

**TOWN COUNCIL OF DEWEY-HUMBOLDT  
REGULAR MEETING NOTICE**

**Tuesday, December 18, 2012, 6:30 P.M.**

**COUNCIL REGULAR MEETING  
2735 S. HWY 69**

**COUNCIL CHAMBERS, TOWN HALL  
DEWEY-HUMBOLDT, ARIZONA**

## **AGENDA**

The issues that come before the Town Council are often challenging and potentially divisive. In order to make sure we benefit from the diverse views to be presented, the Council believes that the meeting be a safe place for people to speak. With this in mind, the Council asks that everyone refrain from clapping, heckling and any other expressions of approval or disapproval. Council may vote to go into Executive Session for legal advice regarding any matter on the open agenda pursuant to A.R.S. 38-431.03 (A) (3), which will be held immediately after the vote and will not be open to the public. Upon completion of Executive Session, the Council may resume the meeting, open to the public, to address the remaining items on the agenda. Agenda items may be taken out of order. Please turn off all cell phones. The Council meeting may be broadcast via live streaming video on the internet in both audio and visual formats. One or more members of the Council may attend either in person or by telephone, video or internet conferencing. **NOTICE TO PARENTS:** Parents and legal guardians have the right to consent before the Town of Dewey-Humboldt makes a video or voice recording of a minor child. A.R.S. § 1-602.A.9. Dewey-Humboldt Council Meetings are recorded and may be viewed on the Dewey-Humboldt website. If you permit your child to participate in the Council Meeting, a recording will be made. You may exercise your right not to consent by not permitting your child to participate or by submitting your request to the Town Clerk that your child not be recorded.

**1. Call To Order.**

**2. Opening Ceremonies.**

**2.1. Pledge of Allegiance.**

**2.2. Invocation.**

**3. Roll Call.** Town Council Members Arlene Alen, David Hiles, Mark McBrady, Denise Rogers, Nancy Wright; Vice Mayor Dennis Repan; and Mayor Terry Nolan.

**4. Announcements Regarding Current Events, Guests, Appointments, and Proclamations.**

Announcements of items brought to the attention of the Mayor not requiring legal action by the Council. Guest Presentations, Appointments, and Proclamations may require Council discussion and action.

**4.1. Presentation of Plaque for former Councilman John Dibble.**

**4.2. Open Space and Trails Committee Interview and possible appointment.** Laurence McCormick application to be appointed to the OSAT Committee.

**4.3. Planning and Zoning Commission Interview and possible appointment.** Jeff Siereveld application to be appointed to the P&Z Commission.

**5. Town Manager's Report.** Update on Current Events.

**6. Consent Agenda.**

**6.1. Minutes.** Minutes for the December 4, 2012 Special Interview Meeting, December 4, 2012 Regular Meeting and December 10, 2012 Special Retreat Meeting.

**7. Comments from the Public (on non-agendized items only).** The Council wishes to hear from Citizens at each meeting. Those wishing to address the Council need not request permission or give notice in advance. For the official record, individuals are asked to state their name. Public comments may appear on any video or audio record of this meeting. Please direct your comments to the Council. Individuals may address the Council on any issue within its jurisdiction. At the conclusion of Comments from the Public, Council members may respond to criticism made by those

Page

5

7

9

who have addressed the public body, may ask Town staff to review a matter, or may ask that a matter be put on a future agenda; however, Council members are forbidden by law from discussing or taking legal action on matters raised during the Comments from the Public unless the matters are properly noticed for discussion and legal action. A 3 minute per speaker limit may be imposed. The audience is asked to please be courteous and silent while others are speaking.

- Page 8. **Public Hearing Agenda.**
- 19 8.1. **D-H Historical Society Museum and Outside Display Use Permit.** Public Hearing, discussion and possible action on Use Permit application.
- 35 8.2. **Text Amendment to Town Code § 153.125-138 (Sign Code).** Public Hearing, discussion and possible action on amended Sign Code Amendments.
- 51 9. **Discussion Agenda – Unfinished Business.** Discussion and Possible Action on any issue which was not concluded, was postponed, or was tabled during a prior meeting.
- 51 9.1. **Ordinance 12-93 Sign Code Amendments repealing 153.125 through 153.133 and adopting 153.125 through 153.138.**
10. **Discussion Agenda – New Business.** Discussion and Possible Action on matters not previously presented to the Council.
- 55 10.1. **Discussion and possible action on reimbursement for mileage for Council persons attending designated regional organizations as a representative for D-H for 2013.**  
[CAARF Requested by CM Wright]

---

**THIS CONCLUDES THE LEGAL ACTION PORTION OF THE AGENDA.**

---

**11. Comments from the Public.** The Council wishes to hear from Citizens at each meeting. Those wishing to address the Council need not request permission or give notice in advance. For the official record, individuals are asked to state their name. Public comments may appear on any video or audio record of this meeting. Please direct your comments to the Council. Individuals may address the Council on any issue within its jurisdiction. At the conclusion of Comments from the Public, Council members may respond to criticism made by those who have addressed the public body, may ask Town staff to review a matter, or may ask that a matter be put on a future agenda; however, Council members are forbidden by law from discussing or taking legal action on matters raised during the Comments from the Public unless the matters are properly noticed for discussion and legal action. The total time for Public Comment is 3 minutes per person. The audience is asked to please be courteous and silent while others are speaking.

**12. Adjourn.**

**For Your Information:**

Next Town Council Regular Meeting: Tuesday, January 15, 2013, at 6:30 p.m.

Next Planning & Zoning Meeting: Thursday, January 3, 2013, at 6:00 p.m.

Next Town Council Work Session: Tuesday, January 8, 2013, at 2:00 p.m.

If you would like to receive Town Council agendas via email, please sign up at [AgendaList@dhaz.gov](mailto:AgendaList@dhaz.gov) and type Subscribe in the subject line, or call 928-632-7362 and speak with Judy Morgan, Town Clerk.

**Certification of Posting**

The undersigned hereby certifies that a copy of the attached notice was duly posted at the following locations: Dewey-Humboldt Town Hall, 2735 South Highway 69, Humboldt, Arizona, Chevron Station, 2735 South Highway 69, Humboldt, Arizona, Blue Ridge Market, Highway 69 and Kachina Drive, Dewey, Arizona, on the \_\_\_\_ day of \_\_\_\_\_, 2012, at

\_\_\_\_\_ p.m. in accordance with the statement filed by the Town of Dewey-Humboldt with the Town Clerk, Town of Dewey-Humboldt.

By: \_\_\_\_\_, Town Clerk's Office.

Persons with a disability may request reasonable accommodations by contacting the Town Hall at 632-7362 at least 24 hours in advance of the meeting.

[Page intentionally left blank]



# TOWN OF DEWEY-HUMBOLDT

## Town Council, Commission, Boards and Committee Vacancy Application Form

Please complete this application form and thank you for your interest in serving.

### Personal information:

Name: Laurence McCormick email: \_\_\_\_\_

Mailing & Physical Address: \_\_\_\_\_ Dewey AZ 86327

(H) \_\_\_\_\_ (W) \_\_\_\_\_ Occupation: District Operations Manager

Phone Number (please indicate home and work numbers): \_\_\_\_\_  
How long have you lived in Dewey-Humboldt? 2 months years. Are you over the age of 18?  Yes  No

Are any of your relatives employed by the Town? Who/Where: No

Emergency Contact: Kara McCormick \_\_\_\_\_  
Name Phone Relationship wife

Are you presently employed? (Check as many as apply)

Employed full-time  Employed part-time  Unemployed  Retired

Employment experience relevant to the position applied for: Leadership + Organization

**Position applied for:** Briefly describe your interest in volunteering for the Town's Council, Boards, Commissions and/or Committees. Describe your experience, education and /or other qualities that you feel would be of value to the Town. You may apply for more than one position. If doing so, please list in order of preference. If needed, you may attach a separate sheet of paper.

I am currently the District Operations Manager for Waste Management Hauling and have been in the solid waste industry for 12 years. I am a highly motivated individual with strong leadership skills and would like to give back to my community in any capacity.

11/21/12  
DATE

\_\_\_\_\_  
SIGNATURE

If you have any questions about this application, please contact the Town Clerk at (928) 632-8562. Please mail the completed application to the Town of Dewey-Humboldt, Town Clerk, P.O. Box 69, Humboldt, AZ, 86329, fax to 928-632-7365, or email to judymorgan@dhaz.gov.

**Town of Dewey-Humboldt**  
**Council, Boards, Commissions and Committees**

*(Please number in order of preference, 1<sup>st</sup> choice, 2<sup>nd</sup> choice, etc., if applying for more than one position)*

**COUNCIL**- Council serves as the legislative body and primary authority of the Town.

\_\_\_\_\_ ***Town Council***

**BOARDS** – Boards are appointed by the Town Council and subject to open meetings law.

\_\_\_\_\_ ***Board of Adjustment*** – Five resident members that hear appeals by property owners regarding variances and interpretation of staff decisions regarding land use issues. Quasi-judicial, appeals of the Board’s decisions are heard by Superior Court.

**COMMISSIONS** – Commissions are appointed by the Town Council and subject to open meetings law.

\_\_\_\_\_ ***Planning and Zoning Advisory Commission*** – Seven member Commission that hears requests for rezoning, Planned Area Developments; makes recommendations to the Town Council.

**COMMITTEES** – Committees are voluntary and meet at their discretion based on interest and need.

\_\_\_\_\_ ***Environmental Issues Advisory Committee*** – Provides for the identification, assessment and monitoring of environmental/public health issues of concern to the Town.

\_\_\_\_\_ ***Groundwater Resource Advisory Committee*** – Provides for the collection of data, information and studies that will assist the Town in being a positive influence in the preservation of its citizens’ rights to access groundwater and other appropriate water resources.

1<sup>st</sup> \_\_\_\_\_ ***Clean Town Committee*** – Provides volunteer services to the Town and its citizens in developing programs that address issues of accumulated trash, code enforcement and related concerns.

2<sup>nd</sup> \_\_\_\_\_ ***Open Space & Trails Committee*** – Provides volunteer services to the Town for the collection of data, information and studies that will further the implementation of the goals and objectives of the Open Space & Trails Master Plan.

3<sup>rd</sup> \_\_\_\_\_ ***Other Committees as needed.***

For additional information regarding any of the above volunteer groups, please contact Judy Morgan, Town Clerk at 928-632-7362.



# TOWN OF DEWEY-HUMBOLDT

P.O. Box 69

Humboldt, AZ 86329

Phone: 928-632-8562 • FAX: 928-632-7365

## Town Council, Commission and Committee Vacancy Application Form

Please complete this application form and thank you for your interest in serving.

### Personal information:

Name: JEFF SIEREVELD email: [REDACTED]

Mailing & Physical Address: [REDACTED] E HENDERSON Rd., Po Box [REDACTED] Dewey 86327

Phone Number: 928-[REDACTED] Hm Occupation \_\_\_\_\_  
(please indicate home and work numbers)

How long have you lived in Dewey-Humboldt? 22 years. Are you over the age of 18?  Yes  No

Are any of your relatives, employed by the Town? Who/Where: NO

Emergency Contact: SANDRA 928-[REDACTED] Spouse  
Name Phone Relationship

Are you presently employed? (Check as many as apply)

Employed full-time  Employed part-time  Unemployed  Retired

Employment experience relevant to the position applied for: GENERAL CONTRACTOR (PET AREA)

**Position applied for:** Briefly describe your interest in volunteering for the Town's Council, Commissions and/or Committees. Describe your experience, education and /or other qualities that you feel would be of value to the Town. You may apply for more than one position. If doing so, please list in order of preference. If needed, you may attach a separate sheet of paper.

I HAVE BEEN A RESIDENCE OF DEWEY FOR THE PAST 22 yrs. I built THE HOUSE I LIVE IN. I ~~HAVE~~ <sup>WAS</sup> A GENERAL CONTRACTOR FOR 15 plus yrs. I HAVE SINCE RETIRED AND I BELIEVE I COULD BE A BENEFIT IN ASSISTING FUTURE DEVELOPMENT WITH THE TOWN OF DEWEY-HUMBOLDT. I BELIEVE THIS TOWN COULD POSSIBLY HAVE ALOT OF POTENTIAL DONE PROPERLY.

12-6-12  
DATE

[REDACTED]  
SIGNATURE

If you have any questions about this application, please contact the Town Clerk at (928) 632-8562. Please mail the completed application to the Town of Dewey-Humboldt, Town Clerk, P.O. Box 69, Humboldt, AZ, 86329, fax to 928-632-7365, or email to judymorgan@dhaz.gov.

**Town of Dewey-Humboldt**  
**Council, Commissions and Committees**

*(Please number in order of preference, 1<sup>st</sup> choice, 2<sup>nd</sup> choice, etc., if applying for more than one position)*

**COUNCIL-** serves as the legislative body and primary authority of the Town.

\_\_\_\_\_ ***Town Council***

**COMMISSIONS** - appointed by the Town Council and subject to open meetings law.

  X   ***Planning and Zoning Advisory Commission*** – Seven member commission that hears requests for re-zonings, Planned Area Developments; makes recommendations to the Town Council.

**COMMITTEES** – entirely voluntary and meet at their discretion based on interest and need.

\_\_\_\_\_ ***Environmental Issues Advisory Committee*** – Provides for the identification, assessment and monitoring of environmental/public health issues of concern to the Town.

\_\_\_\_\_ ***Groundwater Resource Advisory Committee*** – Provides for the collection of data, information and studies that will assist the Town in being a positive influence in the preservation of its citizens rights to access groundwater and other appropriate water resources.

\_\_\_\_\_ ***Clean Town Committee*** – Provides volunteer services to the Town and its citizens in developing programs that address issues of accumulated trash, code enforcement and related concerns.

\_\_\_\_\_ ***Open Space & Trails Committee*** – Provides volunteer services to the Town for the collection of data, information and studies that will further the implementation of the goals and objectives of the Open Space & Trails Master Plan.

\_\_\_\_\_ ***Other Committees as needed.***

For additional information regarding any of the above volunteer groups, please contact Judy Morgan, Town Clerk at 928-632-7362.

**TOWN OF DEWEY-HUMBOLDT  
TOWN COUNCIL  
SPECIAL STUDY SESSION MINUTES  
TUESDAY, DECEMBER 4, 2012, 9:00 A.M.**

**A SPECIAL STUDY SESSION OF THE DEWEY-HUMBOLDT TOWN COUNCIL WAS HELD ON TUESDAY, DECEMBER 4, 2012, AT TOWN HALL AT 2735 S. HIGHWAY 69, DEWEY-HUMBOLDT, ARIZONA. MAYOR TERRY NOLAN PRESIDED.**

1. **Call To Order.** The meeting was called to order at 9:00 a.m. Mayor Nolan presided.

2. **Roll Call.**

**2.1. Town Council.** Town Council Members David Hiles, Mark McBrady, Denise Rogers, Nancy Wright; Vice Mayor Dennis Repan; and Mayor Terry Nolan were present.

3. **Special Session.** Interviews only, no legal action was taken at this meeting. Interviews were not recorded through live-streaming video.

**3.1. Discussion of Interview Process.**

There was discussion on how to conduct the interview process and the selection process, what type of ballot to use, necessity for a motion and vote, and what to do in the case of a tie vote. It was decided to use one piece of paper for the ballot with a place for the Council Member's name, and their #1 choice. These will be collected and tallied by reading aloud each ballot, while that information is compiled on a spreadsheet. If there is consensus, a motion, second and vote will be taken on the selection. In the event of a tie, discussion will occur and another set of ballots handed out, following the same process. This can be repeated up to a total of 3 ballots.

Public comment was taken on this item.

Jack Hamilton stated they have a quorum and are discussing something that is not on the agenda.

There was more discussion on what to do if they go through three votes and still have a tie: further interviews, flip a coin, go out for more applicants. This will be decided in that event.

**3.2. 9:15-9:45 a.m. Interview of Applicant Arlene Alen for vacant Council seat.**

The first candidate was brought in to the meeting. Ms. Alen made an opening statement. Council members asked a series of questions and Ms. Alen responded, answering those questions. Ms. Alen gave a closing statement.

**3.3. 9:45-10:15 a.m. Interview of Applicant Zona Hays for vacant Council seat.**

The second candidate was brought in to the meeting. Ms. Hays made an opening statement. Council members asked a series of questions and Ms. Hays responded, answering those questions. Ms. Hays gave a closing statement.

**BREAK –** Council took a 15 minutes break.

**3.4. 10:30-11:00 a.m. Interview of Applicant Christian Berry for vacant Council seat.**

The third candidate was brought in to the meeting. Mr. Berry made an opening statement. Council members asked a series of questions and Mr. Berry responded, answering those questions. Mr. Berry gave a closing statement.

**3.5. 11:00-11:30 a.m. Interview of Applicant David Nystrom for vacant Council seat.**

The fourth candidate was brought in to the meeting. Mr. Nystrom made an opening statement. Council members asked a series of questions and Mr. Nystrom responded, answering those questions. Mr. Nystrom gave a closing statement.

4. **Adjourn.** No discussion occurred and no public comment was taken during the interviews. The meeting was adjourned at 12:28 p.m.

---

Terry Nolan, Mayor

ATTEST:

---

Judy Morgan, Town Clerk

**TOWN OF DEWEY-HUMBOLDT  
TOWN COUNCIL  
REGULAR MEETING MINUTES  
TUESDAY, DECEMBER 4, 2012, 6:30PM**

**A REGULAR SESSION OF THE DEWEY-HUMBOLDT TOWN COUNCIL WAS HELD ON TUESDAY, DECEMBER 4, 2012, AT TOWN HALL AT 2735 S. HIGHWAY 69, DEWEY-HUMBOLDT, ARIZONA. MAYOR TERRY NOLAN PRESIDED.**

1. **Call To Order.** The meeting was called to order at 6:31 p.m. Mayor Nolan presided.
2. **Opening Ceremonies.**
  - 2.1. **Pledge of Allegiance.** The pledge was led by Dee Parker.
  - 2.2. **Invocation.** The invocation was given by Councilmember Nancy Wright.
3. **Roll Call.** Town Council Members David Hiles, Mark McBrady, Denise Rogers, Nancy Wright; Vice Mayor Dennis Repan; and Mayor Terry Nolan were present.
4. **Announcements Regarding Current Events, Guests, Appointments, and Proclamations.** Announcements of items brought to the attention of the Mayor not requiring legal action by the Council. Guest Presentations, Appointments, and Proclamations may require Council discussion and action.
  - 4.1. **Pearl Harbor Remembrance Day Proclamation.**

Mayor Nolan read the proclamation. He spoke on an event at the Arizona Capital Mall for Pearl Harbor at 10:51 on December 7<sup>th</sup>, as well as a WWII Memorial event following.

Public comment was taken on this item.

Jerry Brady spoke on the attack at Pearl Harbor and previous military knowledge of the attack.
  - 4.2. **Open Space and Trails Committee Interview and possible appointment.** Laurence McCormick application to be appointed to the OSAT Committee.

Mayor Nolan explained Mr. McCormick was not available to attend for his interview. His interview will be rescheduled for a future meeting.
5. **Town Manager's Report.** Update on Current Events.

Town manager Kimball spoke on the change of venue for the Council retreat from Prescott Valley's meeting room to the Dewey-Humboldt Activity Center. This change was made through the advice of the Town Attorney to avoid a violation of Open Meeting Law.
6. **Consent Agenda.**
  - 6.1. **Minutes.** Minutes from the November 13, 2012 Work Session; and November 20, 2012 Regular Meeting.

Councilmember Wright made a motion to accept the Consent Agenda, seconded by Councilmember Rogers. It was approved unanimously.

**7. Comments from the Public (on non-agendized items only).**

Jerry Brady spoke on the Council being able to respond to citizens' comments and the procedure to do so.

**8. Discussion Agenda – Unfinished Business.** Discussion and Possible Action on any issue which was not concluded, was postponed, or was tabled during a prior meeting.

**8.1. Council Vacancy Appointment replacing John Dibble's seat vacated through resignation.** Discussion and possible action.

There was discussion of the sample ballot in the packet, and discussion on how to decide a winner. Town Clerk Morgan spoke on the need for a motion and vote on the appointment.

A simple ballot to put the voter's name and the #1 choice was handed out to each council member. The ballots were collected and votes compiled aloud and on the overhead projection system. There was a tie, with Arlene Alen and David Nystrom each receiving 3 votes a piece. Ms. Hays and Mr. Berry receiving 0 votes.

There was discussion on how to handle the tie breaker. Each council member spoke briefly on why they made the selection they did.

A second round of ballots was handed out and votes compiled. The vote came back the same: Alen 3, Nystrom 3. Council discussed the two tied applicants again in more detail.

Public comment was taken.

Jack Hamilton spoke on people wanting to know where a public body member stands on issues and coming to meetings to voice ones opinion on issues.

Jerry Brady made a suggestion for breaking the tie by allowing the two candidates to speak on their vision plan and answering questions. He spoke on the town's ordinance relating to deciding a vote.

Earl Goodwin spoke on tie breakers historically with the town, the mayor only being the deciding vote when all 7 seats are filled, and a suggestion on how to select their appointment.

A third round of ballots was handed out and votes compiled. Arlene Alen had a majority of 4 votes, Councilmembers Rogers, McBrady, Vice Mayor Repan and Mayor Nolan voting for her. A motion was made by Vice Mayor Repan to appoint Arlene Alen as replacement for the vacant council seat, seconded by Councilmember McBrady. It was approved by a unanimous vote.

Ms. Alen will be sworn in at the December 11<sup>th</sup> meeting.

CM Wright asked as a point of information if Ms. Alen will still be on the P&Z for Thursday's (December 6<sup>th</sup>) meeting, but not after that meeting. Town Clerk Morgan responded, "yes".

**8.2. Centennial Monument for Butte Street Park.** Discussion and possible action.

Mayor Nolan gave an overview. Chair of the Open Space and Trails Committee, Sandra Goodwin presented the suggested wording for the plaque. There was

discussion on the wording and recommendations were made. (Arizona's; In appreciation to the community of Dewey-Humboldt; remove Est.; remove to after thanks.

Public comment was taken on this item.

Jerry Brady spoke on the history of the area and recognizing that both Dewey and Humboldt have the same establishment date.

Councilmember Rogers made a motion to approve the centennial monument wording for Butte Street Park with the changes as quoted by Ms. Goodwin, seconded by Vice Mayor Reban.

Jack Hamilton spoke on using the plaques for historic purposes, not a new park.

Mayor Nolan asked about the change as recommended by CM Wright ('s) being included in those changes. This change will be included. The motion passed unanimously.

**9. Discussion Agenda – New Business.** Discussion and Possible Action on matters not previously presented to the Council.

**9.1. Report on Dog Barking Ordinance and Enforcement review multi-agency meeting.** Discussion and possible action.

Town Manager Kimball gave an overview on the meeting held regarding this issue. Both the Magistrate and Police Chief agreed the ordinance was adequate with no changes requested at this point. TM Kimball suggested the code could be amended to reduce the number of dogs allowed. There was consensus that a signed petition may not be necessary for every dog barking complaint and the town prosecutor should be more involved in this type of case.

Councilmember Wright spoke on establishing the town's own procedure to follow, rather than following the County's procedure. There was discussion on this.

Public comment was taken on this issue.

Jack Hamilton spoke on having the Magistrate Judge speak to the Council on different criteria which could be prosecuted.

Earl Goodwin spoke on the town's history with the sheriff's department services. He recommended inviting Sgt. Dean, who manages animal control department, to talk with the Council on this issue.

Jerry Brady spoke on civil and criminal procedures and appeal system.

Bart Brush spoke on the current procedure and making the law more flexible for determining excessive barking.

Town Manager Kimball explained Lt. Newnum will give a report to Council in January or February, along with the animal control officer. She recounted direction given: Council as a whole thinks the current procedure for building evidence is too extreme and it should be loosened; and the prosecutor will be more involved in these issues.

**10. Public Hearing Agenda.** None.

**11. Comments from the Public.**

Sandra Goodwin spoke on the council's appointment for the council vacancy; and volunteerism.

David Nystrom congratulated Ms. Alen on her appointment to Council, and approved of the way the Council unanimously voted.

Jerry Brady spoke on flight limitations; procedures for claims; and rules of courts. Councilmember Hiles left the meeting at 8:39 p.m. Mr. Brady continued to talk on court procedures, and if changing the procedure used for barking dogs to make sure it is right.

**12. Adjourn.**

The meeting was adjourned at 8:40 p.m.

---

Terry Nolan, Mayor

ATTEST:

---

Judy Morgan, Town Clerk

**TOWN OF DEWEY-HUMBOLDT  
TOWN COUNCIL  
SPECIAL “COUNCIL RETREAT” MEETING MINUTES  
MONDAY, DECEMBER 10, 2012, 8:00 A.M.**

**A SPECIAL “COUNCIL RETREAT” MEETING OF THE DEWEY-HUMBOLDT TOWN COUNCIL WAS HELD ON MONDAY, DECEMBER 10, 2012, AT TOWN HALL AT 2735 S. HIGHWAY 69, DEWEY-HUMBOLDT, ARIZONA. MAYOR TERRY NOLAN PRESIDED.**

1. **Call To Order.** The meeting was called to order at 8:25 a.m. Mayor Nolan presided.
2. **Roll Call.** Town Council Members David Hiles, Mark McBrady, Denise Rogers, Nancy Wright; and Mayor Terry Nolan were present. Vice Mayor Dennis Repan was absent.
3. **Discussion Agenda. No legal action can be taken.**

**3.1. Council Retreat.**

**3.1.1. Vision Items Discussion:**

1. **Town’s role in historical preservation.**

Town Manager Yvonne Kimball explained this to be an overall discussion not specific to an overlay and these topics come from the council suggestions.

There was discussion on the need to build on the town’s history; whether it is for economic development or preservation; costs for placing buildings on the historic registry; role of Council, is it to make it easier to work on the building; whether to roll back the codes to a prior version; grants for buildings on the national registry; talk with local municipalities on the costs to the city/town. Town Manager Kimball responded to the discussions on overlay standards, what incentive will the town provide (incentive options: grant opportunity to fix up, assist with application for national historic registry, acquire the buildings); next step-for historic overlay research, site visit; to have finance look for those grants specific to Historical Preservation.

2. **What is the Council's policy on the level of services on roads (in the future)?**

There was discussion on developing a new 5-year plan, or maintain the standard and continuing with the previous 5-year plan. There was discussion on when to pave roads and maintenance once paved. How should the town proceed on a plan to receive the community’s input (work session; publish proposed plan; survey-asking about improvement districts or taxes for roads, having an expert on improvement districts to explain how they work, benefits; newsletter article; staff provide an inventory and cycle for maintenance).

There was discussion on whether to have a three or five year plan and other options such as purchasing more equipment for drainage work and maintaining dirt roads, then eventually chip sealing them.

Town Manager Kimball spoke on the town’s HURF reserve lasting for approximately 20 years based on current income and expenditure levels; concerns for how to pay for more equipment, hiring more people, and those things shrinking the years to pay for this. Staff will bring back that 5-year road plan for the council to look at during the budget season.

3. **How to address the long-term financial costs for the road programs?**

Covered under #2.

4. Does the Council wish the Town to go into utility operation and provision?

There was discussion on what type of utilities to consider (water, sewer, and electric), and challenges and costs. They discussed the Humboldt Water company and the current quality of water and service. Town ownership of the water company could get more funding for upgrades, but the town should look at the numbers and the customer base; other areas needing water service and considering developers providing water service; consideration of water for emergency circumstances; possibility of a solar or wind field on the superfund site for an energy source for the town. Town Manager Kimball spoke on the Kuhles approaching the town about purchasing their property, and the Humboldt Water Company owner, Mr. Kylo, being interested in selling, and preferring to sell to the town.

5. Does the Council wish to consider another survey? In the survey, the Town wants to address questions such as what services the citizens would like the Town to provide, whether the Town should promote local business, whether the Town should spend money on establishing a historical district and so on.

There was discussion on previous surveys done on the town (1995 County Survey v. Town initiated surveys) and determining pertinent questions. Councilmember Wright read wording from Chino Valley's survey: I would support the following projects for bonding... I would use the increased revenues for \_\_\_\_ a, b, c, etc. Keep it shorter. Would like to see a survey next year, maybe going through NAU, and setting parameters. Town Manager Kimball will include in the budget money for a survey. Mayor Nolan suggested deciding what the survey is for (capital improvements) then talk with NAU about doing the survey.

Council took a 10 minute break at 10:30 a.m.

Mayor Nolan reconvened the meeting at 10:58 a.m. Councilmember McBrady left the meeting for an appointment, but will return.

There was discussion on researching the survey to come up with questions, having someone experienced with surveys pose the questions so the answers aren't skewed; put this topic on a work session to decide what questions to pursue; and including the historic district question on this survey.

6. Town's 2009 General Plan matters, such as monitoring, revision and future development.

Mayor Nolan asked Council for their opinion on the General Plan and whether it needs revisions made to it. Councilmember Wright suggested the short-term range for implementation needs to be updated to reflect a current year span. Mayor Nolan spoke on industrial development and commercial development areas needing infrastructure, and development being necessary for a tax base. There was discussion on whether or not to rezone some areas. Town Manager Kimball spoke on a proposed development. There was discussion on whether to change the General Plan to allow zoning changes whenever they are applied for rather than through a major amendment, which is done once a year.

**Break for Lunch**

Council broke for lunch at 11:23 a.m.

Mayor Nolan resumed the meeting at 12:09 p.m. Councilmember McBrady arrived at 12:11 p.m.

There was discussion on staff updating those things in the General Plan (like implementation ranges) rather than going through Council. Council reviewed the circulation plan and whether any of the transportation plan projects can be implemented at this time. A secondary circulation access for the blue hills area was discussed and whether to encourage people to turn their private roads over to the town and the cost for the town for more roads to maintain.

Council will review the General Plan for updates in a future work session: Goals, circulation, update TPT to 2%, and whether to consider changes such as acreage minimum for a major amendment.

### **3.1.2. Policy Items Discussion.**

1. Policy on how much time and effort each individual council member is expected to spend on town affairs.

Councilmember Hiles stated he doesn't think there should be a policy. There was discussion on how to enforce, expectations, Newly Elected Officials training, etc. Council decided not to pursue this item.

2. Policy on amount and types of trainings that are needed for Council members.

There was discussion on what training is necessary and expected number of trainings. No direction for a policy given.

3. Public body Code of Ethics policy review.

Town Manager Kimball clarified the original question posed, what to do if there is a code of ethics violation of a council member of a personal nature. The attorney suggested the review of the ethical policy instead. There was the reminder that all new Public Body members are asked to review and sign the code of ethics.

4. Policy on how to encourage citizen participation in Town's public bodies.

There was discussion on ways the town has encouraged volunteers (citizen's academy, newsletter, postings, website, etc.), and the effectiveness. Council discussed putting mechanisms in place so volunteers are not overlooked; considering an annual appreciation dinner for public body members, and including other volunteers (Friends of the Library, Activity Center, etc.), within the town for outstanding service, having a "Volunteer of the Year" award. This agenda item will come back to council at a work session and Ms. Kimball will write a short article for the newsletter soliciting suggestions.

5. Review policy on council communication with the town attorney.

Mayor Nolan reviewed that all communications with the Town Attorney need to go through the Town Manager unless it is about the Town Manager, then the Town Manager would be notified they are going directly to the attorney.

There was discussion on whether this policy is being followed. There were concerns that casual conversation and citizen communication was billed. Councilmember Hiles stated billable hours should only be paid if initiated by the town. There was discussion on considering having attorney on retainer and a change in the town's primary attorney. Town Manager Kimball will have a conversation with Susan Goodwin about concerns raised.

RECAP:

### **3.1.1**

1. Staff researching Historic Preservation and will bring this back to council.
2. and 3. Staff will bring back a 5-year plan for roads.
4. Staff will research the water company (# of customers served, what kind and how many wells), and will report back on a Work Session (February or March).
5. Staff will research a survey through NAU or private company.
6. Will hold a Work Session for General Plan: goals and circulation.

**3.1.2**

1. Nothing on this item.
2. Training on internet for OML. No changes to be made.
3. Code of Ethics-no changes to be made.
4. Public participation – volunteer of the year, dinner, newsletter article soliciting suggestions, BBQ in spring, community and municipal volunteers.
5. Town Manager to report on her communication with the attorney.

4. **Adjourn.** The meeting was adjourned at 2:15 p.m.

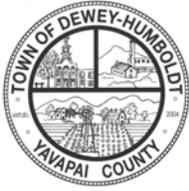
---

Terry Nolan, Mayor

ATTEST:

---

Judy Morgan, Town Clerk



**TOWN OF DEWEY-HUMBOLDT**  
**P.O. BOX 69**  
**HUMBOLDT, AZ 86329**  
**Phone 928-632-8562 ▪ Fax 928-632-7365**

---

**TOWN COUNCIL REGULAR MEETING**  
**December 18, 2012 6:30 Town Council Meeting Chambers**

**Agenda Item # 8.1**

**To: Mayor and Town Council Members**

**From: Warren Colvin, Community Development Coordinator**

**Date submitted: December 11, 2012**

**Agenda Item: D-H Historical Society Museum and Outside Display Use Permit.** Public Hearing, discussion and possible action on Use Permit application.

**Recommended action:** Approval of the Use Permit for the Dewey-Humboldt Historical Society Museum and Outside Storage with the original recommended conditions.

**Summary:**

On December 6, 2012 the Planning and Zoning Commission held a Public Hearing on the Use Permit Application filed by the Dewey-Humboldt Historical Society to allow for the property located at 12925 E. Main Street (the bank building) and its adjacent 30' strip of Second Street right-of-way area to be used as a museum and related activities.

Planning and Zoning Commission recommended approval of the Use Permit Application for a period of 1 year with a unanimous vote 4 to 0 based on staff's conditions with the exception to condition #4 to be amended to read as follows:

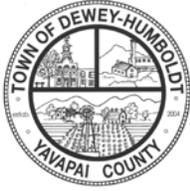
4. Dewey-Humboldt Historical Society to apply landscape principles that account for land slope and will display artifacts in carefully selected locations within the designated space so that:

- A. the artifacts can be safely accessed and easily viewed by visitors,
- B. where ascetically appropriate, the artifacts can also serve as "dividers", "borders", or path markers within the space,
- C. natural surface water drainage is planned for and unimpaired,
- D. artifact location can avoid interfering with both visible and underground utility lines,
- E. space for 7 easily accessible, 9'x20' parking stalls will be made available in obvious places within the strip, but not necessarily in a single block of space as is illustrated on the project site plan.
- F. artifact, landscaping and parking stall locations to be approved in advance by the Town Community Development Coordinator prior to the placement of any display items.

All other conditions as outlined in the Staff report dated Nov. 27 will be in full effect as agreed to by D-H Historical Society.

Staff, however, believes that our original recommended conditions are reasonable and easier to implement by both the Town and D-H HS. We recommend the Council to accept the original recommended conditions as part of the use permit approval.

Attachments: Staff report dated Nov. 27, DH HS use permit application, site plan, public hearing notices, citizen participation plan material, signed license agreement.



**TOWN OF DEWEY-HUMBOLDT**  
**P.O. BOX 69**  
**HUMBOLDT, AZ 86329**  
**Phone 928-632-8562 ▪ Fax 928-632-7365**

---

**MEETING OF THE TOWN PLANNING & ZONING ADVISORY COMMISSION**  
**December 6, 2012 6:00 p.m. Town Council Meeting Chambers**

**Agenda Item #9.1 Public Hearing Historical Society Use Permit**

**Recommendation: Discussion and Possible Action for Approval of Use Permit for the Dewey-Humboldt Historical Society Museum.**

**To: Planning & Zoning Advisory Commission**  
**From: Warren Colvin, Community Development Coordinator**

**Date Submitted: November 27, 2012**

**Summary:** See Staff Report below.

**Overview**

The Town of Dewey-Humboldt has received an application from the Dewey-Humboldt Historical Society (DH HS) for the properties located at 12925 E. Main St. (the bank building) and its adjacent 30' strip Second Street right-of-way area. DH HS requests the properties be allowed for the use of a museum and related activities. DH HS also requests that the requirements of Town Code Section 153.085 (Outside Display, Commercial) be waived. In lieu of the Section 153.085 provisions, DH HS has agreed to comply with all conditions and requirements of the License Agreement for the 30' ROW area which was entered between DH HS and the Town in November 2012. DH HS also submitted a parking plan.

For the purpose of this memorandum, "museum properties" refers to the bank building property and its adjacent 30' wide Second St. ROW area.

The Use Permit application was submitted according to Town Code Sections 153.091, 153.022. Applicant has conducted the Citizen Participation Plan per requirements of Section 153.023 with no objections to the proposed Use.

Staff has sent out the Notice of Public Hearing to all property owners within 300' of the property along with all required postings and notifications required by Section 153.022(E).

**Analysis**

~ Museum use:

The bank building is zoned as C 1-1 Commercial; Neighborhood Sales and Services. Surrounding uses include the following: antique mall, restaurant, thrift store, church, telecommunication storage/supply/server building. Pursuant to Town Code Section 153.042 (B), a museum is not an outright permissible use. However, staff believes that the use of a museum is compatible with the Town's General Plan for Commercial District and would not be detrimental to its surrounding uses.

~ Outside Display (Town Code Section 153.085) waiver:

DH HS requests to waive all requirements of above Town Code section and is to comply with the License Agreement. Staff compared Section 153.085 and the License Agreement stipulations, specifically Section 6 "Conditions" dealing with land use. We believe that said License Agreement section and Town Code Section 153.085 "Outside Display, Commercial" share the same requirements essentially. Additionally, we examined the site plan provided by DH HS and found that the setback requirements outlined in Section (153.085(D)(1)(2) have been partially met. In response to DH HS's Town Code waiver request, staff presents the following conditions:

In lieu of Town Code Section 153.085,

1. As agreed by DH HS, all terms and conditions of the License Agreement entered in November 2012 would stand in full effect.
2. Activities covered under this use permit must be for museum related educational and history preservation purposes. Commercial activities conducted for personal or private gains on the "museum" properties will not be covered by this use permit. In order to be qualified as outside display items under this use permit, DH HS must provide written information of each item to be displayed demonstrating its historical significance. Items that do not meet above criteria will not be allowed to be stored or displayed on the museum properties.
3. DH HS shall submit a site plan for review and approval by the Town Zoning Administrator prior to placement of any new exhibits or installation of any items in the outside display areas, including the bank property and its adjacent 30' strip licensed area. Site Plan shall contain dimension and background information of the new items. (153.085 (A), (D), (I) and LA 6.d).
4. Upon obtaining the "use permit", DH HS shall provide a detailed screening plan for the entire outside display area immediately, no later than January 15, 2013. Screening is to be 6' in height except for the front setback yard area where a 4' height is required. Plan shall include types of materials of the screening and be approved by the Town Community Development Coordinator. (153.085 (B)(1)(2), (C) (1), (D), (G), (I)).
5. Outside display area shall be covered with an approved dust-free gravel material in lieu of Town Code Section 153.085 (F)'s paving requirement.
6. The parking plan submitted by DH HS in the use permit application is acceptable. Parking must be on premise required by Section 153.110(A).
7. All setbacks to the thirty (30') display area shall be in accordance with Town Code Section (D)(1)(2). Items must be a minimum twenty feet (20') from the nearest edge of pavement (or useable road surface); and six feet (6') from the right-of-way line.

### **Recommendation**

Staff recommends the approval of the use permit under above conditions. Staff also recommends the use permit be granted for a period of one year with possible renewal for additional years up to five years by the Council (See Town Code Section 153.091 (C) (1) (a)).

Attachments: DH HS use permit application, site plan, public hearing notices, citizen participation plan material, signed license agreement

UP 2012-2

# TOWN OF DEWEY-HUMBOLDT DEVELOPMENT APPLICATION

**PROJECT DESCRIPTION:**

permit to use Bank building as museum

- |  |   |  |
|--|---|--|
| <input type="checkbox"/> General Plan Amendment - Major    | <input type="checkbox"/> General Plan Amendment - Minor | <input type="checkbox"/> Pre-Application   |
| <input type="checkbox"/> Community Master Plan             | <input type="checkbox"/> Major Use / Site Plan          | <input type="checkbox"/> Preliminary plat  |
| <input type="checkbox"/> Commercial Design Review          | <input type="checkbox"/> Annexation                     | <input type="checkbox"/> Zoning Clearance  |
| <input checked="" type="checkbox"/> Conditional Use Permit | <input type="checkbox"/> Abandonment                    | <input type="checkbox"/> Rezone            |
| <input type="checkbox"/> Land split (3 parcels max)        | <input type="checkbox"/> Lot Combine                    | <input type="checkbox"/> Variance          |
| <input type="checkbox"/> Area Plan / Amendment             | <input type="checkbox"/> Final Plat / Amendment         | <input type="checkbox"/> Land Use District |
| <input type="checkbox"/> Other _____                       |   |  |

**LEGAL DESCRIPTION:**

Property Address: 12925 E Main Street, Humboldt

Number of Lots / Units Proposed: 2

Assessor's Parcel Number: 402-10-018 Parcel Size (Acres): 0.158

Existing Land Use District: \_\_\_\_\_ Proposed Land Use District: \_\_\_\_\_

Plat Name: Humboldt Block: 3 Lot: 18 and 19 Tract: Book 2 of maps p 8,9

**DESCRIBE UTILITIES AVAILABLE TO PROPERTY:**

- |   |  |                                      |
|---|--|--------------------------------------|
| <input checked="" type="checkbox"/> Water _____ | <input checked="" type="checkbox"/> Gas _____      | <input type="checkbox"/> Sewer _____ |
| <input checked="" type="checkbox"/> Phone _____ | <input checked="" type="checkbox"/> Electric _____ | <input type="checkbox"/> Cable _____ |

**Describe Public Access to Property:**

main door facing Main St.  
2 lower-floor doors facing Second St.

**FEES**

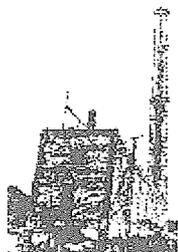
Base Fees: \_\_\_\_\_ Other Fees: \_\_\_\_\_ Other Fees: \_\_\_\_\_ Subtotal: \_\_\_\_\_ Total: \_\_\_\_\_

|  |                          |                           |                              |
|--|--------------------------|---------------------------|------------------------------|
| <b>*APPLICANT / CONTACT INFORMATION:</b> |                          | <b>OWNER INFORMATION:</b> |                              |
| Name:                                    | <u>Gerald Hoyer</u>      | Name:                     | <u>Gateway Baptist, Inc.</u> |
| Address:                                 | <u>PO Box 540</u>        | Address:                  | _____                        |
| Phone:                                   | <u>928 632 3962</u>      | Phone:                    | _____                        |
| Email:                                   | <u>ghoyer@outdns.net</u> | Email:                    | _____                        |

Gerald Hoyer  
Signature of owner or representative

\*If application is being submitted by someone other than the owner of the property under consideration, a letter of authorization or other corresponding information must be provided.





## Dewey-Humboldt Historical Society

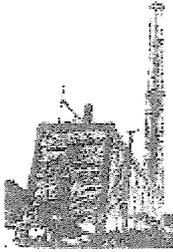
September 24, 2012

### Citizen's participation Report; Conditional Use Permit application

On September 12, the Society initiated a plan to involve citizens in our interest in using the Bank building in Humboldt as a Community Museum. Action taken was as follows:

1. Compile statements in letter form describing our plans, explaining the need for the issuance of a "conditional use permit" to allow the Bank building to be used as a museum and inviting citizen comment.
2. We compiled a list of 20 landowners of 40 parcels that are located within 300 feet of the Bank parcel and the lot parcel across Main St. from the Bank building.
3. On Sept 13, we mailed the letter to each landowner inviting them to attend a meeting on September 20 about the "conditional use permit" and asking for comments. The same day we hand-delivered copies of the letter to 20 residents of nearby properties and to the members of the town council and town staff. We also posted copies of the letter on community bulletin boards.
4. On September 19, a copy of the letter was published in the "letters" column of the Prescott Valley Tribune. There was also a short public notice of the meeting in the same issue.
5. Turn-out for the meeting was low; seven people. All who attended were in favor of the Society museum effort.
6. There has been no follow-up contact via the phone number provided.

Gerald Hoyer, Committee Chairman, DHHS



# Dewey-Humboldt Historical Society

September 24, 2012

## Letter of Intent; Conditional Use Permit application

To :

Town Staff, Dewey-Humboldt;  
PO Box 69 Humboldt AZ 86329

The Society's interest in using the bank building on Main Street, Humboldt, as a Community historical museum is well known and has been supported by your work on our behalf. We hope this summary letter of intent helps make your work easier.

It is the Society's intention to manage the Bank building on Main Street as a museum, hopefully opening in December. We also intend to use the ~~open lot across Main Street~~ from the Bank as a display area for large artifacts and as part of a view area for a Historic Walking Tour of Humboldt. The lot is included as part of the permit application.

SEE AGREEMENT  
W/ TOWN FOR  
30' R.O.W.

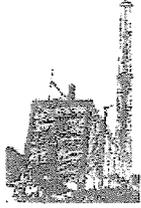
In addition we intend to continue to use the museum to provide history-based activities for the Community. And when the Conditional Use Permit has been issued we can open to the public and function as real museum, not as a temporary one as we have been during our current establishment period.

It is the Society's intention to manage the museum permanently and we prefer that the Conditional Use Permit be for as long as possible, easily renewable and free of cost.

Thank you for your help toward making the museum possible for the Community.

Sincerely,

Gerald Hoyer, Committee Chairman, for DHHS



## Dewey-Humboldt Historical Society

P.O. Box 85, Humboldt Az., 86329

November 2, 2012

Town of Dewey-Humboldt  
Attn. Town Manager,

This letter relates to the Society's cooperative effort with the Town of Dewey-Humboldt for a use permit for displaying artifacts on the 30-foot strip of land between the bank building property on 12925 E Main Street, Humboldt, (Assessor's parcel number 402-10-018) and Second Street.

We request a waiver of the entire section of zoning regulation 153.085, Outside Display, Commercial. In place of that section of the zoning regulations, the Society will follow all of the requirements and conditions as specified in the license agreement between the Town and the Society for use of the 30-foot strip.

Sincerely,

Gerald E. Hoyer,  
Committee Chairman for DHHS

Kathryn Hoyer,   
Secretary and Board member.



## Town of Dewey-Humboldt

P.O. Box 69 / 2735 South Highway 69, Suite 10, Humboldt Station, Humboldt, AZ 86329

### PUBLIC HEARINGS NOTICE

The following hearing application shall appear in addition to previously set matters by the

**TOWN OF DEWEY-HUMBOLDT PLANNING & ZONING ADVISORY COMMISSION  
ON DECEMBER 6, 2012 AT 6:00 PM**

**And**

**DEWEY-HUMBOLDT TOWN COUNCIL  
ON DECEMBER 18, 2012 AT 6:30 PM**

Hearings will be conducted at Town Hall, 2735 South Highway 69, Suite 10, Humboldt Station  
Humboldt, and Arizona 86329

#### **PUBLIC HEARING ITEMS:**

##### **ITEM: APPLICATION FOR A USE PERMIT**

**Planning & Zoning Case Number:** UP2012-2

**APN:** 402-10-018

**Applicant:** DH Historical Society  
Gerald Hoyer  
12925 E. Main Street  
Humboldt AZ. 86329

**Request:** Use Permit for Museum and Outside Display

**NOTICE TO THE PUBLIC:** Property owners may submit letters in support or opposition of a Public Hearing Item by directing written correspondence to the Town of Dewey-Humboldt, PO Box 69, Humboldt, Arizona 86329. For more information, contact Dewey-Humboldt Town Clerk, Judy Morgan, at (928) 632-8562/ Fax 928-632-7365

When Recorded Mail To:

Town Clerk  
Town of Dewey-Humboldt  
2735 South Highway 69, Suite 12  
Humboldt Station  
Humboldt, AZ 86329

### LICENSE AGREEMENT

This License Agreement is made this 6 day of November 2012, by and between the Town of Dewey-Humboldt, an Arizona municipal corporation (hereinafter "Town") and the Dewey-Humboldt Historical Society (hereinafter "Licensee").

#### **Recitals:**

- A. Town owns the real property that is the subject of this Agreement.
- B. Town has determined that Licensed Property is not necessary for roadway purposes at this time, but retains ownership of the right-of-way for utility, drainage and future right-of-way purposes.
- C. Licensee has leased the property and building adjacent to the Licensed Property where it plans to open and operate a Dewey-Humboldt museum.
- D. Licensee desires to use Licensed Property for display of large historic items and parking lot purposes and is willing to assume full responsibility for installation and maintenance of said items and parking lot.
- E. Town is willing to grant a revocable License to Licensee to use the Licensed Property for the above-stated purposes as long as Licensee agrees to maintain said items and parking lot installed by Licensee without cost to Town.

NOW THEREFORE, in consideration of the covenants and agreements contained herein, Town hereby grants Licensee a revocable license conveying the right and privilege to enter upon and use Licensed Property under the following terms and conditions:

#### **Terms and Conditions:**

1. Licensed Property: The real property that is the subject of this License is a 30 foot strip of the 2<sup>nd</sup> Street right-of-way, as legally described and shown on the map in Exhibit A ("Licensed Property"), which is attached hereto and incorporated herein by this reference.

License Agreement  
Town of D-H & Historical Society

2. Purpose: The purpose of the License is to allow installation and maintenance of exhibition of large historic items, parking lot, and related improvements within the Licensed Property. Town specifically consents to entry upon Town's property by contractors and agents of Licensee solely to install and maintain these improvements.

3. Ownership of Licensed Property. Town will retain ownership of Licensed Property.

4. License Fee. There shall be no fee for the license granted herein.

5. Maintenance. Licensee shall keep the Licensed Property, exhibits, parking lot, landscaping, and any and all facilities installed by Licensee, in good condition, free from weeds and litter at Licensee's sole expense.

6. Conditions. This License shall be subject to the following conditions:

a. This License is nonexclusive and nothing herein shall be construed to prevent or restrict Town from granting other privileges to use Licensed Property in a manner not inconsistent with Licensee's use of Licensed Property.

b. Town shall not be liable for any expense, cost or charge arising from Licensee's exercise of rights granted by this Agreement.

c. Licensee shall at all times allow access to public utility facilities located within the Licensed Property and shall not construct or install any exhibitions or installations that would interfere with the operation of public utility facilities within the Licensed Property. Licensee shall reimburse Town for any and all costs and expenses incurred by Town to remove or relocate utility facilities and landscaping to accommodate the purposes for which this License is issued.

d. Prior to beginning work on any exhibition, installation, landscaping or construction of any improvements on Licensed Property, Licensee shall submit plans to and obtain approval from the Town Manager.

e. Licensee shall screen all exhibits at Licensee's sole expense as required and approved by the Town Zoning Administrator and/or the Town Codes, including but not limited to § 153.085 of the Dewey-Humboldt Town Code.

f. The License granted herein is subject to all prior licenses, leases and easements of record.

- g. Town reserves the right to impose other reasonable conditions in order to protect public health, safety and welfare upon thirty (30) days written notice to Licensee.

7. Indemnification: To the extent not prohibited by law or expressly excepted herein, Licensee its successors and assigns (“Indemnitors”), shall indemnify, release and hold harmless Town, and the officers, employees, agents, successors and assigns thereof, against and from any damage, loss or liability caused in whole or in part by Indemnitor, regardless of whether caused in part by Town or any of them, and suffered by Town as a result of any claim, demand, lawsuit or action of any kind whether such damage or loss is to person or property, arising out of, resulting from or caused by: (a) the acts or omissions of Indemnitor, its agents, contractors, officers, directors, or employees; (b) Indemnitor’s use or occupancy of the Licensed Property for the purposes contemplated by this Agreement, including but not limited to claims by third parties who are invited or permitted onto the Licensed Property, either expressly or impliedly, by Licensee or by the nature of Licensee’s improvement or other use of the Licensed Property pursuant to this Agreement; (c) Licensee’s failure to comply with or fulfill its obligations established by this Agreement or by law. Such obligation to indemnify shall extend to and encompass all costs incurred by Town in defending against such claims, demands, lawsuits or actions, including but not limited to attorney, witness and expert witness fees, and any other litigation related expenses. Indemnitor’s obligation pursuant to this Section shall not extend to any damage, loss or liability as a result of any claim, demand, lawsuit or action of any kind, whether such damage, loss or liability is to person or property arising out of, resulting from or caused by the sole, exclusive acts or omissions of Town, its contractors, directors, officers, employees, agents, successors or assigns for which Town shall indemnify, release and hold harmless Indemnitors. Town’s obligation to indemnify Indemnitors shall extend to and encompass all costs incurred by Indemnitors in defending against such claims, demands, lawsuits or actions, including but not limited to attorney, witness and expert witness fees, and any other litigation expenses. The provisions of this Section shall survive termination of this Agreement.

8. Term:

- a. If Licensee continues to operate a museum on the adjacent premises, the term of this Agreement shall be one year from the date of execution of this Agreement, subject to termination by either party upon thirty (30) days' prior written notice. The parties may extend the term of this License upon mutual written agreement.
- b. If Licensee terminates its lease of the adjacent premises or discontinues museum operations on the adjacent premises, the License granted by this Agreement shall terminate immediately.

9. Return to Pre-License Condition: Within thirty (30) days of termination of the License, Licensee shall, at its sole expense, remove all exhibits, fencing and screening facilities and return the Licensed Property to its pre-License or better condition. If Licensee fails to return the Licensed Property to its pre-License or better condition to the satisfaction of Town, Town reserves the right to do the work itself and require reimbursement of any and all expenses plus a reasonable administrative fee.

10. Insurance: Licensee shall provide insurance for the Licensed Property as required by the Town.

11. Not a Lease: Licensee shall not, by virtue of this Agreement, be deemed to have become the tenant of the Town.

12. Governing Law: This License is entered into in Arizona and shall be construed and interpreted under the laws of the State of Arizona.

13. Attorneys' Fees: Should litigation be necessary to enforce any term or provision of this Agreement, or to collect any damages claimed or portion of the amount payable under this Agreement then all litigation and collection expenses, witness fees, court costs, and attorneys' fees shall be paid to the prevailing party.

14. Conflict of Interest: In the event Town elects to cancel this Agreement due to a conflict of interest as outlined in A.R.S. § 38-511, as amended, Town agrees to immediately give notice thereof to Licensee.

15. Notice: All notices and demands required or permitted by this License shall be in writing and shall be deemed to have been given properly when sent by certified mail (postage pre-paid), delivered personally or given by telefacsimile to the party at the address below or to such other address as may be furnished:

Notices to Town

Notices to Licensee

Town Manager

Dewey-Humboldt Historical

Town of Dewey-Humboldt  
2735 South Highway 69, Suite 12  
Humboldt Station  
Humboldt, AZ 86329

Society  
PO Box 85  
Humboldt, Arizona 86329

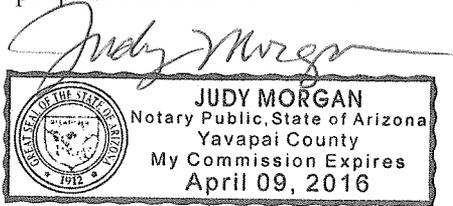
IN WITNESS WHEREOF, the parties hereto have executed this License this  
7<sup>th</sup> day of November, 2012.

TOWN OF DEWEY-HUMBOLDT:

  
Terry Nolan, Mayor

STATE OF ARIZONA        )  
  ) ss.  
County of Yavapai        )

The foregoing instrument was acknowledged before me, the undersigned Notary Public, this 7<sup>th</sup> day of November, 2012, by Terry Nolan, Mayor, who personally appeared and acknowledged himself to be acting as Mayor of the Town of Dewey-Humboldt, Arizona, and that he as such, being authorized so to do, executed the foregoing instrument for the purposes therein contained.



LICENSEE:

By 

ACKNOWLEDGMENT

STATE OF ARIZONA        )  
  ) ss.  
County of Yavapai        )

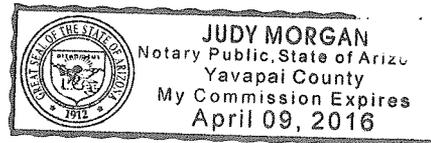
The foregoing instrument was acknowledged before me, the undersigned Notary Public, this 7<sup>th</sup> day of November, 2012 by Carl Marsee, who personally appeared and acknowledged himself to be a Licensee of License Agreement, and that he as such, being authorized so to do, executed the foregoing instrument for the purposes therein contained.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

  
Notary Public

My Commission Expires:

April 9, 2016

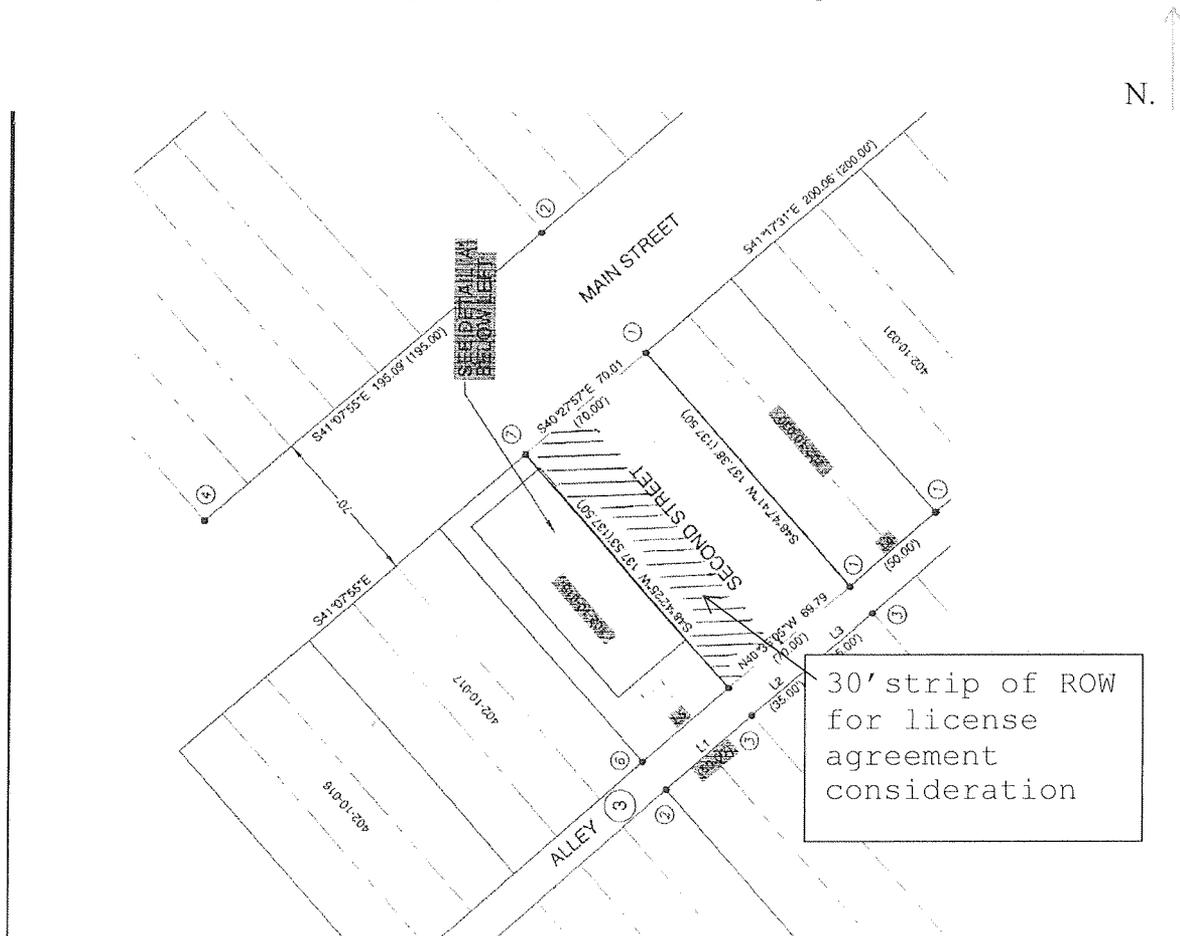


## EXHIBIT A

### Licensed Property (a 30' strip of land of Second St. Right of Way) Legal Description

A 30' strip of land being a portion of the 70' right of way of Second St at its intersection with Main St situated in the Southeast Quarter Southeast Quarter of Section 15, Township 31 N, Range 1 East, Gila and Salt River Base Meridian, Yavapai County, Arizona described as follows:

Beginning at the most easterly corner of Lot 19, Block 3, Second Amended Plat of the Town of Humboldt as shown in Book 2 of Plats, page 9 records of Yavapai County, Arizona; thence  $S40^{\circ}27'57''$  E for 30.00 feet along the southeasterly projection of Main St; thence  $S48^{\circ}42'25''$  W for 137.47 feet (137.50 feet); thence  $N40^{\circ}35'05''$  W for 30.00 feet to the most southerly corner of said Lot 19; thence  $N48^{\circ}42'25''$  E along the southeasterly property line of said Lot 19 for 137.53 (137.50) feet to the point of beginning. Area contains 4125 square feet or 0.095 acres.





**TOWN OF DEWEY-HUMBOLDT**  
**P.O. BOX 69**  
**HUMBOLDT, AZ 86329**  
**Phone 928-632-8562 ▪ Fax 928-632-7365**

---

**TOWN COUNCIL REGULAR MEETING**  
**December 18, 2012, 6:30 Town Council Meeting Chambers**

**Agenda Item # 8.2**

**To: Mayor and Town Council Members**

**From: Warren Colvin, Community Development Coordinator**

**Date submitted: December 11, 2012**

**Agenda Item: Public Hearing on Final Draft of amended Sign Code**

**Recommended action:** Accept revised sign code as presented

**Summary:**

On December 6, 2012 the Planning and Zoning Commission held a Public Hearing on the Final Draft of the Sign Code. After hearing public comments Planning and Zoning Commission approved the final revised sign code by a vote of 4 to 0 to be sent to Town Council for final approval and adoption.

Attachments: Final version of revised sign code, public hearing notice

**TOWN OF DEWEY-HUMBOLDT SIGN CODE  
DECEMBER 18, 2012**

**§153.125 PURPOSE.**

- (A) The purpose of the Dewey-Humboldt Sign Code is to provide freedom and flexibility for the design, construction and maintenance of signs in harmony with the values and character of this country community, to preserve aesthetics, maintain property values, protect the general public from damage or injury caused by distractions/hazards/obstructions which result from improperly designed or located signs and to insure that the Constitutionally guaranteed right of free speech is protected.
- (B) The following subchapter shall be known and cited as the Town of Dewey-Humboldt Sign Code.

**§153.126 DEFINITIONS.**

**AWNING:** A shelter or cover projecting from and supported by an exterior wall of a building.

**BANNER:** A temporary sign composed of lightweight material, enclosed or not enclosed in a rigid frame, secured or mounted so as to allow movement of the sign.

**CANOPY:** Same as awning.

**CHANGEABLE COPY:** A sign on which copy is changed electronically or manually.

**COMPREHENSIVE SIGN PLAN:** A coordinated program of all signs, including exempt and temporary signs for a business, or businesses if applicable, located on a development site. The sign program shall include, but not be limited to indications of the locations, dimensions, and sign types of all signs to be located on a site.

**EMBLEM:** A symbol representing any government, whether state, federal or local.

**ERECT:** To build, construct, alter, repair, display, relocate, attach, hand, place, suspend, affix, or maintain any sign including the painting of exterior wall signs.

**FLAG:** Any fabric or banner containing distinctive colors, patterns, or symbols used as a symbol of a government, whether state, federal or local.

**POSTER:** A temporary bill or placard for advertising community events.

**FRONTAGE:** The length of the property line of a premise along a public right-of-way.

**GROUND LEVEL:** The average ground elevation within 10 feet measured horizontally to the sign base.

**LOGO:** A symbol, graphic, trademark or emblem associated with or representing a specific entity, product or concept.

**PAD:** Planned Area Development as defined in section 153.048.

**POSTER:** A temporary bill or placard for advertising community events.

**RELIGIOUS SYMBOLS:** Works of art as signs which convey compelling ideas or ideals such as, but not limited to, a Christian cross, Star of David, Crescent and Star, fish (ICITHUS), or statuary depicting (for example) a nativity scene.

**SANDWICH BOARD:** A temporary sign which is of the A-frame type that sits on the ground.

**SIGN:** Any identification, description, illustration, symbol or device which is affixed directly or indirectly upon a building, vehicle, structure or land and which conveys information identifying or directing attention to or advertising a product, place, activity, person, institution or business.

**SIGN, ABANDONED:** A permanent sign which is no longer safe or no longer serves its intended purpose.

**SIGN, COMMEMORATIVE:** A symbol or plaque commemorating a person or event.

**SIGN, CONSTRUCTION:** A temporary sign identifying the persons, firms or businesses directly connected with a construction project

**SIGN, DIRECTIONAL:** A sign commonly associated with and limited to information and directions necessary and convenient for persons coming on the property, including sign marking entrances, parking areas, one-way drives, restrooms, pick-up and delivery areas and the like.

**SIGN, DIRECTORY:** Any sign listing the names, use or location of the businesses or activities conducted within a building or group of buildings.

**SIGN FREESTANDING:** A sign which is erected on its own self-supporting permanent structure, not attached to a building.

**SIGN, GOVERNMENTAL:** A sign erected and maintained pursuant to and in discharge of any governmental function or required by a law or ordinance or governmental regulations.

**SIGN, IDENTIFICATION:** A sign identifying by name, message or symbol a business, residence, occupant activity, institution, establishment, operation, merchandise, product or service available at the property at which the sign is displayed.

**SIGN, ILLUMINATED:** A sign with an artificial light source incorporated internally or externally.

**SIGN, INFORMATIONAL:** A sign clearly intended for informational (instructional or warning) purposes and not advertising a product or service, other than an identification-sign.

**SIGN, NONCONFORMING:** Any sign which is not allowed under this Code but when first constructed was lawfully permitted, constructed and installed.

**SIGN, NUMBER OF FACES ON:**

- (1) **Single-faced:** If a sign has copy on one side-only.
- (2) **Double-face:**
  - (a) If the angle between the two sign faces is less than 45 degrees, the sign shall be considered double-faced; the sign area will be the area of one face only.

**SIGN, OFF-PREMISES:** A sign advertising a business, place, activity, goods, services or products on a different property from where the sign is located.

**SIGN, ON PREMISES:** A sign advertising a business, place, activity, goods, services or products on the same property on which the sign is located.

**SIGN, PERMANENT:** A sign constructed of durable materials, attached to the ground or a building and intended to remain in use for 6 months or more.

**SIGN, POLITICAL:** A temporary sign announcing or supporting or opposing political candidates or issues connected with any national, state or local election.

**SIGN, PORTABLE:** A sign designed or constructed in such a manner that it can be moved or relocated without involving any structural or support changes.

**SIGN, PROJECTING:** Any sign attached to a building or other structure and extending in whole or in part more than 12 inches beyond the building, shall be considered "freestanding" signs with reference to square footage allowances.

**SIGN, PROPERTY:** A sign pertaining to the sale or lease of the premises, or a portion of the premises on which the sign is located or for open houses for premises for sale or lease.

**SIGN, SUBDIVISION:** A sign advertising lots or units for sale or lease in a subdivision, apartment or condominium project.

**SIGN, TEMPORARY:** A sign intended to remain in use for less than 6 months.

**SIGN, WALL:** A sign fastened to or painted on the wall of a building in such a manner that the wall becomes the supporting structure for, or forms the background surface of the sign and which does not project more than 12 inches from the building.

**STANDARD:** A post embedded in the ground on which a sign is mounted.

## §153.127 GENERAL PROVISIONS

Except as may be further restricted in specific zones, all signs shall be subject to the following:

- (A) No sign shall be audible.
- (B) Lighted beacons, searchlights or similar lights, are prohibited (see *Light Pollution*, Town Code Sections §150.150 – 150.153).
- (C) No sign may encroach on or overhang an adjacent property, public right-of-way, utility right-of-way or easement unless an Encroachment Permit or License has been issued and approved by the Town.
- (D) No sign shall be attached to a utility pole, light standard, bridge or other fixture in the public right-of-way.
- (E) No sign shall be painted directly on or affixed to any natural object in its natural location.
- (F) No sign shall exceed 30 feet in height.
- (G) No sign shall be located as to obstruct or interfere with any official traffic signs and/or devices or in such a manner as to obstruct a driver's view of any oncoming, merging or intersecting traffic.
- (H) No sign shall display any statement, symbol or picture of an obscene nature.
- (I) Signs may be painted directly onto vertical structural surfaces.
- (J) Signs that are not permitted in a residential zone shall not be placed closer than 20 feet of any residentially zoned lot.
- (K) New signs exceeding 8 sq. ft. in area or exceeding eight feet in height shall follow the permitting requirements specified in §153.138. Relocation or substantial reconstruction, i.e., costing more than 50% of the present value of a sign, shall be considered a new sign for building permit purposes.
- (L) All freestanding signs will comply with § 153.076 (i.e., one foot setback for each foot in height shall be required).
- (M) The square footage of a sign made up of letters, words, or symbols within a frame or border shall be determined from the outside edge of the frame or border itself. The square footage of a sign composed only of letters, words or symbols shall be determined from imaginary straight lines drawn around the entire copy or grouping of such letters words or symbols.

Only those portions of the construction elements that are an integral part of the sign itself shall be considered in the allocation of square footage allowed.

- (N) Signs deemed dangerous, abandoned or in substantial violation of this Sign Code by the Zoning Administrator or designee, shall require correction within 30 days of official notification, or the Town may remove the sign in accordance with State Law ARS §9-462.02(C).
- (O) An informational sign *shall not be included in the permitted sum of the sign area of identification wall signs, provided such sign is not larger than necessary to serve the intended instructional purpose, and such sign is not in a location, nor includes design characteristics, that constitute or serve the purposes of an identification sign.*
- (P) Sandwich Board signs shall be displayed only during times when the business being advertised is open for business.
- (Q) *Non-Conforming.* Legal nonconforming signs existing prior to the effective date of this subchapter, shall be permitted to continue subject to general provisions regarding the removal of dangerous or abandoned signs and off-premises signs of this code, regarding obsolescence and abandonment. Continuation shall include the right to repaint or change the message or copy on the sign, provided the size and height is not increased and provided the sign is not converted from on-premises to off-premises use. Changes of ownership and/or business name shall not in and of itself alter the right of continued use of a sign. If a non-conforming sign becomes a hazard to public safety, it shall be removed, in compliance with Arizona law and this Code.

**§153.128 EXEMPT SIGNS\*** The following types of signs are exempt from permitting requirements, but shall be subject to the limitations and requirements set forth below:

| <b>Descriptions &amp; Districts</b>  | <b>Type</b>                     | <b>Number Permitted</b> | <b>Area &amp; Height</b> | <b>Permit Required?</b> |
|--|---------------------------------|-------------------------|--------------------------|-------------------------|
| <b>Official Notices Authorized by a court, public body or public safety official</b>                 |                                 | No Limit                | No Limit                 | N                       |
| <b>Directory or Informational Signs Authorized by federal, state, county or municipal government</b> | Wall or ground-mounted standard | No Limit                | No Limit                 | N                       |
| <b>Commemorative Signs</b>   | Wall or Monument                | No Limit                | Sec. 153.127(J)          | N                       |
| <b>Emblems and Posters</b>   |                                 | No Limit                | Sec. 153.127(J)          | N                       |

| <b>Descriptions &amp; Districts</b>                                   | <b>Type</b>                             | <b>Number Permitted</b>  | <b>Area &amp; Height</b> | <b>Permit Required?</b> |
|---|---|--|--------------------------|-------------------------|
| <b>Religious Symbols</b>  |   | No Limit   | No Limit                 | N                       |
| <b>Flags</b>  |   | No Limit   | No Limit                 | N                       |
| <b>Sandwich Boards</b>  |   | 2 Per Frontage   | 10 SQ.FT                 | N                       |
| <b>Signs Located within Structures in commercial zoned district</b>   | Window Signs                            | No Limit   | No Limit                 | N                       |
| <b>Political Signs, Residential (not in right-of-way)</b>             | Wall, window or ground-mounted standard | No Limit. Remove within -15 days of last day of vote casting                                   | 16 Sq. Ft. Max.          | N                       |
| <b>Political Signs, Residential (in right-of-way)</b>                 | Wall or ground-mounted standard         | No Limit. Install 60 days prior to election. Remove within 15 days of last day of vote casting | 16 Sq. Ft. Max.          | N                       |
| <b>Political Signs, Commercial / Industrial (not in right-of-way)</b> | Wall or ground-mounted standard         | No Limit. Install 60 days prior to election- Remove w/in 15 days of last day of vote casting   | 32 Sq. Ft. Max.          | N                       |
| <b>Political Signs, Commercial / Industrial (in right-of-way)</b>     | Wall or ground-mounted standard         | No Limit. Install 60 days prior to election- Remove w/in 15 days of last day of vote casting   | 32 Sq. Ft. Max.          |                         |

\*No more than two exempt signs shall be allowed per business.

### **§153.129 SPECIAL PURPOSE SIGNS**

| <b>Descriptions &amp; Districts</b>  | <b>Type</b>  | <b>Number Permitted</b>   | <b>Area &amp; Height</b>   | <b>Lighting Allowed?</b>                                       | <b>Permit Required?</b> |
|--|--|---|--|--|-------------------------|
| <b>Directory or Informational Signs</b><br><br><b>Permitted in all zoning districts.</b>   | Wall or Ground-mounted standard which can be double-sided. | 1 per sign for each building entrance and exit from a parking area. | Max. 32 sq. ft.<br>Max. 20 ft. high                                | Yes – Refer to Dewey-Humboldt Light Pollution for restrictions | Y                       |
| <b>Property signs for all properties except those abutting highways</b><br><br><b>Permitted in all zoning districts</b><br><br><b>Shall not impede traffic and shall not be located in any public ROW</b><br><br><b>Shall be removed w/in 30 days of sale or rental.</b> | Wall or Freestanding                                       | 1 each – on each street frontage.                                   | Max. 18 sq. ft.<br>Max. 8 ft. high                                 | No   | N                       |
| <b>Property Signs for Properties abutting Highways</b><br><br><b>Only permitted adjacent to ROW at least 150 feet wide.</b><br><b>Permitted in all zoning districts</b><br><br><b>Unlighted</b><br><br><b>Shall be removed</b>   | Wall or Freestanding                                       | 1 sign per ROW frontage   | 32 sq. ft. and 8 ft. in height<br>Property to be at least 2 acres. | No   | Y                       |

|   |              |                                    |  |  |   |
|---|--------------|------------------------------------|--|--|---|
| w/in 30 days of sale.   |              |                                    |  |  |   |
| <b>Construction Signs</b><br><br>Permitted in all zoning districts.<br><br>Unlighted  | Unspecified  | 1 each for each construction site. | Max. 24 sq. ft.<br>Max. 8 ft. high                           | No   | Y |
| <b>Subdivision Signs</b><br><br>2-year duration.<br>Requires a Use Permit thereafter. | Freestanding | Up to 5 signs                      | 100 sq. ft. aggregate total.<br><br>12 ft. in height maximum | Yes – Refer to Dewey-Humboldt Light Pollution for restrictions | Y |

**§153.130 OFF-PREMISE SIGNS**

| <b>Descriptions &amp; Districts</b>  | <b>Type</b>  | <b>Number Permitted</b>   | <b>Area &amp; Height</b>  | <b>Lighting Allowed?</b>  | <b>Permit Required?</b> |
|--|--|---|---|---|-------------------------|
| <b>Off-Premise Signs</b><br><br>Shall not be closer than 200 ft. of a residential zoning district. | Wall or ground mounted, not to be constructed on more than three supports. | Max. 1 per parcel.  | Ground Mounted-<br>Max. 160 sq. ft.<br>Max. 20 ft. in height.<br><br>Wall Mounted-<br>Max 200 sq. ft.<br>Max. 20 ft. height | Yes,<br>illuminated sign shall be either internal or by external source per Dewey Light Pollution | Y                       |
| <b>Temporary Off-Premise Signs for Community Events, Festivals &amp; Similar Public</b>            | Banners or other temporary means of advertising.                           | Signs may be placed within or across a public ROW with the Town’s authorization | Max. 48 sq. ft.<br>Max. 8 ft. high  | No  | Y                       |

**§153.131 SIGN REGULATIONS FOR USE DISTRICTS (b)(c)**

| <b>Descriptions &amp; Districts</b>   | <b>Type</b>  | <b>Number Permitted</b> | <b>Area &amp; Height</b>                       | <b>Lighting Allowed?</b>  | <b>Permit Required?</b> |
|---|--|-------------------------|--|---|-------------------------|
| <b>Residential</b>  | Name Plate <sup>(a)</sup><br><br>Historical Marker | 1                       | Max. 15 sq. ft.<br>Max. 16 ft. in clear height | Yes -<br>Refer to<br>Dewey-<br>Humboldt<br>Light<br>Pollution<br>Code for<br>restrictions | N                       |
| <b>Multi-family (for more than four units - for less than four units see residential above)</b> | Wall or Freestanding                               | 1 per street frontage   | Max. 16 sq. ft.<br>Max. 10 ft. in height       | Yes -<br>Refer to<br>Dewey-<br>Humboldt<br>Light<br>Pollution<br>Code for<br>restrictions | Y                       |
| <b>Subdivision</b>  | Monument   | 2                       | Max. 120 sq. ft.<br>Max. 6 ft. in height       | Yes -<br>Refer to<br>Dewey-<br>Humboldt<br>Light<br>Pollution<br>Code for<br>restrictions | Y                       |

|  |  |  |  |  |   |
|--|--|--|--|--|---|
| <b>Commercial, Education, Religious, Industrial</b> <sup>(d)</sup>                             | Wall or Freestanding which can be dbl. sided | 2 total - 1 wall & 1 freestanding- 3 total allowed if more than 5 acres of frontage on two roads then 2 freestanding signs will be allowed | Wall signs:<br>Max. 100 sq. ft.<br>No height restriction<br><br>Freestanding signs:<br>Max. 80 sq. ft.<br>Max. 10 ft. high | Yes - Refer to Dewey-Humboldt Light Pollution Code for restrictions<br>Y | Y |
|  | Temporary Banners                            | 3 each road frontage   | Max. 64Sq. ft.   |  | Y |
| Commercial Complexes (for more than 3 Commercial use occupants joined together) <sup>(d)</sup> | Wall or Freestanding                         | 1 on each road frontage  | Max. 150 Sq. ft.<br>Max. 30 ft. high   | Yes - Refer to Dewey-Humboldt Light Pollution Code for restrictions      | Y |
|  | Temporary Banners                            | 3 each road frontage   | Max 64 Sq. ft.   |  | Y |
| <b>PAD</b>   |  |  | Must submit a comprehensive sign plan.   | Y  |   |

**Applicable Foot Notes:**

- (a) A name plate sign identifying the occupant, occupant’s profession or title and the address of the dwelling.
- (b) Attached signs shall be on the occupants building only.
- (c) Awning signs shall only be allowed on the ground floor of a building.
- (d) Menu Boards for Drive-Thru Restaurants:
  - 1. One pre-order and one order board is allowed per business. Such signs may be free-standing or wall-mounted.
  - 2. The maximum aggregate area for a menu board shall not exceed 45 square feet.
  - 3. The maximum sign height shall not exceed six feet for free-standing signs.

The sign should be located so as to not be readable from the public right-of-way.

**§153.132 Reserved:**

**§153.133 Reserved:**

**§153.134 Reserved:**

**§153.135 Reserved:**

**§ 153.136 SIGN REGULATIONS, MOBILE HOME, TRAVEL TRAILER AND RECREATIONAL VEHICLE PARKS.**

(A) Signs placed or maintained within any mobile home park are subject to all the regulations set forth under § 153.131.

(1) Permanent mobile home park entrance signs shall comply with the regulations set forth under § 153.131.

(2) Signs identifying travel trailer parks and recreational vehicle parks are subject to all the regulations set forth under § 153.131.

(Ord. § 601(J), passed 9-4-2008)

**§153.137 Reserved:**

**§153.138 SIGN PERMITS**

(A) *Permit required.* A sign permit shall be secured from the Town Community Development Department prior to the erection, relocation, construction, installation or substantial reconstruction (including painting or enlarging a painted sign on the surface of a permitted structure) or any non-exempt sign exceeding eight (8) square feet in area, or higher than eight feet above grade at the sign, regardless of value.

(B) *Fees.*

(1) The fees shall be as set forth in and amended from time to time, = Appendix A, Fees, Town Code Chapter 153 Zoning Regulations.

(2) The sign permit fees established in division (B)(1) above shall be double in the event that the erection, relocation, construction, installation or substantial reconstruction of any sign is begun prior to the issuance of a sign permit.

(C) *Sign permit application.* Each application for a sign permit shall be made at the Town Hall on the appropriate form(s) and shall contain at a minimum the following information:

(1) Assessor's parcel number identifying the property;

(2) Street address, if any, legal description of the property, and dimensions thereof. In the case of a metes and bounds parcel (a parcel that is not part of a recorded subdivision), a copy of the recorded legal description must be submitted with the application;

(3) Nature of the proposed use of the sign and premises;

(4) Type of sign and materials used, methods of support, freestanding or other;

(5) Estimated true value of sign and associated structural supports;

(6) Dimensions of sign panel as well as bottom and top heights above grade;

(7) Type, placement and strength of illumination, if any;

(8) Number and orientations of faces of sign (aerial-view sketch, if necessary, to depict faces and orientation);

(9) A (signed) plot plan showing the following:

(a) Shape and dimensions of lot boundaries, adjacent street right-of-way, driveway, buildings (existing and proposed);

(b) North designation; and

(c) Location of sign (s) on property (indicate type).

(10) A (signed) elevation view, with dimensions and approximate copy ad design, of the sign(s) faces;

(11) Such other information as the Zoning Administrator may require for the purpose of determining whether the application complies with the subchapter requirements;

- (12) Name, address and phone number of property owner and agent, if any; and
- (13) Signature of applicant or agent.

(D) *Signs not requiring permits.* Signs not requiring permits as set forth in Section 153.128 through 153.131 shall comply with all other applicable requirements and restrictions of this code.

(E) *Temporary sign permits.* Signs with a limited duration of use, such as those provided in §§ 153.130 and 153.131, shall obtain a temporary sign permit. The requirements and criteria for such signs are as follows:

- (1) A temporary sign permit is specifically required for community special event banners and signs, signs advertising the forthcoming construction of a building, exceptions granted administratively for grand openings, and one-time events.
- (2) Temporary sign permits shall be issued for no more than six months. An extension of a temporary sign permit may be obtained pursuant to the granting of a use permit.
- (3) Temporary signs shall conform to all other requirements of this code.
- (4) The fee for a temporary sign permit shall be the same as a permanent sign permit, except as otherwise noted.



## Town of Dewey-Humboldt

P.O. Box 69 / 2735 South Highway 69, Suite 10, Humboldt Station, Humboldt, AZ 86329

### **PUBLIC HEARINGS NOTICE**

PURSUANT TO ARS Sections 39-204 & 9-462.04, NOTICE IS HEREBY GIVEN OF PUBLIC HEARING in the Town of Dewey-Humboldt, Arizona as follows:

**DEWEY-HUMBOLDT PLANNING AND ZONING COMMISSION  
ON December 6, 2012 AT 6:00 PM**

**DEWEY-HUMBOLDT TOWN COUNCIL  
ON December 18, 2012 AT 6:30 PM**

Hearings will be conducted at Town Hall, 2735 South Highway 69, Suite 10, Humboldt Station  
Humboldt, and Arizona 86329

#### **PUBLIC HEARING ITEMS:**

#### **ITEM: TEXT AMENDMENT TO TOWN CODE §153.125-138 (Sign Code)**

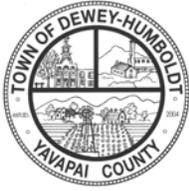
**Request:** To repeal the Dewey-Humboldt Sign Code, (Sections 153.125 through 153.128) and adopt a new Sign Code, Town Code Sections 153.125 through 153.138, inclusive.

**Applicant:** Town of Dewey-Humboldt

**General Description of Amendment:** Section 153.125 Purpose: Amends the Purpose statement. Section 153.126 Definitions: Adds definitions of "Banner", "Changeable Copy", "Comprehensive Sign Plan", "Emblem", "Erect", "Flag", "Ground Level", "Logo", "PAD", "Poster", "Religious Symbols", "Sandwich Board", "Sign, Commemorative", "Sign, Construction", "Sign, Directional", "Sign, Governmental", "Sign, Informational", "Sign, Permanent", "Sign, Property", "Sign, Subdivision", "Sign Temporary", and "Standard"; Amends definitions of "Frontage", "Sign, Abandoned", "Sign, Directional", "Sign, Directory", "Sign, Freestanding", "Sign, Identification", "Sign, Illuminated", "Sign, Non-Conforming", "Sign, Number of Faces On", "Sign, Off-Premises", "Sign, On-Premises", "Sign, Political", "Sign, Portable", "Sign, Projecting", "Sign, Wall", Deletes the definitions of "Commercial and/or Industrial Center", "Construction (beginning)", "Grade", "Interstate Freeway Interchange", "Lighting, Internal Reverse Print", "Mansard", "Marquee", "Parapet", "Reconstruction, substantial", "Roofline", "Sign, Canopy", "Sign, Height", "Sign, Roof", and "Sign, Under Canopy". Section 153.127 General Provisions: Prohibits audible signs, lighted beacons, searchlights or similar lights, signs encroaching on or overhanging adjacent property and public right-of-way signs painted on natural objects, signs exceeding 30 feet in height, signs interfering with traffic signs or obstructing a driver's view, obscene signs; requires signs not permitted in residential zones to be at least 20 feet from a residential zone and requires new signs exceeding 8 square feet in area or 8 feet in height to obtain a permit; requires signs deemed dangerous, abandoned or in substantial violation to be removed in 30 days and excludes informational sign from sign area of identification wall signs under certain circumstances; adds a provision of "non-conforming signs". Section 153.128

Exempt Signs: authorized official notices, directory or informational signs; commemorative signs, emblems, posters, flags, religious symbols, sandwich boards, interior signs in commercial zones, political signs do not require permits but must comply with regulations set forth in this section. Section 153.129 Special Purpose Signs: Permit requirements are set forth for directory or informational signs, property signs, construction signs, and subdivision signs. Section 153.130 Off-Premise Signs: Sets forth regulations for off-premise signs, permanent wall-mounted and ground-mounted and temporary off-premise signs including banners and other temporary means of advertising. For each type of sign, this section sets forth number permitted, area and height restrictions, and whether lighting is allowed. Section 153.131 Sign Regulations for Use Districts (B)(C): Sets forth additional regulations for signs on in residential districts, commercial, educational, religious, industrial districts, commercial complexes and planned area developments in the Town. Section 153.136 Sign Regulations, Mobile Home, Travel Trailer and Recreational Vehicle Parks: Sets forth regulations for entrance signs, signs within the park and signs identifying such parks. Section 153.138 Sign Permits: Sets forth the requirements for applications and issuance of sign permits.

NOTICE TO THE PUBLIC: The full text of the amendment may be viewed at Town Hall, Monday through Thursday from 8:00 am to 5:00 pm or on Friday from 8:00 am to 12:00 noon. Interested persons may submit letters in support or opposition of a Public Hearing Item by directing written correspondence to the Town of Dewey-Humboldt, PO Box 69, Humboldt, Arizona 86329. For more information, contact Dewey-Humboldt Town Clerk, Judy Morgan, at (928) 632-8562/ Fax 928-632-7365. The Planning and Zoning Commission may vote to recommend approval of the amendment to the Town Council. The Town Council may vote to approve, modify or deny the proposed amendment.



**TOWN OF DEWEY-HUMBOLDT**  
**P.O. BOX 69**  
**HUMBOLDT, AZ 86329**  
**Phone 928-632-8562 ▪ Fax 928-632-7365**

---

**TOWN COUNCIL REGULAR MEETING**  
**December 18, 2012, 6:30 Town Council Meeting Chambers**

**Agenda Item # 9.1**

**To: Mayor and Town Council Members**  
**From: Yvonne Kimball, Town Manager**

**Date submitted: December 12, 2012**

**Agenda Item: Ordinance 12-93 Sign Code Amendments**

**Recommended action:** Contingent upon Council approval of the revised sign code, approve Ordinance 12-93.

**Summary:**

Should the Council decide to accept the revised signed code as presented; this ordinance is to ratify that decision. Since the "sign code" is indeed part of the Town Code of Ordinance, in order to amend the existing sign code in the code book, an ordinance to ratify the revision is recommended. If the Council decides to reject the revised sign code as it presents, this item would become unnecessary.

Attachments: Final version of revised sign code, public hearing notice

ORDINANCE No. \_\_\_\_

AN ORDINANCE OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF DEWEY-HUMBOLDT, COUNTY OF YAVAPAI, ARIZONA, REPEALING SECTIONS 153.125 THROUGH 153.138 OF THE TOWN OF DEWEY-HUMBOLDT CODE OF ORDINANCES; DECLARING THE DOCUMENT ENTITLED "TOWN OF DEWEY-HUMBOLDT SIGN CODE, DATED DECEMBER 18, 2012" AS A PUBLIC RECORD; ADOPTING THE "TOWN OF DEWEY-HUMBOLDT SIGN CODE, DATED DECEMBER 18, 2012" BY REFERENCE; AMENDING THE TOWN OF DEWEY-HUMBOLDT, ARIZONA CODE OF ORDINANCES, TITLE XV LAND USAGE, CHAPTER 153 ZONING REGULATIONS BY ADOPTING SECTION 153.125 PURPOSE TO EXPLAIN THE PURPOSE OF THE SIGN REGULATIONS, SECTION 153.126 DEFINITIONS TO DEFINE THE VARIOUS TYPES OF SIGNS AND SIGN-RELATED TERMS, SECTION 153.127 GENERAL PROVISIONS RELATED TO PROHIBITING SIGNS THAT ARE AUDIBLE, LIGHTED BEACONS, SEARCHLIGHTS, ATTACHED TO UTILITY POLES, LIGHT STANDARDS OR BRIDGES, ENCROACH ON OR OVERHANG ADJACENT PROPERTY AND PUBLIC RIGHTS-OF-WAY, PAINTED ON NATURAL OBJECTS, EXCEED 30 FEET IN HEIGHT, INTERFERE WITH TRAFFIC SIGNS OR OBSTRUCT A DRIVER'S VIEW, OR ARE OBSCENE AND PROVIDING REGULATIONS FOR SIGNS ON RESIDENTIAL LOTS, PERMITS, MEASUREMENT OF SIGN AREA AND DANGEROUS SIGNS; SECTION 153.128 EXEMPT SIGNS DECLARING CERTAIN TYPES OF SIGNS TO BE EXEMPT FROM PERMITTING REQUIREMENTS BUT NOT FROM REGULATIONS; SECTION 153.129 SPECIAL PURPOSE SIGNS RELATED TO PERMITTING REQUIREMENTS FOR DIRECTORY OR INFORMATIONS SIGNS, PROPERTY SIGNS, CONSTRUCTION SIGNS AND SUBDIVISION SIGNS; SECTION 153.130 OFF-PREMISE SIGNS REGULATING OFF-PREMISE SIGNS, PERMANENT GROUND-MOUNTED SIGNS AND TEMPORARY SIGNS SUCH AS BANNERS REGARDING PERMITTED LOCATIONS, AREA AND HEIGHT RESTRICTIONS, NUMBER OF SIGNS PERMITTED AND SIMILAR REGULATIONS; SECTION 153.131 SIGN REGULATIONS FOR USE DISTRICTS (B)(C) PROVIDING ADDITIONAL REGULATIONS FOR SIGNS IN RESIDENTIAL, COMMERCIAL, EDUCATIONAL, RELIGIOUS, INDUSTRIAL ZONING DISTRICTS, COMMERCIAL COMPLEXES AND PLANNED AREA DEVELOPMENTS IN THE TOWN; SECTION 153.136 SIGN REGULATIONS, MOBILE HOME, TRAVEL TRAILER AND RECREATIONAL VEHICLE PARKS, SETTING FORTH REGULATIONS FOR ENTRANCE AND IN-PARK SIGNS; AND SECTION 153.138 SIGN PERMITS SETTING FORTH REQUIREMENTS FOR APPLICATIONS AND ISSUANCE OF SIGN PERMITS; PROVIDING FOR A SAVINGS CLAUSE; PROVIDING FOR

## REPEAL OF CONFLICTING ORDINANCES; AND PROVIDING PENALTIES

**Whereas**, that certain document entitled “Town of Dewey-Humboldt Sign Code, dated December 18, 2012”, 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 hereby ordered to remain on file with the Town Clerk; and

**Whereas**, the Town Council has determined that the proposed amendments will enhance the aesthetics of the Town and provide clear and reasonable time, place and manner regulations for signs, and it is in the best interest of the public health, safety and general welfare of the Town to adopt the proposed amendments;

**Now, Therefore**, Be it ordained by the Mayor and Common Council of the Town of Dewey-Humboldt, Arizona, as follows:

### Section I. In General

The Town of Dewey-Humboldt, Arizona Code of Ordinances, Title XV Land Usage, Chapter 153 Zoning Regulations, Sections 153.125 through 153.138 are hereby repealed.

The Town of Dewey-Humboldt, Arizona Code of Ordinances, Title XV Land Usage, Chapter 153 Zoning Regulations is hereby amended by adopting Sections 153.125 Purpose, 153.126 Definitions, 153.127 General Provisions, 153.128 Exempt Signs, 153.129 Special Purpose Signs, 153.130 Off-Premise Signs, 153.131 Sign Regulations for Use Districts (B)(C), 153.136 Sign Regulations, Mobile Home, Travel Trailer and Recreational Vehicle Parks, and 153.138 Sign Permits, all as set forth in that document entitled “Town of Dewey-Humboldt Sign Code, dated December 18, 2012”, which document is hereby adopted and incorporated by reference.

### Section II. Savings Clause

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.

### Section III. Repeal of Conflicting Ordinance

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.

Section IV. Penalties

Any person found responsible for violating any provision of this Ordinance shall be subject to the civil sanctions and habitual offender provisions set forth in Section 10.99 of the Dewey-Humboldt Code of Ordinances

**PASSED AND ADOPTED** by the Mayor and Common Council of the Town of Dewey-Humboldt, Arizona, this \_\_\_\_ day of \_\_\_\_\_, 2012, by the following vote:

AYES: \_\_\_\_\_

NAYES: \_\_\_\_\_ ABSENT: \_\_\_\_\_

EXCUSED: \_\_\_\_\_ ABSTAINED: \_\_\_\_\_

APPROVED this \_\_\_\_ day of \_\_\_\_\_, 2012.

\_\_\_\_\_  
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. \_\_\_\_\_ ADOPTED BY THE COMMON COUNCIL OF THE TOWN OF DEWEY-HUMBOLDT, ARIZONA ON THE \_\_\_\_ DAY OF \_\_\_\_\_, 2012, WAS POSTED IN THREE PLACES ON THE \_\_\_\_ DAY OF \_\_\_\_\_, 2012.

\_\_\_\_\_  
Judy Morgan, Town Clerk

