

RESOLUTION R22-09-20

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF EL MIRAGE, ARIZONA, AMENDING TITLE XV, SECTIONS 151.140, 152.030 AND 155.057 OF THE CODE OF THE CITY OF EL MIRAGE.

WHEREAS, the Mayor and City Council have adopted Title XV of the City Code to provide rules and regulations regarding development within the City with Chapter 151 “Public Rights-of-Way; Encroachments”, Chapter 152 “Property Development; Off-site Construction Improvement Requirements”, and Chapter 155 “Subdivisions”; and

WHEREAS, several Sections within these Chapters refer to the undergrounding of utilities for both existing and proposed lines; and

WHEREAS, the City of El Mirage would like to revise these Sections to provide clarity as well as to allow the City Council to provide relief from the undergrounding requirements of existing overhead utility lines 13 kV and under in certain scenarios; and

WHEREAS, Arizona Revised Statutes § 9-802 provides a procedure whereby a municipality may enact the provisions of a code or public record by reference, without setting forth such provisions, provided that the adopting ordinance is published in full;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the City of El Mirage, Arizona that the City of El Mirage City Code be amended as follows:

Section 1. That the document attached hereto as Exhibit “A” amending Sections 151.140, 152.030 and 155.057 of the City Code to be revised for clarity purposes as well as allow relief from the undergrounding of existing overhead utility lines 13 kV and under at the discretion of City Council is hereby declared to be a public record.

Section 2. That the document attached hereto as Exhibit “A”, shall amend Sections 151.140, 152.030 and 155.057 of the City Code and is ordered to remain on file with the City Clerk.

PASSED AND ADOPTED by the Mayor and Council of the City of El Mirage this 8th day of September 2022.

Alexis A. Hermosillo, Mayor

ATTEST:

APPROVED AS TO FORM:

Sharon Antes, City Clerk

Justin Pierce, City Attorney

CERTIFICATION OF RECORDING OFFICER

STATE OF ARIZONA)
County of Maricopa) ss.

I, the undersigned, Sharon Antes, being the duly appointed, qualified City Clerk of the City of El Mirage, Maricopa County, Arizona, certify that the foregoing Resolution No. R22-09-20 is a true, correct and accurate copy of Resolution No. R22-09-20, passed and adopted at a Voting Meeting of the Council of the City of El Mirage, Maricopa County, Arizona, held on the 8th day of September 2022, at which a quorum was present and, by a _____ vote, _____ voted in favor of said resolution.

Given under my hand and sealed this _____ day of _____, 20____.

Seal

City Clerk