



# 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policies, and parts of policies in conflict with the provisions of this Ordinance, or any part hereof, are hereby repealed.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:

  
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Thomas Benavidez, Town Attorney