisions name signs may be displayed subject to the following standards:
 1. Signs shall be attached to a perimeter wall or a decorative masonry wall in a landscaped setting not to exceed six (6) feet in height.
 2. The location of said signs shall be limited to the entrances of single family subdivisions.
 3. Signs shall not be illuminated, except by indirect lighting or halo lighting.
 4. Each sign shall not exceed thirty-two (32) square feet in area.
 5. Subject to Planning and Zoning Commission approval as part of the overall subdivision plat, to include an acceptable agreement describing who shall be responsible for maintenance of the sign, wall and landscaping.
 6. A sign permit shall be required.
- C. Flags are permitted as provided for in Section 18.110.230.

18.110.180 Permanent Signs in Multiple Family Residential Zoning Districts

- A. The total permanent sign area allowed, including wall signs and freestanding signs, is one (1) square foot for each dwelling unit. However, in no instance shall this total sign area exceed sixty (60) square feet, with no more than thirty-two (32) square feet fronting on any one (1) street.
- B. For other permitted buildings, the sign area permitted shall not exceed thirty-two (32) square feet.
- C. Signs shall not be illuminated, except by indirect lighting or halo lighting.
- D. A sign permit shall be required.
- E. Flags are permitted as provided for in Section 18.110.230.

18.110.190 Permanent Signs in Mobile Home/RV Parks

Signs in manufactured home parks and recreational vehicle parks are the same as provided for multiple-family residential.

18.110.200 Permanent Signs in Quasi-Public Uses

This section includes all quasi-public uses, institutional uses, churches, fraternal organizations and civic organizations.

- A. The total amount of permanent sign area allowed, including wall signs and freestanding signs, is thirty-six (36) square feet.
- B. One-half (½) of the freestanding sign area may be a change panel or digital sign.
- C. Permanent signs shall require a sign permit.
- D. Flags are permitted as provided for in Section 18.110.230.

18.110.210 Permanent Signs in B/C General Business Zoning Districts

- A. Single-User Site. Buildings shall be permitted one (1) wall sign and one (1) freestanding sign per lot or parcel. All signs shall require a sign permit and shall comply with the following standards:
 - 1. Wall Sign not to exceed two (2) square feet of sign area for each linear foot of building frontage or two (2) square feet per each five (5) linear feet of property lot frontage. Awning or canopy signs shall be included in the total wall signage and the gross surface area shall not exceed 50 percent of the gross surface area of the largest face of the awning or canopy to which the sign is affixed. Said signs shall be wall or window mounted, on or under an architectural projection, and shall not project more than two (2) feet from the building or structure to which it is attached.
 - 2. Freestanding Monument Sign not to exceed thirty-two (32) square feet for each side of the sign. The maximum height shall be ten (10) feet high, measured from the grade of the street.
- B. Shopping Centers and other Multi-User Commercial Centers. Sign criteria shall be established as part of a Preliminary Development Plan approved by the Planning and Zoning Commission or building/sign plan review process. A sign permit shall be required for all signs provided for herein.
 - 1. Wall Signs not to exceed two (2) square feet of sign area for each linear foot of building frontage or two (2) square feet per each five (5) linear feet of property lot frontage. Awning or canopy signs shall be included in the total wall signage and the gross surface area shall not exceed 50 percent of the gross surface area of the largest face of the awning or canopy to which the sign is affixed. Said signs shall be wall or window mounted, on or under an architectural projection, and shall not project more than two (2) feet from the building or structure to which it is attached.
 - 2. Freestanding Monument Sign
 - a. One (1) freestanding sign per arterial street, not to exceed one (1) square foot of sign face area for each linear foot of business frontage. One (1) additional sign may be erected to each additional three hundred (300) feet of frontage along an arterial street. Said signs shall not be less than three hundred (300) feet apart, except that the Zoning Administrator may allow a minor deviation from said separation upon finding that such a reduction is necessary to accommodate a

special circumstance that is not self-imposed by the property owner or applicant. Said reduction shall not exceed thirty (30) feet. In no instance shall a freestanding monument sign be located closer than fifty (50) feet from the property line of a residential development.

- b. Maximum sign height shall not exceed ten (10) feet measured from the grade of the street.

18.110.220 Permanent Signs in C-2/C-3 Industrial Districts

- A. Wall Signs not to exceed two (2) square feet of sign area for each linear foot of business frontage. Said signs shall be wall- or window-mounted, on or under an architectural projection. The sign shall not project more than two (2) feet from the building, or structure to which it is attached. No wall sign shall exceed two hundred fifty (250) square feet in area.
- B. Freestanding Monument Signs:
 1. One (1) freestanding sign for each developed area or parcel not to exceed one and one-half (1½) square feet of sign area for each linear foot of business frontage. Where the developed parcel under single ownership has an excess of three hundred (300) feet of street frontage, one (1) additional detached bonus sign may be erected for each additional three hundred (300) feet of street frontage, not to exceed two (2) detached signs per block. The Zoning Administrator may allow a minor deviation from the three hundred (300) feet separation upon finding that such a reduction is necessary to accommodate a special circumstance that is not self-imposed by the property owner or applicant. Said reduction shall not exceed thirty (30) feet. In no instance, shall a freestanding monument sign be located closer than fifty (50) feet from the property line of a residential development.
 2. Freestanding signs for shopping centers and other multi-user sites shall conform to the standards set forth in B/C Commercial Zoning District in Section 18.110.210B.
 3. In no event shall the total combined area of all freestanding signs exceed four hundred fifty (450) square feet.
 4. Maximum sign height shall not exceed ten (10) feet measured from the grade of the street.
- C. Wall signs and freestanding monument signs shall require a sign permit.
- D. Window signs are permitted as provided for in Section 18-110-240.
- E. Flags are permitted as provided for in Section 18.110.230.

18.110.230 Flags

Flag poles and flags shall comply with the following standards:

- A. No more than three (3) flag poles shall be installed on each single family residential lot, multifamily development, model home cluster, commercial development, shopping

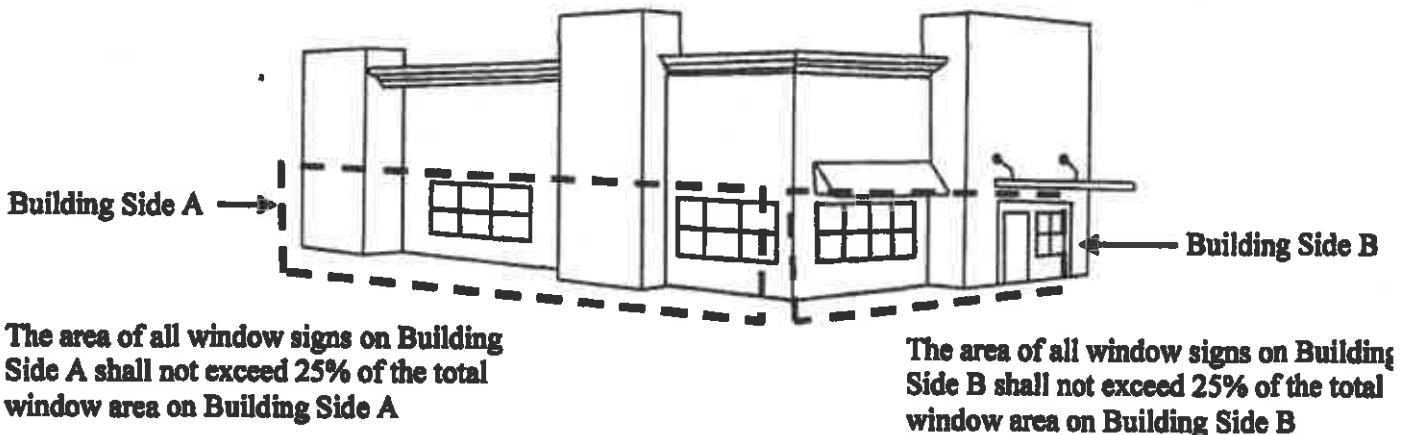
center, or other multiuser site. Said flag poles may be wall-mounted or permanently installed in the ground.

- B. Permanently installed in-ground flag poles shall require permit approval to ensure they are structurally sound and comply with the standards provided herein. A permit shall not be required for wall-mounted flag poles. A separate permit shall not be required to display flags.
- C. The minimum setback for permanently installed in-ground flag poles shall equal one-half ($\frac{1}{2}$) the setback required for a principal building as set forth by the zoning district in which it is located.
- D. Flag pole height.
 - 1. Permanently installed in-ground flag poles and wall-mounted flag poles in single family residential districts shall not exceed twenty-five (25) feet in height or shall not be higher than the highest point of the principal building's roof, whichever is lower.
 - 2. Permanently installed in-ground flag poles and wall-mounted flag poles in multiple family districts and model home clusters shall not exceed fifty (50) feet in height or shall not be higher than the highest point of the nearest principal building's roof on the premises, whichever is lower.
 - 3. Permanently installed in-ground flag poles and wall-mounted flag poles in nonresidential districts shall not exceed one hundred (100) feet in height.
- E. In any district, the length of each flag, which is the longer side of a flag that is perpendicular to the flag pole, shall not exceed one-third ($\frac{1}{3}$) of the maximum height allowed for in-ground flag poles.

18.110.240 Window Signs

Window signs may be painted on or otherwise displayed from the surface of any window, showcase or other similar facility. The area of such signs shall not exceed twenty-five (25) percent of the total window area on any one side of a building as illustrated in Figure 240. The area of said sign shall not be included in the total allowed sign area.

Figure 240



18.110.250 Digital Signs

Digital Signs, also known as Electronic Message Displays (EMD's) shall comply with the following criteria.

- A. Limited to property located within the B/C General Business/Commercial, C-2 and C-3 Industrial Zoning Districts only.
- B. Limited to free-standing signs (no wall mounted EMD's allowed). The maximum height for such EMD's is ten (10) feet measured from the grade of the street. The total sign area shall not exceed 32 square feet per sign face.
- C. One 2-sided free-standing EMD sign is permitted per lot; however, if a lot has more than one access to the property, additional 2-sided free-standing EMD signs (limited to one per access) may be allowed by the Planning and Zoning Commission as a conditional use upon application and compliance with additional requirements as the Commission deems appropriate.
- D. Display only static messages (text and images) that remain constant in illumination intensity and do not have animation, flashing, scrolling, blinking or any other movement or the appearance or optical illusion of movement.
- E. The transition between messages shall be instantaneous.
- F. The minimum length to display a message shall be 15 seconds.
- G. The maximum lamination level from sunset to sunrise shall not exceed 200 nits. For signs adjacent to residential zoning districts that shine directly onto residences, the maximum lamination level shall not exceed 100 nits.
- H. Signs shall be equipped with photo cell sensors that are factory locked to dim the sign to an appropriate light level during daylight hours. The photo cell sensors shall also dim the sign at night to the required nit level as stated in this section. An affidavit from the manufacturer attesting to the brightness level shall be submitted with the sign permit application.
- I. The electronic message center portion of the sign shall be turned off when the business activities cease on the property.
- J. Be designed to either freeze the display in one static position, display a full blank screen or turn off in the event of a malfunction.
- K. Requires a sign permit.

18.110.260 Temporary signs.

The Town of Huachuca City finds that the proliferation of temporary signs is a distraction to the traveling public and creates aesthetic blight and visual clutter that threatens the public's health, safety and welfare. The Town also recognizes a legitimate need for temporary signs for a wide variety of functions or special occasions. The purpose of these regulations is to allow temporary signs in such a manner that limits the distractions to the traveling public and eliminates or reduces aesthetic blight and visual clutter caused by temporary signs.

A. General Regulations for all temporary signs.

1. Temporary signs shall be allowed only in compliance with the provisions of this section.

2. Temporary signs shall not be attached to any public facility such as government signs and supporting poles, utility poles, street lights, light poles, and trees on public property.
3. Temporary signs shall not obstruct view or paths in a manner that creates a hazard for pedestrian or vehicular traffic.
4. Temporary signs shall be of sufficient weight, made of durable material and be properly secured to withstand wind gusts, storms and other natural elements.
5. No temporary signs shall be mounted on a building roof.
6. No temporary signs shall emit sound or odor except for seasonal decorations.
7. No temporary signs shall have animated or moving parts, except for seasonal decorations and air-activated signs as provided for in Section 18.110.260C.
8. No temporary signs shall imitate traffic control signs, or obscure actual municipal or other public traffic control signs or devices.
9. No temporary signs shall be placed upon private property without the property owner's approval.
10. No temporary signs located in single family residential zones shall be illuminated, except for seasonal decorations.
11. Search lights, strobe lights, intermittent or flashing illumination, holographic projections, laser light displays, beacons and other similar temporary signs or effects shall be prohibited.
12. The Zoning Administrator may remove or cause to be removed any temporary sign erected, displayed upon, or projecting into public property that is not expressly allowed by this section or protected by state statute, or which presents a critical safety hazard requiring immediate action.
13. Exceptions to general regulations for all temporary signs provided herein and specific temporary sign types as provided for in Section 18.110.260 may be permitted when approved as part of a Town sponsored public event or special event permit as provided for in Section 18.110.260H2

B. General Regulations for A-frame or T-Frame Signs

1. **Area and Height:** The area of any single sign shall not exceed twelve (12) square feet in area nor exceed four (4) feet in height.
2. **Location, number of signs and duration:**
 - a. Each business or nonresidential use located in a commercial or industrial district may place one (1) sign within the building envelope and shall maintain a minimum five (5) foot clearance to allow unobstructed pedestrian use of the privately-owned pedestrian pathway located therein. Said sign shall be displayed only during business hours. Notwithstanding the foregoing, an unlimited number of signs may be displayed when said signs are located within a permitted outside display area.
 - b. Each business or nonresidential use which occupies a building that fronts onto and abuts the edge of the public right-of-way may place one (1) sign on the public sidewalk within the building envelope. The placement of said sign shall

- maintain a minimum five (5) foot clearance to allow unobstructed pedestrian use of the public sidewalk. Said sign shall be displayed only during business hours.
- c. Each single-family lot or model home may place one (1) sign anywhere on the property, and each single-family lot or model home cluster may place one (1) additional sign at each turning movement beginning at the subject property and extending for a maximum of one (1) mile distance from said property up to a maximum of ten (10) signs. Said signs shall be placed away from the street and no closer than five (5) feet from the curb behind the public sidewalk or no closer than five (5) feet from the edge of pavement when there is no public sidewalk. Said signs shall be displayed only on days when the property is open to the public (e.g. garage/yard sale, open house, and model home business hours).
 - d. Each multiple family development, mobile home park, or mobile home subdivision may place one (1) sign within the building envelope of the building containing the office. Said sign shall maintain a minimum five (5) foot clearance to allow unobstructed pedestrian use of the privately-owned pedestrian path located therein. Said sign shall be displayed only during office hours.
 - e. Each quasi-public or institutional use not located in a commercial or industrial district may place one (1) sign within the building envelope and shall maintain a minimum five (5) foot clearance to allow unobstructed pedestrian use of the privately-owned pedestrian pathway located therein. One (1) additional sign may be placed at each turning movement beginning at the property and extending for a maximum of one (1) mile distance from said property up to a maximum of ten (10) signs. Said signs shall be placed away from the street and no closer than five (5) feet from the curb behind the public sidewalk or no closer than five (5) feet from the edge of pavement when there is no public sidewalk. Said signs shall be displayed only when said property is open to the public.

C. General Regulations for Air-Activated Signs

1. Area and Height: Signs shall not exceed fourteen (14) feet in height.
2. Location:
 - a. Signs shall be set back a minimum of five (5) feet from the public right-of-way or a distance that is equal to the height of the sign, whichever is greater.
 - b. Air-activated signs shall only be allowed on nonresidential properties, except for seasonal decorations on residential properties, which do not require a permit.
3. Number of Signs: No more than two (2) air-activated signs may be displayed concurrently. For the purpose of calculating the number of signs, segments of multiple pennants hung on the same premises shall collectively be considered one (1) sign and segments of streamers hung on the same premises shall collectively be considered one (1) sign.
4. Duration: Each multiple family development, business or nonresidential use shall be allotted no more than thirty (30) cumulative days within each six (6) month period in a calendar year to display air-activated signs, banners, or feather signs.

One (1) day shall be counted as being exhausted from the total allotment for each day that one or any combination of the aforementioned signs is displayed.

5. Other Requirements

- a. Signs shall be fastened to the ground or a structure so that it cannot shift more than three (3) feet horizontally under any condition.
- b. Signs shall require compliance with applicable building codes.

D. General Regulations for Banners

1. Area and Height

- a. Banners shall not exceed the square footage of installed and/or permitted wall signs as provided for in Sections 18.110.170-220.
- b. Notwithstanding the foregoing, each vertical banner shall not exceed twelve (12) square feet in area.
- c. Banners attached to buildings and vertical banners affixed to a structure located within a permitted outside display area shall not project above the roof line or exceed a height of twenty-five (25) feet from finished grade to the top of the banner, whichever is lower. Said banners shall maintain a minimum clearance of seven (7) feet above finished grade when placed upon an area open for common or general use of the public.
- d. Detached banners in residential areas shall not exceed a height of eight (8) feet measured from finished grade to the top of the banner.

2. Location:

- a. Banners shall not be attached to single family homes.
- b. Detached banners shall not be displayed in single family residential areas except when located at neighborhood entrances.
- c. Detached banners shall be setback a minimum of five (5) feet from the public right-of-way and driveways. Said setback shall not apply to banners affixed to a temporary construction fence.
- d. Vertical banners shall only be displayed in permitted outside display areas.

3. Number of signs:

- a. Each multiple family development, business or nonresidential use may display no more than one (1) banner, which may be attached to a building or detached. Notwithstanding the foregoing, an unlimited number of vertical banners may be displayed when affixed to structures that are located within a permitted outside display area.
- b. Each single-family neighborhood may display no more than one (1) detached banner per neighborhood entrance.

4. Duration:

- a. Each multiple family development, business or nonresidential use shall be allotted no more than thirty (30) cumulative days within each six (6) month period in a calendar year to display air-activated signs, banners, or feather signs. One (1) day shall be counted as being exhausted from the total allotment for each day that one or any combination of the aforementioned signs is displayed, except that the display of vertical banners located in permitted outside display areas and banners that are displayed during construction of a site or during a City funded or designated construction project that is located adjacent to the business or nonresidential use erecting said sign shall not be counted toward said allotment.
- b. Detached banners located at neighborhood entrances shall be displayed only on days when a neighborhood event is open to the public (e.g. neighborhood yard sale, neighborhood cleanup).

5. Other Requirements:

- a. Detached banners shall be secured to a freestanding temporary support structure, uprights, stakes or poles that are sufficiently anchored to withstand wind pressure.
- b. Banners shall not be tethered to or otherwise affixed to trees or any other landscaping.
- c. Any banner that is partially torn, loose or otherwise unsecured shall be deemed unsafe and shall be immediately replaced, refastened, removed or replaced.
- d. Banners shall not be affixed to or displayed over a freestanding monument sign.

E. Temporary Freestanding Signs (7 – 80 square feet).

1. Number of Signs:

- a. Each parcel may display one (1) midsize temporary freestanding sign, except when it is a corner lot, in which case two (2) such signs may be used, one (1) sign per street front. Parcels with an excess of three hundred (300) feet of street frontage may display one (1) additional sign along each street front for each additional three hundred (300) feet of said street front. Said signs shall not be less than three hundred (300) linear feet apart, except signs posted on different parcels may be less than three hundred (300) linear feet apart from each other. The Zoning Administrator may allow a minor reduction from said separation of signs displayed on the same parcel upon finding that such a reduction is necessary to accommodate a special circumstance that is not self-imposed by the property owner or applicant. Said reduction shall not exceed thirty (30) feet.
- b. Notwithstanding the foregoing, an unlimited number of the following signs may be displayed, which shall not be counted towards the number of signs permitted herein:
 - i. Signs or notices required or posted by government.

- ii. Signs leading to or displayed within a model home cluster which are not visible from an arterial or collector street.

2. Area, Height, Location and Materials:

- a. The sign face of said signs shall not exceed eighty (80) square feet in area.
 - b. Signs displayed on nonresidential developments shall not exceed a height of ten (10) feet.
 - c. Signs displayed on residential properties shall not exceed a height of six (6) feet.
 - d. Signs located in the public right-of-way shall not be closer than ten (10) feet measured from the sign post to the curb or edge of pavement where there is no curb. The sign face of said sign may encroach no more than two (2) feet into said ten (10) feet setback.
 - e. No setback shall be required for signs displayed on private property.
 - f. In no event shall any portion of the sign be closer than one (1) foot to a public or private sidewalk.
 - g. All signs shall be made of a rigid and durable material that will withstand the elements.
 - h. No sign shall be installed in the public right-of-way without first determining that no underground facilities will be encountered as required by Arizona Revised Statutes sections 40-360.22 et seq., also known as the Arizona Blue Stake Law.
- 3. Approval Process and Duration:** No permits shall be required. Duration of such signs can exceed the 30-day limitation, but it shall not exceed a timeframe of 2 years.

F. Yard Signs (less than 7 square feet).

1. Number of Signs and Location:

- a. Each single-family lot, model home cluster, and quasi-public or institutional use not located in a commercial or industrial district may place one (1) sign anywhere on the subject property, one (1) additional sign at each turning movement beginning at the subject property and extending for a maximum of one (1) mile distance from said property up to a maximum of ten (10) signs. Said signs shall be placed away from the street and no closer than five (5) feet from the curb behind the public sidewalk or no closer than five (5) feet from the edge of pavement when there is no public sidewalk. Said signs shall be displayed only on days when the property is open to the public (e.g. garage/yard sale, open house, and model home business hours).
- b. Notwithstanding the foregoing, signs or notices required or posted by a government agency shall not be counted towards the number of signs permitted herein.
- c. No sign shall be installed in the public right-of-way without first determining that no underground facilities will be encountered as required by Arizona Revised Statutes sections 40-360.22 et seq., also known as the Arizona Blue Stake Law.

2. **Area and Height:** Yard signs shall be less than seven (7) square feet in area and shall not exceed four (4) feet in height.
3. **Approval Process:** No permit shall be required to display yard signs.



Town of Huachuca City

The Sunset City

500 N Gonzales Blvd • Huachuca City, Arizona 85616

Phone: (520) 456-1354 • TDD: (520) 456-1353 • Fax: (520) 456-2230

RESOLUTION NO. 2019-02

A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF HUACHUCA CITY, COCHISE COUNTY, ARIZONA, DECLARING AS A PUBLIC RECORD OF THE TOWN THAT CERTAIN DOCUMENT KNOWN AS "2018 MANUFACTURED HOME PARKS REGULATIONS."

WHEREAS, the Town of Huachuca City is required to preserve the official records of the Town, according to standards for the storage of permanent public records established by the director of the Arizona state library, archives and public records, pursuant to A.R.S. 39-101 and 39-121.01; and

WHEREAS, attached hereto and incorporated herein by this reference is a certain document known as "2018 MANUFACTURED HOME PARKS REGULATIONS;" and

WHEREAS, the Mayor and Council wish to declare this document a public record of the Town.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Town of Huachuca City, "2018 MANUFACTURED HOME PARKS REGULATIONS," three copies of which are on file in the office of the Town Clerk, is hereby declared to be a public record, and said copies are ordered to remain on file with the Town Clerk.

PASSED AND ADOPTED BY THE MAYOR AND TOWN COUNCIL OF THE TOWN OF HUACHUCA CITY, ARIZONA, THIS 10TH DAY OF JANUARY, 2019.

Johann Wallace, Mayor

ATTEST:

Jennifer Fuller, Town Clerk

Approved as to Form:

Thomas Benavidez, Town Attorney

["2018 MANUFACTURED HOME PARKS REGULATIONS" must be attached.]

2018 MANUFACTURED HOME PARKS REGULATIONS

TITLE 18 ZONING

CHAPTER 18.115 MANUFACTURED HOME PARKS

Sections:

- 18.115.010 Intent**
- 18.115.020 Location**
- 18.115.030 Approvals Required**
- 18.115.040 Permitted Uses**
- 18.115.050 Park Accessory Uses**
- 18.115.060 Conditional Uses**
- 18.115.070 Park Development Standards**

18.115.010 Intent.

The intent of these regulations is to encourage development of well-planned manufactured home parks that offer spaces for rent, sale or lease, and to provide adequate regulations to preserve the residential character of the development and to prohibit incompatible land uses. All parks must also comply with the applicable subdivision regulations outlined in Chapter 17.

18.115.020 Location.

All manufactured home parks shall be located within a R-4 zoning district or may be located within a B/C zoning district by conditional use permit approved by Planning and Zoning Commission and shall be consistent with the current Huachuca City General Development Plan. Access roads to the park shall be paved.

18.115.030 Approvals Required.

- A. The manufactured home park must first obtain subdivision approval from the Planning and Zoning Commission prior to any development. The necessary architectural site plans and subdivision plats must be submitted and meet the requirements outlined in this Chapter, as well as the requirements outlined in Chapter 17 of this code for Subdivisions. The landscaping, screening and lighting plans shall also be included with the overall manufactured home park subdivision plan for Planning and Zoning Commission approval. Necessary permits and inspections shall be obtained for the development.**
- B. Once park has been developed, the installation of each individual manufactured home within this park is required to meet the requirements of this Chapter and be approved by the Building Official and any other applicable Agencies. Necessary permits and inspections shall be obtained for each installation.**
- C. The operation of the manufactured home park requires a business license issued by the Town Clerk.**

18.115.040 Permitted Uses:

The following uses are permitted within the manufactured home park on the individual spaces:

- A. One manufactured home on each approved space for living purposes only. No dwelling units of conventional construction shall be permitted on any space for living purposes. Additional requirements as follows:**

- 1. New installs within the park shall bear the United States Department of Housing and Urban Development (HUD) identification plate and be no older than 10 years at the time of installation.**
- 2. All manufactured homes shall be installed with an anchoring system approved by the Building Official.**
- 3. All manufactured homes shall be skirted in a uniform manner with materials that will harmonize with the design and materials used on the manufactured home, as approved by the Building Official. Pressurized wood panels and corrugated steel skirting is prohibited.**

- B. Accessory uses are permitted on an individual manufactured home space, provided they meet the required setbacks outlined below. Approved accessory uses include: carport, garage, ramada, deck, covered porch and storage building. Any accessory use not listed must be approved by the Zoning Administrator. Additional requirements for accessory uses are as follows:**

- 1. Accessory structures shall be architecturally compatible with the manufactured home.**
- 2. The maximum height of any structure shall not exceed 15 feet on a manufactured home space.**
- 3. No accessory building shall be erected within the minimum required front yard setbacks.**
- 4. A garage or carport shall be set back from the side and rear lot lines a distance not less than 3 feet, except for a corner lot, where the street side setback shall be the same as for the manufactured home.**
- 5. All storage buildings shall be a maximum area of 150 square feet. They shall not encroach into the required park setbacks and shall be subject to firewall requirements outlined in the applicable Building Codes.**
- 6. Accessory structures shall be firmly attached to the ground, unless deemed unnecessary by the Building Official.**

18.115.050 Park Accessory Uses

The following uses are permitted for the overall manufactured home park:

- A. **Manager's Office and/or Residence.** May be of conventional construction. The minimum yard setback requirements shall be the same as those for homes in a R-4 Zoning district. If the Park office is located within the residence, no Home Based Business License will be required.
- B. **Social and Recreational Center.** Building may be of conventional construction and used for activities such as for birthday parties, family gatherings, dancing, games, meetings, banquets, movie viewing, and similar entertainment uses which are intended and used primarily as a resident amenity. If outside events are to be held in the building, such as craft shows or trade shows, the event must be approved by the Park management and Town of Huachuca City.
- C. **Outdoor Recreation Facilities:** For the exclusive use of the residents of the manufactured home park and their guests, such as a swimming pool, BBQ areas, parks, playgrounds, tennis courts, shuffleboard courts and similar recreational uses.
- D. **Common Use Laundry Facilities, Maintenance Buildings and Security Guard Buildings:** May be of conventional construction.

18.115.060 Conditional Uses:

The following uses may be permitted as a conditional use for the overall manufactured home park. Requires Planning and Zoning Commission approval.

- A. **Model Manufactured Home Sales:** Provided they do not occupy more than 5 percent of the total spaces in the manufactured home park. Each manufactured home shall have the same setback and spacing required for other manufactured homes. There shall be no exterior displays or advertising other than one non-illuminated sign, not to exceed 6-square feet for each model and not over 6 feet in height.
- B. **Boat and/or Trailer Storage Area:** Provided it is in a completely enclosed area or surrounded by not less than a 6-foot high solid fence or wall and is for the sole use of the residents of the park. All boats and trailers shall be currently and properly insured, titled, licensed or registered.
- C. **Other uses not listed in this section** may be approved as a conditional use on a case-by-case basis by the Planning and Zoning Commission.

18.115.070 Park Development Standards

- A. **Minimum Park Size:** Two (2) acres
- B. **Maximum Density:** Ten manufactured homes per acre
- C. **Minimum Exterior Park setbacks:** 20 feet from all street frontages, measured from the right-of-way line, and 10 feet from all other sides.
- D. **Screening:** The outer perimeter of the park shall be screened with a minimum of a six (6) foot high decorative masonry wall.

- E. **Outer Perimeter Landscaping:** The setback area between the right-of-way and the wall shall be a combination of landscape and hardscape. No off-street parking facilities or recreational facilities for common use shall be located within any required landscaped area. Area to be maintained to the satisfaction of the Zoning Administrator.
- F. **Minimum Individual Space Size:** 4,000 square feet
- G. **Minimum Individual Space Setbacks –** No manufactured home shall be located closer than 20 feet to another or closer than 25 feet to the exterior boundary of the park or any park building and storage/service area.
- H. Any open space created by the required 25-foot setback from the exterior boundary shall be maintained as a landscape/hardscape buffer area which can be used for recreation, water retention, etc.
- I. **Minimum Yard Setbacks:**
 - 1. Front Yard – 10 feet from the access street.
 - 2. Rear Yard – 10 feet from space line
 - 3. Side Yard – 10 feet from space line
- J. An area of at least 250 square feet for each rental space shall be provided and improved for recreation, laundry and service purposes. Common recreation area shall be provided in the manufactured home park. Minimum common recreation area per park space shall be 250 square feet.
- K. No boat, camper, recreational vehicle or trailer, as defined within this Chapter, shall be permitted to be stored on a rental space. The park may provide such a parking area for the sole use of Park residents in a separate minimum six (6) foot fenced area (obscured), as specified in this Chapter.
- L. Access to all manufactured home spaces shall be from the interior of the park.
- M. Private streets within the manufactured home park shall be a minimum paved width of 24 feet.
- N. At least two improved parking spaces per manufactured home space shall be provided. In addition, at least one additional guest space shall be provided in a common area for each five manufactured home spaces, clearly marked by a Guest Parking sign.
- O. All utility lines shall be placed underground within the park. Each space shall be provided with water, sanitary sewer and electric lines. Telephone, cable tv and gas lines, if installed, shall also be installed underground. Fire hydrants shall be installed as required by the town code.
- P. All parks shall have street lighting along private and public streets for the safety of pedestrians and in accordance with guidelines outlined elsewhere in this Chapter.
- Q. All parks shall have a minimum of two vehicular entrances. One entrance may be kept closed to the general public, but it is required for emergency ingress and egress.



Town of Huachuca City

The Sunset City

500 N Gonzales Blvd • Huachuca City, Arizona 85616

Phone: (520) 456-1354 • TDD: (520) 456-1353 • Fax: (520) 456-2230

RESOLUTION NO. 2019-03

A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF HUACHUCA CITY, COCHISE COUNTY, ARIZONA, DECLARING AS A PUBLIC RECORD OF THE TOWN THAT CERTAIN DOCUMENT KNOWN AS "2018 RECREATIONAL VEHICLE PARKS REGULATIONS."

WHEREAS, the Town of Huachuca City is required to preserve the official records of the Town, according to standards for the storage of permanent public records established by the director of the Arizona state library, archives and public records, pursuant to A.R.S. 39-101 and 39-121.01; and

WHEREAS, attached hereto and incorporated herein by this reference is a certain document known as "2018 RECREATIONAL VEHICLE PARKS REGULATIONS;" and

WHEREAS, the Mayor and Council wish to declare this document a public record of the Town.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Town of Huachuca City, "2018 RECREATIONAL VEHICLE PARKS REGULATIONS," three copies of which are on file in the office of the Town Clerk, is hereby declared to be a public record, and said copies are ordered to remain on file with the Town Clerk.

PASSED AND ADOPTED BY THE MAYOR AND TOWN COUNCIL OF THE TOWN OF HUACHUCA CITY, ARIZONA, THIS 10TH DAY OF JANUARY, 2019.

Johann Wallace, Mayor

ATTEST:

Jennifer Fuller, Town Clerk

Approved as to Form:

Thomas Benavidez, Town Attorney

["2018 RECREATIONAL VEHICLE PARKS REGULATIONS" must be attached.]

2018 RECREATIONAL VEHICLE PARKS REGULATIONS

CHAPTER 18.120 "RECREATIONAL VEHICLE PARKS"

Sections:

- 18.120.010 Intent.**
- 18.120.020 Location.**
- 18.120.030 Permitted uses.**
- 18.120.040 Accessory uses.**
- 18.120.050 Conditional uses.**
- 18.120.060 Prohibited uses.**
- 18.120.070 Site development standards.**

18.120.010 Intent.

The intent of this regulation is to encourage development of well-planned recreational vehicle parks for short-term occupancy, as opposed to semi-permanent or permanent occupancy in a manufactured home park, and to provide minimum standards for these parks. All parks must also comply with the subdivision regulations outlined in Chapter 17.

18.120.020 Location.

All recreational vehicle parks shall be located within B/C zoning districts and shall comply with the current Huachuca City general development plan. Recreational vehicle parks shall abut a major arterial or collector street.

18.120.030 Permitted uses.

The following uses are permitted within the recreational vehicle parks:

- A. One recreational vehicle per space**
- B. One park model recreational vehicle per space.** All park models shall be installed with an anchoring system and skirted in a uniform manner with materials that will harmonize with the design and materials used on the model, as approved by the Building Official. Pressurized wood panels and corrugated steel skirting is prohibited
- C. Two accessory uses per recreational vehicle space.**

18.120.040 Accessory uses.

- A. The following uses are permitted for the benefit of the recreational vehicle park residents:**

1. **Manager's Office and/or Residence.** May be of conventional construction. The minimum yard setback requirements shall be the same as those for homes in a R-4 Zoning district. If the Park office is located within the residence, no Home-Based Business License will be required.
2. **Social and Recreational Center.** Building may be of conventional construction and used for activities such as for birthday parties, family gatherings, dancing, games, meetings, banquets, movie viewing, and similar entertainment uses which are intended and used primarily as a resident amenity.
3. **Outdoor Recreational Facilities.** For the exclusive use of the residents of the recreational vehicle park and their guests, such as a swimming pool, BBQ, areas, parks, playgrounds, tennis courts, shuffleboard courts and similar recreational uses.
4. **Common Use Laundry Facilities, Maintenance Buildings and Security Guard Buildings.** May be of conventional construction.

B. The following accessory uses are permitted on individual recreational vehicle parks spaces, provided they meet the required setbacks outlined below: carports, ramadas, covered patios and storage rooms. Any accessory use not listed must be approved by the Zoning Administrator. Accessory buildings shall not be used as sleeping quarters. Additional requirements for individual spaces accessory uses are as follows:

1. Accessory structures shall be architecturally compatible with the park model and shall meet required setbacks.
2. When a carport is attached to the park model, it may be erected within five feet of the recreational park space line, but it must be retained as an open shelter.
3. Detached storage buildings are permitted on each recreational vehicle space, but they must be located within the rear portion of the space. They shall not encroach into the required park setbacks and shall be subject to firewall requirements outlined in the applicable Building Codes.
4. The maximum height of any structure on a recreational vehicle space shall not exceed 15 feet.
5. No accessory structure shall be erected within the minimum front yard setbacks.
6. All accessory structures shall be firmly attached to the ground, unless deemed unnecessary by the Building Official.

18.120.050 Conditional uses.

The following uses may be permitted as a conditional use for the overall recreational vehicle park. Requires Planning and Zoning Commission approval.

- A. A boat, auto, rv, or trailer storage area, provided it is in a completely enclosed area or surrounded by not less than a six-foot high solid fence or wall and is for the sole use of the residents of the park. All stored items shall be currently and properly insured, titled, licensed or registered as required.
- B. Recreational uses intended primarily for the occupants of the park.

- C. Model sales area provided no more than five spaces are devoted to this use. The Planning and Zoning Commission may permit an additional sales area where the park occupies more than 20 acres.
- D. Convenience store.
- E. Propane station.
- F. Vehicle wash area.
- G. Dump stations.
- H. Other conditional uses approved by the Planning and Zoning Commission that would primarily serve the residents of the park.

18.120.060 Prohibited uses.

- A. Truck campers that are removed from the truck shall not be permitted to be stored on an individual recreational vehicle space. The park may provide a parking area for the sole use of park residents in a separate minimum six (6) foot fenced area (obscured), as specified in this Chapter.
- B. Any retail business not for the exclusive use of the park residents.

18.120.070 Site development standards.

- A. Minimum park size: three (3) acres.
- B. Maximum Density: 15 spaces per acre. The area occupied by the manager's unit, recreational and social center complexes may not be included in the area computation.
- C. Minimum park setback: 20 feet from all street frontages measured from the right-of-way line and 10 feet on all other sides. The street setback areas shall be landscaped and screened with a minimum six-foot-high decorative masonry wall. The setback area between the right-of-way and the wall shall be a combination of landscape and hardscape. No off-street parking facilities or recreational facilities for common use shall be located within any required landscaped area. Area to be maintained to the satisfaction of the Zoning Administrator. The landscape and screening plan shall be approved by the Planning and Zoning Commission.
- D. Park Standards.
 - 1. Minimum space size: 1,500 square feet for recreational vehicles and 2,400 square feet for park models.
 - 2. Minimum common recreation area per unit: 150 square feet.
 - 3. Minimum width per space: 30 feet for each RV, 40 feet for park models.
 - 4. Minimum depth per space: 50 feet for each RV, 60 feet for park models.
- E. A common recreation area shall be provided in recreational vehicle parks. Plans for the common recreation areas shall be submitted for approval to the Planning and Zoning Commission.
- F. Access to all spaces shall be from the interior of the park.
- G. Private streets within the recreational vehicle park shall be a minimum paved width of 24 feet.

- H. At least one parking space per rental unit space and at least two parking spaces per sales space shall be provided. In addition, at least one additional guest parking space shall be provided for each 10 rental spaces.
- I. All structures not located on a recreational vehicle space shall not exceed 30 feet in height from grade to the highest point on the structure.
- J. All utility lines shall be placed underground within the park. Each space shall be provided with water, sanitary sewer, and electric lines. Telephone lines, cable TV lines, and gas lines, if installed, shall also be underground. Fire hydrants shall be installed as required by the applicable building codes.
- K. All parks shall have street lighting along private and public streets for the safety of pedestrians and in accordance with guidelines outlined elsewhere in this Chapter.
- L. All parks shall have a minimum of two vehicular entrances. One entrance may be kept closed to the general public but is required to meet public safety standards for emergency ingress and egress.



Town of Huachuca City

The Sunset City

500 N Gonzales Blvd • Huachuca City, Arizona 85616

Phone: (520) 456-1354 • TDD: (520) 456-1353 • Fax: (520) 456-2230

RESOLUTION NO. 2019-04

REQUESTING THE SIERRA VISTA METROPOLITAN PLANNING ORGANIZATION TO COORDINATE WITH THE ARIZONA DEPARTMENT OF TRANSPORTATION TO DESIGN AND INSTALL AN EMERGENCY PRE-EMPTION SIGNAL ON HIGHWAY 90 WITHIN THE TOWN OF HUACHUCA CITY LIMITS.

WHEREAS, the Town of Huachuca City oversees the planning, construction and maintenance of the Town's roadways; and

WHEREAS, the Whetstone Fire Department is located adjacent to the State Highway 90 corridor within the Town of Huachuca City and provides emergency services to the Town of Huachuca City and to the Whetstone Fire District, as well as providing emergency response to incidents that occur on State Highway 90; and

WHEREAS, it is desired to provide more timely response for emergency services within the Town of Huachuca City and along the State Highway 90 corridor; and

WHEREAS, providing pre-emptive signal support for improved emergency service response times is supported by the adopted August 2014 Arizona Strategic Highway Safety Plan and the adopted August 2018 SEAGO/SVMPO Strategic Highway Safety Plan, which includes the implementation of traffic control devices and infrastructure improvements as appropriate engineering safety strategies; and

WHEREAS, the Town of Huachuca City is a member jurisdiction of the Sierra Vista Metropolitan Planning Organization (MPO), and resources have been identified through the Sierra Vista MPO to design and construct an emergency pre-emption signal; and

WHEREAS, the Town of Huachuca City is prepared to cover electric costs for operating the emergency pre-emption signal and will execute such agreements and permits as needed with the Arizona Department of Transportation and amend the Town's budget to reflect potential future on-going operational costs

NOW, THEREFORE, BE IT RESOLVED THAT the Town of Huachuca City hereby supports the design and installation of an emergency pre-emption signal in partnership with the Arizona Department of Transportation and the Sierra Vista Metropolitan Planning Organization.

**PASSED AND ADOPTED BY THE MAYOR AND TOWN COUNCIL OF THE TOWN
OF HUACHUCA CITY, ARIZONA, THIS 10TH DAY OF JANUARY, 2019.**

Johann Wallace, Mayor

ATTEST:

Jennifer Fuller, Town Clerk

APPROVED AS TO FORM:

Thomas Benavidez, Town Attorney

Memo: Surplus Funds

January 8, 2019

Towns have two types of surplus funds: surplus funds when the Town is bringing in more than paying out, and sales from surplus equipment.

The Town does not have surplus funds as we are still digging our way out of the red on spending. In the current fiscal year we have sold \$33,611 in surplus equipment. Note: This does not include the \$30,000 from the recycling equipment as monies are received quarterly from publicsurplus.com.

This \$33,611 while is \$23,611 over anticipated surplus revenues is not extra money sitting in a savings account. Rather sales of surplus equipment is helping to subsidize the general fund. I have not authorized the expenditure of surplus items on purchases, however surplus sale revenues go back into the general fund and help pay Town expenses.

In a perfect world, these funds would be "extra" money sitting in a savings account, and one day they will be. However, we simply are not there yet. The sale of surplus equipment helps Town administration to not take as much from savings.

Eventually the Town will be in the black financially across the board. At that point the funds from surplus items could & should go into replacing older/broken Town equipment. However, again we simply aren't there yet.

Also much of our surplus equipment we have sold was unneeded in the first place, such as the recycling equipment and the wood chipper. These items should not be replaced. You will see an agenda item this week to replace a Public Works truck that broke down recently. We do need to replace this truck as it is currently needed. The sale of this truck will cover most of the costs of the replacement used truck. Some of the public works/landfill vehicles are over 25 years old.

An exception to this will be the sale of the old Town trash cans and trash trucks. These funds will go into a separate savings account for the Town trash utility should Council ever choose to go back into the trash business in the future.

We have planned to buy a used roll-off truck from the surplus funds as approved by Council as roll-off services currently cost us roughly \$1500 per month. I have not bought this truck yet, because currently we need the funds more than the truck. We should still plan to buy a roll-off truck, as either way we will pay for it.

It should be noted that Council voted to pay for the Senior Center Roof repair and Skyline road repair from surplus sale funds. Neither one of these jobs have been completed or paid for as of 1/8/19.

Town finances will only continue to improve with new caterpillars, taxes, outsourcing of police dispatch and the increase in water & sewer rates.

As always I welcome any questions/concerns,


Matthew Williams, Town Manager



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ORDINANCE NO. 2019-08

AN ORDINANCE OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF HUACHUCA CITY, COCHISE COUNTY, ARIZONA, AMENDING THE TOWN CODE TITLE 13 "WATER," CHAPTER 13.05 "WATER SYSTEM ADMINISTRATION," SECTION 13.05.010 "MANAGEMENT OF WATER SYSTEM;" CHAPTER 13.10 "APPLICATION FOR SERVICE," SECTION 13.10.010 "APPLICATION FOR WATER," SECTION 13.10.030 "VIOLATION OF APPLICATION PROVISIONS;" CHAPTER 13.15 "DEPOSIT," SECTION 13.15.010 "DEPOSIT REQUIRED;" "CHAPTER 13.20 "DISCONTINUANCE OF SERVICE;" "CHAPTER 13.25 "RATES AND BILLS," SECTION 13.25.010 "WATER RATES," SECTION 13.25.030 "WATER BILLS," SECTION 13.25.050 "TURN OFFS AND TURN ONS;" AND "CHAPTER 13.30 "METERS," SECTION 13.30.050 "WATER METER INSTALLATION FEE SCHEDULE," SECTION 13.30.070 "INTERFERENCE BY DOGS," SECTION 13.30.080 "SPECIAL METER READING," AND SECTION 13.30.090 "METER TESTS," TO INCREASE RATES, FEES AND DEPOSITS FOR RESIDENTIAL AND COMMERCIAL WATER SERVICE, AND TO ESTABLISH PENALTIES FOR METER TAMPERING AND THEFT OF SERVICE.

WHEREAS, the Town Council of the Town of Huachuca City has adopted by Resolution No. 84-002 a code known as the Town Code of the Town of Huachuca City, Arizona [the "Code"], and has amended and republished the Code from time to time, as authorized by A.R.S. 9-240 (B) (28) and Town Ordinance No. 15-02; and

WHEREAS, A.R.S. § 9-240(B)(6) grants the Town Council the power to provide the Town with water; and

WHEREAS, A.R.S. § 49-391(A) grants the Town Council the power to adopt any ordinances necessary for implementing and enforcing the pretreatment requirements under the federal Water Pollution Control Act Amendments of 1972 (P.L. 92-500; 86 Stat. 816; 33 United States Code §§ 1251 through 1376), as amended; and

WHEREAS, A.R.S. 9-511.01 authorizes the Town Council to increase the rates and fees charged for water and sewer services, pursuant to a rate study supporting the rate changes, and after a public hearing; and

WHEREAS, the Town commissioned a rate study by a registered engineer, and this study has been available to the public in the office of the Town Clerk, at least thirty days before the public hearing; and

WHEREAS, a public hearing was held on February 14, 2019, to receive public comment, pro and con, for adopting the fee and rate increases; and

WHEREAS, the Town Council has determined that increases in the amounts of its rates, service fees and deposits, as described below, are necessary to cover the costs of providing services, and that the proposed rates, fees and deposits are just and reasonable; and

WHEREAS, as required by the Code, section 2.25.040, this Ordinance was first read at a public meeting of the Town Council on January 10, 2019.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the Town of Huachuca City, as follows:

SECTION 1. The Code, Title 13 "WATER," Chapter 13.05 "WATER SYSTEM ADMINISTRATION," Section 13.05.010 "Management of water system," is amended as follows, with deletions in ~~strikeout~~ and additions in underlined text:

The ~~clerk~~ town manager shall have the immediate control and management of all things pertaining to the town water works system and shall perform all acts that may be necessary for the prudent, efficient and economical management and protection of said water works, subject to the approval and confirmation of the council. The council shall have the power to prescribe such other and further rates, rules and regulations as it may deem necessary.

SECTION 2. The Code, Title 13 "WATER," Chapter 13.10 "APPLICATION FOR SERVICE," Section 13.10.010 "Application for water," is amended as follows, with additions in underlined text:

Application for the use of water and sewer service shall be made in person, at the Town Hall, to the clerk by the owner or agent of the property to be benefited, designating the location of the property and stating the purpose for which the water may be required. Applicants for water service shall pay a \$15.00 non-refundable application processing fee.

SECTION 3. The Code, Title 13 "WATER," Chapter 13.10 "APPLICATION FOR SERVICE," Section 13.10.030 "Violation of application provisions" is amended as follows, with deletions in ~~strikeout~~ and additions in underlined text:

For violation of any of the provisions relating to application for service, the town shall, at the expiration of seven days after mailing written notice to the last known address of the consumer, at its option, remove the meter and discontinue service. Where the meter is thereafter reinstalled, the consumer shall first pay to the town a reinstallation charge of ~~\$6.00~~ \$75.00.

SECTION 4. The Code, Title 13 "WATER," Chapter 13.15 "DEPOSIT," Section 13.15.010 "Deposit required" is amended as follows, with deletions in ~~strikeout~~ and additions in underlined text:

There shall be charged to all persons applying for water service to be provided to any premises, before such service commences, a deposit of ~~\$25.00~~ \$75.00 for each meter plus any prior town utility bill arrears balance in the customer's name. ~~, or, at the option of the clerk, a deposit equal to not less than twice the estimated amount of the probable monthly bill.~~ Deposits shall be non-interest-bearing and shall be refunded to the consumer upon discontinuance of service and payment of charges; provided, that charges may be deducted from said security deposit before the refund is made. All prior town utility bills in arrears in the customer's name must be paid in full before the customer may establish town utility service at another address. Deposits may be waived by providing a verifiable utility letter of reference from another water utility company.

SECTION 5. The Code, Title 13 "WATER," Chapter 13.20 "DISCONTINUANCE OF SERVICE," is renamed as "DISCONTINUANCE OF SERVICE; PENALTIES," and is further amended by adding new Section 13.20.030 "Penalties," reading as follows:

13.20.030 Penalties:

Meter tampering is a civil offense and violations shall be punished with a fine of \$250.00 for the first offense, and a fine of \$500.00 for each subsequent offense. In addition, theft of town water services is a class 2 criminal misdemeanor, punishable as determined by the court, with incarceration of up to four months in jail and a fine of not more than \$750.00, plus restitution to the town. Civil and criminal complaints may be filed in court by any police officer or the town attorney. For purposes of this section, unauthorized manipulation of a water meter shall constitute meter tampering.

SECTION 6. The Code, Title 13 "WATER," Chapter 13.25 "RATES AND BILLS," Section 13.25.010 "Water rates," subsection (A), is amended as follows by replacing the current fee schedule in its entirety with the following fee schedule:

Residential Water Rates

For calendar year 2019 residential water fees are set as described below. Beginning January 1, 2020 residential water fees (monthly service charge and all progressive tiers) will be increased 3% automatically every January 1 annually.

Calculation of Residential Water Bills

All residential water customers will pay the monthly service charge and pay the amount per progressive tier in which they use water. Also the rate set for Progressive Tier K shall increase

by the Progressive Tier K amount for every 1000 gallons used. Ex: A residential water customer using 15,000 gallons monthly would pay: Monthly service charge, tier charges for all Progressive Tiers A-K and the Progressive Tier K rate for 12,000, 13,000, 14,000 and 15,000 gallons.

Monthly Service Charge	\$20.00
Progressive Tier A 1-1999 Gallons	\$3.00
Progressive Tier B-2000-2999 Gallons	\$3.25
Progressive Tier C-3000-3999 Gallons	\$3.50
Progressive Tier D-4000-4999 Gallons	\$3.50
Progressive Tier E-5000-5999 Gallons	\$3.50
Progressive Tier F-6000-6999 Gallons	\$3.50
Progressive Tier G-7000-7999 Gallons	\$5.00
Progressive Tier H-8000-8999 Gallons	\$5.00
Progressive Tier I-9000-9999 Gallons	\$5.00
Progressive Tier J-10,000-10,999 Gallons	\$5.00
Progressive Tier K 11,000-Ceiling Gallons	\$7.00

Commercial Water Rates

For calendar year 2019 commercial water fees are set as described below. Beginning January 1, 2020 residential water fees (monthly service charge and all progressive tiers) will be increased 3% automatically every January 1 annually.

Calculation of Commercial Water Bills

All commercial water customers will pay the monthly service charge and pay the amount per progressive tier in which they use water. Also the rate set for Progressive Tier K shall increase by the Progressive Tier K amount for every 1000 gallons used. Ex: A commercial water customer using 15,000 gallons monthly would pay: Monthly service charge, tier charges for all Progressive Tiers A-K and the Progressive Tier K rate for 12,000, 13,000, 14,000 and 15,000 gallons.

Monthly Service Charge	\$22.00
Progressive Tier A 1-1999 Gallons	\$5.00
Progressive Tier B-2000-2999 Gallons	\$5.25
Progressive Tier C-3000-3999 Gallons	\$5.50

Progressive Tier D-4000-4999 Gallons	\$5.50
Progressive Tier E-5000-5999 Gallons	\$5.50
Progressive Tier F-6000-6999 Gallons	\$5.50
Progressive Tier G-7000-7999 Gallons	\$6.00
Progressive Tier H-8000-8999 Gallons	\$6.00
Progressive Tier I-9000-9999 Gallons	\$6.00
Progressive Tier J-10,000-10,999 Gallons	\$6.00
Progressive Tier K 11,000-Ceiling Gallons	\$8.00

SECTION 7. The Code, Title 13 "WATER," Chapter 13.25 "RATES AND BILLS," Section 13.25.030 "Water Bills," subsections (A) and (B), are amended as follows, with deletions in ~~strikeout~~ and additions in underlined text:

A. Water meters shall be read on the twentieth day of each month, as nearly as possible, and a separate bill shall be rendered for each meter and mailed on the first day of each succeeding month. All water bills shall be due on or before the ~~tenth~~ 15th day of the month following the ~~reading of the meter~~ utility billing date. If the 15th day falls on a non-business day, the bill will be due on the next business day. The town reserves the right to vary the dates or length of billing period, temporarily or permanently, if necessary or desirable. Bills shall become delinquent after ~~40~~ 15 days following billing date, at which time a 10 percent late fee will be assessed, and service may be discontinued after providing notice to the consumer.

B. Such notice shall provide the customer the opportunity for a hearing before the town clerk. The notice shall advise the customer that he has five days after the notice has been ~~mailed~~ issued to make a written request to the town clerk for such a hearing. The purpose of the hearing shall be to determine if there is good cause for the customer not to pay the bill. If after such notice and hearing, the town clerk determines there is not good cause and the customer continues to fail in paying charges, the water meter will be disconnected, the customer's account closed by deducting from the customer's deposit the total amount of the bill, including penalties, up to the time of disconnection of the meter. The customer may appeal the decision of the town clerk to the mayor and council by giving written notice thereof and by posting with the clerk an amount equal to

the amount due for the customer's water bill. During the appeal procedure, the customer shall be entitled to continued service provided all bills are kept current.

SECTION 8. The Code, Title 13 "WATER," Chapter 13.25 "RATES AND BILLS," Section 13.25.050 "Turn offs and turn ons," is amended as follows, with deletions in ~~strikeout~~ and additions in underlined text:

A charge of ~~\$25.00~~ \$40.00 shall be made for each turn on of water service for reasons other than change of occupancy.

SECTION 9. The Code, Title 13 "WATER," Chapter 13.30 "METERS," Section 13.30.050 "Water meter installation fee schedule," is amended as follows, with deletions in ~~strikeout~~ and additions in underlined text:

Fees for water meter installation and service line extension shall be actual cost of meters, service line, engineering costs and labor costs, for the installation of the meter and service line. For installation of a meter not requiring additional service line, the cost shall be the actual cost of the meter, meter box, and-related equipment and installation costs, plus a \$50.00 service charge for the labor ~~and installation costs.~~

SECTION 10. The Code, Title 13 "WATER," Chapter 13.30 "METERS," Section 13.30.070 "Interference by dogs," is amended as follows, with additions in underlined text:

In the event any dog kept on the premises interferes with meter reading by an employee of the town and the meter is not read, a billing will be made by the town in an amount based on the average monthly billing of the previous three months. The town shall notify the consumer of the interference, and the consumer shall be responsible for ensuring that their dog does not interfere with future meter readings in order to avoid incurring special meter reading fees.

SECTION 11. The Code, Title 13 "WATER," Chapter 13.30 "METERS," Section 13.30.080 "Special meter reading," is amended as follows, with deletions in ~~strikeout~~ and additions in underlined text:

Any consumer may request and have the town perform a special reading of his water meter upon the payment of a ~~\$1.00~~ \$5.00 deposit per special reading. If the special reading indicates that the regular meter reading was incorrect, then such deposit shall be returned to the consumer, otherwise, such deposit shall be retained by the town as a charge for the special meter reading.

SECTION 12. The Code, Title 13 "WATER," Chapter 13.30 "METERS," Section 13.30.090 "Meter tests," is amended as follows, with deletions in ~~strikeout~~ and additions in underlined text:

Any consumer may, upon written application accompanied by a ~~deposit of \$1.00,~~ \$5.00 deposit per test, have his meter tested for accuracy by the town. If the meter registers a divergence from accuracy greater than three percent, the deposit shall be refunded to the applicant and the indicated adjustment made in the water service charges for a total period not longer than the then current period and the monthly period immediately preceding. If a meter so tested registers within three percent of accuracy, the deposit shall be retained by the town as a fee to pay the cost of such test. All inaccurate and defective meters shall be replaced by the town immediately when detected.

SECTION 13. All ordinances, parts of ordinances, resolutions, parts of resolutions, policies, and parts of policies in conflict with the provisions of this Ordinance, or any part hereof, are hereby repealed.

SECTION 14. If any section, subsection or portion of this Ordinance is for any reason held to be invalid or unenforceable by the decision of a court of competent jurisdiction, such decision shall not affect the validity or enforceability of the remaining portions hereof.

SECTION 15. The Town Clerk is hereby directed, pursuant to the Code, sections 2.25.080 and 2.25.090, to post this Ordinance in three or more public places within the Town, and to publish this Ordinance as required by A.R.S. 9-812 and 39-204 (C)(3).

PASSED AND ADOPTED BY THE MAYOR AND TOWN COUNCIL OF THE TOWN OF HUACHUCA CITY, COCHISE COUNTY, ARIZONA, THIS 14TH DAY OF FEBRUARY, 2019.

Johann Wallace, Mayor

ATTEST:

Jennifer Fuller, Town Clerk

Approved as to Form:

Thomas Benavidez, Town Attorney



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ORDINANCE NO. 2019-09

AN ORDINANCE OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF HUACHUCA CITY, COCHISE COUNTY, ARIZONA, AMENDING THE TOWN CODE TITLE 14 "SEWERS," CHAPTER 14.10 "RULES AND REGULATIONS," SECTION 14.10.020 "GUARANTEE DEPOSIT," AND SECTION 14.10.030 "MINIMUM CHARGES, TAXES AND RATES," AND CHAPTER 14.20 "DEPARTMENT AND CONSUMER RESPONSIBILITIES," SECTION 14.20.010 "SEWER DEPARTMENT RESPONSIBILITIES AND LIABILITIES" TO INCREASE RATES, FEES AND DEPOSITS FOR RESIDENTIAL AND COMMERCIAL SEWER SERVICE.

WHEREAS, the Town Council of the Town of Huachuca City has adopted by Resolution No. 84-002 a code known as the Town Code of the Town of Huachuca City, Arizona [the "Code"], and has amended and republished the Code from time to time, as authorized by A.R.S. 9-240 (B) (28) and Town Ordinance No. 15-02; and

WHEREAS, A.R.S. § 9-240(B)(5) grants the Town Council the power to construct and maintain sewers and drains within the limits of the Town;

WHEREAS, A.R.S. § 49-391(A) grants the Town Council the power to adopt any ordinances necessary for implementing and enforcing the pretreatment requirements under the federal Water Pollution Control Act Amendments of 1972 (P.L. 92-500; 86 Stat. 816; 33 United States Code §§ 1251 through 1376), as amended; and

WHEREAS, A.R.S. 9-511.01 authorizes the Town Council to increase the rates and fees charged for water and sewer services, pursuant to a rate study supporting the rate changes, and after a public hearing; and

WHEREAS, the Town commissioned a rate study by a registered engineer, and this study has been available to the public in the office of the Town Clerk, at least thirty days before the public hearing; and

WHEREAS, a public hearing was held on February 14, 2019, to receive public comment, pro and con, for adopting the fee and rate increases; and

WHEREAS, the Town Council has determined that increases in the amounts of its rates, service fees and deposits, as described below, are necessary to cover the costs of providing services, and that the proposed rates, fees and deposits are just and reasonable; and

WHEREAS, as required by the Code, section 2.25.040, this Ordinance was first read at a public meeting of the Town Council on January 10, 2019.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the Town of Huachuca City, as follows:

SECTION 1. The Code, Title 14 "SEWERS," Chapter 14.10 "RULES AND REGULATIONS," Section 14.10.020 "Guarantee deposit," subsection (A), is amended as follows, with deletions in ~~strikeout~~ and additions in underlined text:

A. A deposit not in excess of ~~\$10.00~~ \$25.00 shall be required of a user. Such deposit shall be retained by the sewer department as security for payment of future sanitary sewer rental fees until such service is terminated.

SECTION 2. The Code, Title 14 "SEWERS," Chapter 14.10 "RULES AND REGULATIONS," Section 14.10.030 "Minimum charges, taxes and rates," subsection (D), is amended as follows, with deletions in ~~strikeout~~ and additions in underlined text:

D. If service is to be established at the same service location for a consumer who has there ordered a service connection within the preceding 12-month period or for any member of such consumer's household, a nonrefundable charge of \$25.00 ~~may~~ will be required as a precondition to the establishment of such service. Any prior Town Utility bill arrears must be paid in full before new service may be established.

SECTION 3. The Code, Title 14 "SEWERS," Chapter 14.10 "RULES AND REGULATIONS," Section 14.10.030 "Minimum charges, taxes and rates," subsection (E), is amended as follows by replacing the current fee schedule in its entirety with the following fee schedule:

Residential Sewer Rates

For calendar year 2019 residential sewer fees are set as described below. Beginning January 1, 2020 residential sewer fees (monthly service charge and all progressive tiers) will be increased 3% automatically every January 1 annually.

Calculation of Residential Sewer Bills

All residential sewer customers will pay the monthly service charge and pay the amount per progressive tier in which they use sewer. Also the rate set for Progressive Tier K shall increase by the Progressive Tier K amount for every 1000 gallons used. Ex: A residential sewer customer using 15,000 gallons monthly would pay: Monthly service charge, tier charges for all Progressive Tiers A-K and the Progressive Tier K rate for 12,000, 13,000, 14,000 and 15,000 gallons.

Monthly Service Charge	\$18.00
Progressive Tier A 1-1999 Gallons	\$2.00

Progressive Tier B-2000-2999 Gallons	\$2.25
Progressive Tier C-3000-3999 Gallons	\$2.50
Progressive Tier D-4000-4999 Gallons	\$2.50
Progressive Tier E-5000-5999 Gallons	\$2.50
Progressive Tier F-6000-6999 Gallons	\$2.50
Progressive Tier G-7000-7999 Gallons	\$3.00
Progressive Tier H-8000-8999 Gallons	\$3.00
Progressive Tier I-9000-9999 Gallons	\$3.00
Progressive Tier J-10,000-10,999 Gallons	\$3.00
Progressive Tier K 11,000-Ceiling Gallons	\$4.00

Commercial Sewer Rates

For calendar year 2019 commercial sewer fees are set as described below. Beginning January 1, 2020 residential sewer fees (monthly service charge and all progressive tiers) will be increased 3% automatically every January 1 annually.

Calculation of Commercial Sewer Bills

All commercial sewer customers will pay the monthly service charge and pay the amount per progressive tier in which they use sewer. Also the rate set for Progressive Tier K shall increase by the Progressive Tier K amount for every 1000 gallons used. Ex: A commercial sewer customer using 15,000 gallons monthly would pay: Monthly service charge, tier charges for all Progressive Tiers A-K and the Progressive Tier K rate for 12,000, 13,000, 14,000 and 15,000 gallons.

Monthly Service Charge	\$22.00
Progressive Tier A 1-1999 Gallons	\$4.00
Progressive Tier B-2000-2999 Gallons	\$4.25
Progressive Tier C-3000-3999 Gallons	\$4.50
Progressive Tier D-4000-4999 Gallons	\$4.50
Progressive Tier E-5000-5999 Gallons	\$4.50
Progressive Tier F-6000-6999 Gallons	\$4.50
Progressive Tier G-7000-7999 Gallons	\$5.00

Progressive Tier H-8000-8999 Gallons	\$5.00
Progressive Tier I-9000-9999 Gallons	\$5.00
Progressive Tier J-10,000-10,999 Gallons	\$5.00
Progressive Tier K 11,000-Ceiling Gallons	\$6.00

SECTION 4. The Code, Title 14 "SEWERS," Chapter 14.10 "RULES AND REGULATIONS," Section 14.10.030 "Minimum charges, taxes and rates," subsections (G) and (H), are amended as follows, with deletions in ~~strikeout~~ and additions in underlined text:

G. All fees for sewer service will be included on the utility bill including water, garbage and sewer service and are payable by the ~~tenth~~ 15th day of the month next following the month of consumption at ~~the office of the water department, or the office of the authorized agent of such department~~ Town Hall, and no demand for the payment of the same need be made by the department, but each consumer shall be responsible for the payment thereof, at the proper place and time. If not paid by such date, a penalty of 10 percent of total billing shall be added on account of such nonpayment. If payment of the total bill plus the penalty charge is not made before 10:00 a.m. of the ~~fourteenth~~ 24th day of the month next following the month of consumption, the town shall give notice to the consumer that unless charges are paid the water meter will be disconnected. Such notice shall provide the customer the opportunity for a hearing before the town clerk. The notice shall advise the customer that he has five business days after the notice has been mailed to make a written request to the town clerk for such a hearing. The purpose of the hearing shall be to determine if there is a good cause for the customer not to pay the bill. If after such notice and hearing, the town clerk determines there is not good cause and the customer continues to fail in paying charges, the water meter will be disconnected, the customer's account closed by deducting from the customer's deposit the total amount of the bill, including penalties, up to the time of disconnection of the meter. The customer may appeal the decision of the town clerk to the mayor and common council by giving written notice thereof and by posting with the town clerk an amount equal to the amount due for the customer's water bill. During the appeal procedure, the customer shall be entitled to continued service provided all bills are kept current. Balance of deposit, if any, remains to customer's credit. Reconnection charge shall be ~~\$1.00~~ \$5.00, payable in addition to a new deposit, as herein above provided.

H. In case any prescribed payment date falls on a ~~Sunday or legal holiday~~ any non-business day, the effective day of payment, as set forth above, shall be deemed to be the day following such Sunday or legal holiday. All services furnished the town or any public buildings shall be charged to the appropriate department, and the sewer department shall account for all services whether to the town or any person or corporation.

SECTION 5. The Code, Title 14 "SEWERS," Chapter 14.20 "DEPARTMENT AND CONSUMER RESPONSIBILITIES," Section 14.20.010 "Sewer department responsibilities and liabilities," is amended by adding new subsection (F) reading as follows:

F. Sewer system tampering shall carry a fee of \$250 for the first occurrence and \$500 for the 2nd occurrence.

SECTION 6. All ordinances, parts of ordinances, resolutions, parts of resolutions, policies, and parts of policies in conflict with the provisions of this Ordinance, or any part hereof, are hereby repealed.

SECTION 7. If any section, subsection or portion of this Ordinance is for any reason held to be invalid or unenforceable by the decision of a court of competent jurisdiction, such decision shall not affect the validity or enforceability of the remaining portions hereof.

SECTION 8. The Town Clerk is hereby directed, pursuant to the Code, sections 2.25.080 and 2.25.090, to post this Ordinance in three or more public places within the Town, and to publish this Ordinance as required by A.R.S. 9-812 and 39-204 (C)(3).

PASSED AND ADOPTED BY THE MAYOR AND TOWN COUNCIL OF THE TOWN OF HUACHUCA CITY, COCHISE COUNTY, ARIZONA, THIS 14TH DAY OF FEBRUARY, 2019.

Johann Wallace, Mayor

ATTEST:

Jennifer Fuller, Town Clerk

Approved as to Form:

Thomas Benavidez, Town Attorney

Water & Sewer Fee Timeline-

- Public Hearing, Thursday, 2/14 6pm Water & Sewer Rates
- Council Meeting, Thursday, 2/14 7pm Water & Sewer Rates Vote
- New/Water Sewer Rates Begin, 4/1/19

Senior Center RFP- Staff is working on an RFP for Senior Center services. Proposals will be brought to Council in February for consideration.

SEACOM- Seacom will take over the night shift of dispatch on January 14, 2019. Full dispatch services will change over on February 4, 2019.

Animal Shelter- An electrical problem and water leak was discovered at the animal shelter on Saturday, December 15th. No staff or animals were harmed thanks to the fast actions of the shelter employees and shelter volunteers. The animals are currently safely housed at the Sierra Vista animal shelter. Town staff will be presenting Council with options on the animal shelter at the 1/24 Council meeting.

Healthy Communities Meeting- The next Healthy Communities meeting will be held on Monday, January 7th at 5:30pm at the Community Center.

Caterpillar Delivery- The new Caterpillars are scheduled to arrive on Friday, January 4th. The 836 compactor and 826 compactors will be kept here on consignment sale with Caterpillar. The payment on the two new pieces of equipment will be less than the current payment on the 2012 836 compactor.

Landfill Director- Jim Halterman is now in charge of public works and landfill department with the resignation of the landfill supervisor on 12/27/18. The Town will be advertising for a landfill director.

Landfill Incident- There was an incident at the landfill on Thursday, December 20th where the 623 scraper was turned over. No one was harmed. The 623 scraper is currently being assessed for damages. The landfill is using a rental scraper from Empire Cat until ours is assessed or repaired.

Jon Allmon- Former Town Fire Chief Jon Allmon has plead guilty to his charges and is facing one year in prison as well as reparations. Allmon has been ordered to pay \$23,900 to the Town and the Christmas Children's fund. Allmon will be sentenced in September.

Finance Report

- Bank Balance as of December 14, 2018-\$438,064.24
- PSPRS- Completed Settlement with Involving Officers
- Working On Audit
- Working On Year End Taxes, W-2s, 1099s, etc.

- Working on Council Requests

***Please keep in mind; Need to reduce spending. Keep cost down.**

Landfill Report

- Cell on the south end working fine we have papers flowing under control.
- The seminar for Empire was a great success guest speaker-SWANA-Simply Efficient and the right sizing.
- Waiting for new equipment to arrive on January 4th, 2019.
- Waiting for a new hire part timer.
- Charlie will return on December 31, 2018.

Library Report

- During the period November 15th through December 15th, we held 3 digital literacy classes: Password Management, Why Would I Want a Smart Phone, and Online Safety. All were well attended. We also held 3 one-on-one Tech Help sessions.
- Two Spotlight on Speakers Programs: Mr. Johann Wallace "Safety in the Digital Age" and Mr. & Mrs. Hull "Spirits of the Old Southwest." Attendance exceeded expectations at both. Standing room only for Mr. Wallace. Our speaker program is extremely popular and beginning to be well known.
- Lost one staff member, Julie Swanner. She resigned the last week of November.
- December book order was submitted. Ordered \$1,200 worth of new books and DVDs. (34 new books and 33 new DVDs). Books/DVDS are paid for by the Cochise County District.
- Received approval of a \$4K grant to fund our hotspot lending program. Yay!
- Researched, prepared and presented a power point brief on the history of the town for Founder's Day.
- Completed and submitted the annual Arizona State Library Report. The multi-page report is very detailed. Completion is a requirement to remain eligible for Library Services and Technology grant funds.
- Coordinated successful conex move at no cost to the town.

- Met with the community outreach committee at Huachuca City School to discuss ways in which the school and town can work together on community events. As a result, the school participated in our Christmas parade, served hot cocoa at the conclusion of the parade and will be assisting with our Holiday Basket program.
- Coordinated/hosted our Healthy Huachuca Committee meeting on Dec 3rd. Nice turnout and great discussion. Set committee goals: #1 is Increasing community engagement and improving communication between the town and residents.
- Outstanding Polar Express event – very successful! Over 100 attendees. Huge thanks to Friends of Huachuca City Library for their amazing contributions of time and money! Thanks also to all the departments that contributed to the success of the program and to Mayor Wallace for reading the story. And thanks to my amazing staff who make everything look easy!
- Published our first ever Sunset News Newsletter! Went out to over 700 utility customers and was placed in public places for other residents.
- Children's Programming: Conducted 8 weekly storytimes for Kindergartners and 1st Graders as well as 4 weekly preschool storytimes. Weekly Coding Club and Basic Electronics class continue to be very successful and well attended. In addition, Fun Fridays with STEAM, held every Friday, continues to be very popular. Lego Club attendance has fallen off.
- Submitted application for 2nd year of Library Institute.

BUILDING OFFICIAL/ZONING ADMINISTRATOR REPORT

Building Dept.

2018 has been a busy year for building permits. As of Dec. 18, a total of 46 permits have been issued with one more pending. In the last three weeks 3 permits have been issued totaling over \$11,500 in fees collected for the Town: 1) Coca-Cola office expansion; 2) Cell tower upgrades for T-Mobile; 3) Cell tower upgrades for Verizon.

Zoning Dept.

With the recent completion of the major revisions to the Zoning Code, the Planning and Zoning Commission has made great strides in meeting goals outlined in the General Plan. Some of these goals include:

- Improving the quality of mobile/manufactured homes by encouraging cleanup, maintenance, removal and adding requirements for skirting.
- Updating the sign code to include requirements for height restrictions on new signs and requiring them to mimic architectural design details of the building. This will help to improve the visual quality and overall aesthetic appearance of the Town on the main business corridor.
- Creating a citizen review process to encourage public participation in planning and zoning issues.

Police & Animal Control

Police: All Grant Details (Stonegarden and DUI TaskForce) are being reviewed for reimbursements due. City Code Violations continue to be identified. Offenders are being contacted, issued citations or written warnings. Traffic flow behind Town Hall continues to adjust to the new signs and the new traffic pattern. Numerous town events have taken place (successfully). Numerous Superior Court, JP5 and Magistrate appearances have been necessary for some HCPD officers. Court appearances are necessary for all officers to complete the prosecution of the violator. This can create overtime in the department. The officers flex their hours and were left with what was claimed. Please note that overtime for a police department that operates with minimal staffing (includes Animal Control and Dispatch) is necessary and can be accounted for. SEACOM should help to alleviate this strain on the Police budget regarding overtime. Your Police Department (HCPD) currently carries 3 sworn police officers, a Lieutenant and Chief. Your police department is gearing up to move to 24/7 coverage. Tentatively set for January 13, 2019.

Communication Center (Dispatch):

The SEACOM presentation has been delivered by Bill Duggan. Bill is the director for SEACOM (Bill Dugan). I will be working closely with Bill and his team as we transition to SEACOM. The JPA has been approved by council. CenturyLink and State 911 have started to form their teams. Dispatch continues to carry 3 full time positions and Gerri Sullivan works 24 hours a week to make up the difference.

Gerri Sullivan (Dispatch Supervisor) has spent the bulk of her time as a dispatcher. This saves on overtime. SEACOM will help to alleviate this strain on the Police budget. SEACOM is set to go live on February 4th, 2019.

Animal Control:

IGA has been approved by County Board of Supervisor.

Staff continues to look for at least one candidate to hire. The office building has been painted. The South end of building has been painted. The propane tank has been filled. Food has been purchased.

The animal shelter will look into changing to natural gas.

Animal Control positions are currently at 3 as we continue to find the right combination of 4 dedicated part time employees. The Animal Shelter has experienced some challenges this past weekend. The Shelter was closed and animals moved to Sierra Vista Animal Shelter. An electrical problem has been identified. There was a short in the fuse box. We also have a plumbing issue right under this fuse box. Staff is identifying the issues and developing a plan of action to get the shelter back open.

Public Works

- Sewer ponds project information to come soon

Council Reports