

MARANA ORDINANCE NO. 2016.020

RELATING TO BUILDING; ADOPTING BY REFERENCE LOCAL AMENDMENTS TO THE 2012 INTERNATIONAL PROPERTY MAINTENANCE CODE TO DESIGNATE THE BOARD OF ADJUSTMENT AS THE APPELLATE REVIEW BODY FOR PROPERTY MAINTENANCE ACTIONS ENFORCED BY THE TOWN; AND DECLARING AN EMERGENCY

WHEREAS the Town Council is authorized by A.R.S. § 9-467 to require building permits; and

WHEREAS the Town Council is authorized by A.R.S. § 9-802 to adopt codes and public records by reference; and

WHEREAS on April 16, 2013, the Town Council adopted Ordinance 2013.007, adopting by reference the 2012 International Property Maintenance Code, which was made a public record by Resolution No. 2013-034; and

WHEREAS the Town Council finds that the amendments to the 2012 International Property Maintenance Code established by this ordinance are necessary for the public health safety and general welfare of the Town of Marana.

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE TOWN OF MARANA, as follows:

SECTION 1. The amendments to the 2012 International Property Maintenance Code, one paper copy and one electronic copy of which are on file in the office of the Town Clerk of the Town of Marana, AZ, which were made a public record by and attached as Exhibit A to Resolution No. 2016-090 of the Town of Marana, Arizona, are hereby referred to, adopted and made a part of this ordinance as if fully set out here.

SECTION 2. The various town officers and employees are authorized and directed to perform all acts necessary or desirable to give effect to this ordinance.

SECTION 3. All ordinances, resolutions, or motions and parts of ordinances, resolutions, or motions of the Council in conflict with the provisions of this ordinance are hereby repealed, effective as of the effective date of this ordinance.

SECTION 4. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, the decision shall not affect the validity of the remaining portions of this ordinance.

SECTION 5. Since it is necessary for the preservation of the peace, health and safety of the Town of Marana that this ordinance become immediately effective, an emergency is hereby declared to exist, and this ordinance shall be effective immediately upon its passage and adoption.

PASSED AND ADOPTED by the Mayor and Council of the Town of Marana, Arizona, this 6th day of September, 2016.



ATTEST:


Jocelyn C. Bronson, Town Clerk



Mayor Ed Honea

APPROVED AS TO FORM:


Frank Cassidy, Town Attorney

MARANA RESOLUTION NO. 2016-090

RELATING TO BUILDING; DECLARING AS A PUBLIC RECORD FILED WITH THE TOWN CLERK THE LOCAL AMENDMENTS TO THE 2012 INTERNATIONAL PROPERTY MAINTENANCE CODE ADOPTED BY ORDINANCE NO. 2016.020

BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE TOWN OF MARANA, ARIZONA, that the local amendments to the 2012 International Property Maintenance Code, a copy of which is attached to and incorporated in this resolution as Exhibit A and one paper copy and one electronic copy of which are on file in the office of the Town Clerk, are hereby declared to be a public record and ordered to remain on file with the Town Clerk.

PASSED AND ADOPTED BY THE MAYOR AND COUNCIL OF THE TOWN OF MARANA, ARIZONA, this 6th day of September, 2016.



ATTEST:


Jocelyn C. Bronson, Town Clerk


Mayor Ed Honea

APPROVED AS TO FORM:

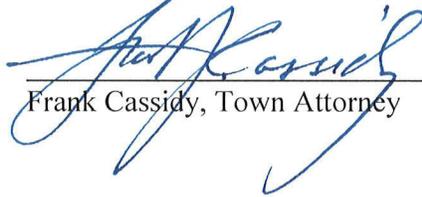

Frank Cassidy, Town Attorney

EXHIBIT A TO MARANA RESOLUTION NO. 2016-090

**Town of Marana Amendments to the
2012 International Property Maintenance Code**

Section 103.4 Liability. REVISE section by **DELETING** “board of appeals” and **REPLACING** it with “Board of Adjustment”.

Section 109.6 Hearing. REVISE by **DELETING** “appeals board” and **REPLACING** it with “Board of Adjustment”.

Section 111.1 Application for Appeal. REVISE section by **DELETING** “board of appeals” and **REPLACING** it with “Board of Adjustment”. REVISE by **DELETING** “20 days” and **REPLACING** it with “10 days”.

Section 111.2 Membership of board. REVISE by **DELETING** this section and its subsections in their entirety.

Section 111.3 Notice of meeting. REVISE by **DELETING** paragraph in its entirety and **REPLACING** it with “Within seven business days after receipt of the owner’s, occupant’s or lessee’s request for appeal, the town shall either withdraw or modify the notice or schedule an appeal hearing before the Board of Adjustment. The owner, occupant or lessee shall be notified in writing by certified mail of the date, time and location of the hearing. The hearing shall be scheduled not less than 15 calendar days and no more than 30 calendar days after receipt by the town clerk of the request for hearing.”

Section 111.4 Open hearing. REVISE by **DELETING** Title “Open hearing” and **REPLACING** it with “Hearing”. REVISE by **DELETING** remaining paragraph and subsections in their entirety and **REPLACING** them with “The hearing shall be conducted in an informal manner and the rules of evidence shall not apply. The owner, occupant or lessee may be represented by an attorney. The Board of Adjustment may affirm or withdraw the notice or modify the scope of the work required by the notice. The decision of the Board of Adjustment is final.”

Section 111.7 Court review. REVISE by **DELETING** this section in its entirety.

Section 202 General Definitions. REVISE [A] Code Official by **ADDING** the following to the end of the paragraph: as designated by the Town Manager.