

**ORDINANCE No-14-108**

**AN ORDINANCE OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF DEWEY-HUMBOLDT, COUNTY OF YAVAPAI, ARIZONA, REPEALING ORDINANCES 05-14 AND 09-59, AND AMENDING THE TOWN OF DEWEY-HUMBOLDT, ARIZONA CODE OF ORDINANCES, TITLE XV LAND USAGE, CHAPTER 153 ZONING REGULATIONS, BY REPEALING SECTION 153.229 DEVELOPMENT FEES, ALL RELATED TO THE REPEAL OF DEVELOPMENT FEES IN THE TOWN CONSISTENT WITH A.R.S SECTION 9-463.05 AS AMENDED BY CHAPTER 243 ADOPTED IN 2011; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; AND PROVIDING FOR SEVERABILITY.**

**WHEREAS**, the Town Council of the Town of Dewey Humboldt previously adopted Ordinances Nos. 05-14 and 09-59 imposing development fees on new development in the Town; and

**WHEREAS**, the Town codified the development fees in Section 153.229 of the Town Code; and

**WHEREAS**, Arizona Revised Statutes ("A.R.S.") § 9-463.05 was amended in 2011 to provide new procedures for the imposition of development fees; and

**WHEREAS**, the Town of Dewey-Humboldt elected not to adopt new development fees pursuant to A.R.S. § 9-463.05, as amended, and the Town Council desires to repeal Ordinance No. 05-14, Ordinance No. 09-59 and Section 153.229 of the Town Code.

**NOW, THEREFORE, BE IT ORDAINED** by the Mayor and Common Council of the Town of Dewey-Humboldt, Arizona, that Ordinance No. 05-14, Ordinance No. 09-59 and Section 153.229 of the Town Code are hereby repealed.

**BE IT FURTHER ORDAINED** that all other code provisions, ordinances, or parts of ordinances in conflict with the provisions of this Ordinance are hereby repealed as of the effective date hereof.

**BE IT FURTHER ORDAINED** that if any section, subsection, sentence, clause, phrase, or portion of this Ordinance as amended is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remainder of this Ordinance.

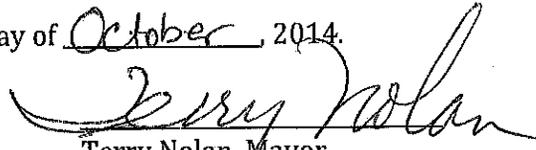
**PASSED AND ADOPTED** by the Mayor and Common Council of the Town of Dewey-Humboldt, Arizona, this 7<sup>th</sup> day of October, 2014, by the following vote:

AYES: 5

NAYES: 1 ABSENT: 1

EXCUSED: 0 ABSTAINED: 0

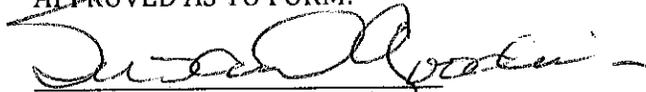
APPROVED this 7<sup>th</sup> day of October, 2014.

  
Terry Nolan, Mayor

ATTEST:

  
Judy Morgan, Town Clerk

APPROVED AS TO FORM:

  
Curtis, Goodwin, Sullivan, Udall & Schwab, P.L.C.  
Town Attorneys  
By Susan D. Goodwin

I, JUDY MORGAN, TOWN CLERK, DO HEREBY CERTIFY THAT A TRUE AND CORRECT COPY OF THE ORDINANCE NO. 14-108 ADOPTED BY THE COMMON COUNCIL OF THE TOWN OF DEWEY-HUMBOLDT, ARIZONA, ON THE 7<sup>th</sup> DAY OF October, 2014, WAS POSTED IN THREE PLACES ON THE 10<sup>th</sup> DAY OF October, 2014.

  
Judy Morgan, Town Clerk