

RESOLUTION NO 10-83

A RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF DEWEY-HUMBOLDT, COUNTY OF YAVAPAI, ARIZONA, SUSPENDING CERTAIN ASPECTS OF TOWN CODE §§ 153.125 TO 153.138 (THE SIGN CODE); AND PROVIDING FOR AN EFFECTIVE DATE.

Whereas, the Town of Dewey-Humboldt has an important responsibility to its citizens to carefully balance the need of commercial enterprise (whether for-profit or not-for-profit) to advertise with the community's preference for a country town aesthetic; and

Whereas, the Town's Sign Code was adopted substantially unchanged from the Yavapai County Sign Code (Yavapai County Planning & Zoning Ordinance § 601);

Whereas, the Town's Sign Code was originally adopted with the express purpose to regulate signs in order to protect the attractiveness of the town, to enhance tourism, to promote commerce, to preserve property values, to insulate residential areas from the undue impact of signs, to foster the effectiveness of business signage, to promote traffic and pedestrian safety, and to protect the general welfare;

Whereas, the Town Council has determined that the Town's Sign Code does not effectively balance the community's interests and has created a crisis of confidence in local governance; and

Whereas, the Town Council has also determined that reform of the Sign Code will take time.

Now, Therefore, Be it resolved by the Mayor and Common Council of the Town of Dewey-Humboldt, Arizona:

1. Suspension. Enforcement of Town Code §§ 153.125 to 153.138 (the Sign Code) is hereby suspended, except as follows, until the sooner of: (a) February 17, 2011; or (b) such time as Council adopts a new resolution or ordinance related to the Sign Code or its enforcement.

1.1. Health and Safety. All signs must be installed and maintained so as to not put the public's health and safety at risk (and the enforcement provisions of the existing Sign Code may be used to ensure such). Accordingly, no sign may be in or interfere with use of the right-of-way, and may not block vision of the road or road signs by drivers in any way.

1.2. Effect of later Sign Code amendment. Any permanent signs erected during this suspension of the Sign Code may need to be changed or removed upon adoption of a permanent revision of the Sign Code, and the Town will not be in any way responsible for the costs of such change. All signs erected in accordance with the existing Sign Code, however, will have the status of "prior non-conforming uses" in the event the revised Sign Code disallows such signage.

1.3. Off-Premises Signs. Sign Code provisions regarding Off-Premises Signs (including, for example, billboards) shall remain in full force and effect.

1.4. Permits. Sign permits shall not be required, except for signs intending to have "prior non-conforming use" status and for Off-Premises Signs.

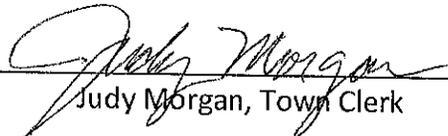
2. Effective Date. That this resolution shall be effective as of the 17th day of August 2010.

PASSED AND ADOPTED by the Mayor and Common Council of the Town of Dewey-Humboldt, Arizona, this 17th day of August 2010.



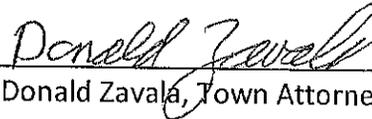
Len Marinaccio, Mayor

ATTEST:



Judy Morgan, Town Clerk

APPROVED AS TO FORM:



Donald Zavala, Town Attorney

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