

## **ORDINANCE O23-04-04**

### **A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF EL MIRAGE, ARIZONA, AMENDING TITLE XV, SECTION 151.141, AND ADDING TITLE XV, SECTIONS 151.141 TO 151.145 TO 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 including Chapter 151 “Public Rights-of-Way; Encroachments”; and

**WHEREAS**, several Sections within this Chapter discuss the requirements for the installation of various utilities within the City; and

**WHEREAS**, the City of El Mirage would like to add Sections to provide specific requirements for high-voltage electric transmission lines; 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 ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF EL MIRAGE, ARIZONA**, as follows:

- Section 1. That certain document titled “Exhibit A” which document was made public record by Resolution R22-04-04 amending Title XV, Sections 151.141 and adding Title XV, Sections 151.141 to 151.145 to the Code of the City of El Mirage, is hereby referred to, adopted, and made part of the El Mirage City Code as if fully set out in this Ordinance.
- Section 2. All ordinances, resolutions, or codes in conflict with the provisions of this Ordinance or Code adopted by this Ordinance are repealed
- Section 3. If any section, subsection, sentence, clause, phrase, or portion of this Ordinance in any part of this addition adopted here by reference is for any reason held invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions thereof.
- Section 4. The City Clerk is hereby directed to publish this adopting ordinance in full and will become effective at the time and manner prescribed by law.

**PASSED, ADOPTED AND APPROVED** by the Mayor and Council of the City of El Mirage, Arizona this 18<sup>th</sup> day of April 2023.

\_\_\_\_\_  
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 Ordinance No. O23-04-04 is a true, correct and accurate copy of Ordinance No. O23-04-04, passed and adopted at a Voting Meeting of the Council of the City of El Mirage, Maricopa County, Arizona, held on the 18<sup>th</sup> day of April 2023, at which a quorum was present and, by a \_\_\_\_\_ vote, \_\_\_\_\_ voted in favor of said ordinance.

Given under my hand and sealed this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

Seal

\_\_\_\_\_  
Sharon Antes, City Clerk