

ORDINANCE NO. 2021-1508

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF GOODYEAR, MARICOPA COUNTY, ARIZONA, CONDITIONALLY REZONING APPROXIMATELY 40-ACRES FROM R1-6 (SINGLE-FAMILY RESIDENTIAL) TO MF-12 (MULTI-FAMILY) ON THE EASTERN 19.18-ACRES AND MF-24 (MULTI-FAMILY) ON THE WESTERN 20.95-ACRES; ADOPTING FINDINGS; AMENDING THE ZONING MAP OF THE CITY OF GOODYEAR; PROVIDING FOR NON-ABRIDGMENT, CORRECTIONS, SEVERABILITY, AN EFFECTIVE DATE, AND PENALTIES.

WHEREAS, this ordinance applies to approximately 40-acres located southwest of 173rd Avenue and Lower Buckeye Road as more particularly described in that certain document titled "Legal Description – Cotton Commons" declared a Public Record by Resolution No. 2021-2169, and which is referred to and incorporated herein by this reference (the "Property"); and

WHEREAS, the Property is located within West Goodyear and is one of the original "West Goodyear Properties" that was subject to that certain Memorandum of Understanding ("MOU") Regarding West Goodyear Regional Infrastructure dated May 11, 2005 recorded in the official records of Maricopa County Recorder as instrument 2005-1315299, which was approved by Resolution 2005-981 (the "West Goodyear MOU"); and

WHEREAS, on June 13, 2005, the Goodyear City Council adopted Ordinance 2005-945 rezoning the Property to R1-6 (Single-Family Residential) zoning district which was adopted by Ordinance No. 05-945; and

WHEREAS, on or about June 13, 2016, the City of Goodyear and the then owner of the Property entered into a Development Agreement for Cotton Commons, which was approved by the Goodyear City Council by Resolution 2016-1765 and recorded in the Official Records of the Maricopa County Recorder as instrument 2016 0423816; and

WHEREAS, master water and wastewater studies and amendments and supplements thereto have been adopted that identify regional water and wastewater lines needed to serve the West Goodyear Properties, including the Property (collectively the "West Goodyear Master Water and Wastewater Studies"); and

WHEREAS, the regional water and wastewater lines identified in the West Goodyear Master Water and Wastewater Studies were determined based on water demands for the properties within the study area, which demand was calculated based on the zoning and land use designations of the properties within the study area and requirements of applicable development regulations; and

WHEREAS, cost recovery resolutions have been adopted and amended as needed to reflect the changes to the master water and wastewater studies to provide for reimbursements from the properties benefitted by the regional water and wastewater lines that are constructed or that would be constructed by others; and

WHEREAS, Cost Recovery Resolution of Intention No. 06-1064 as amended by Resolution No. 14-1621 and Resolution No. 16-1747 (the “Cost Recovery Resolution – Water Delivery Lines”) identifies regional water delivery lines that when completed will benefit the Property; and

WHEREAS Cost Recovery Resolution of Intention No. 06-1065 as amended by Resolution No. 14-1622 and Resolution No. 16-1748 (the “Cost Recovery Resolution – Wastewater Trunk Lines”) identifies regional wastewater trunk lines that when completed will benefit the Property; and

WHEREAS, all of the regional water delivery lines identified in the Cost Recovery Resolution – Water Delivery Lines as benefitting the Property have been completed and Owner is responsible for making a cost recovery payment for each regional water delivery line identified in the Cost Recovery Resolution – Water Delivery Lines as benefitting the Property; and

WHEREAS, all of the regional wastewater trunk line identified in the Cost Recovery Resolution – Wastewater Trunk Lines as benefitting the Property have been completed and Owner is responsible for making a cost recovery payment for each regional wastewater trunk line identified in the Cost Recovery Resolution – Wastewater Trunk Lines as benefitting the Property; and

WHEREAS, the owner of the Property is seeking to rezone approximately 20.95-acres of the Property located on the western side of the Property as more particularly described a that certain document titled “Legal Description – Cotton Common MF-24 Parcel” declared a Public Record by Resolution No. 2021-2169, and which is referred to and incorporated herein by this reference (the “MF-24 Parcel”) from R1-6 (Single-Family Residential) zoning district to MF-24 (Multi-Family Residential) zoning district; and

WHEREAS, the owner of the Property is seeking to rezone approximately 19.18-acres of the Property located on the eastern side of the Property as more particularly described a that certain document titled “Legal Description – Cotton Common MF-12 Parcel” declared a Public Record by Resolution No. 2021-2169, and which is referred to and incorporated herein by this reference (the “MF-12 Parcel”) from R1-6 (Single-Family Residential zoning district to MF-12 (Multi-Family Residential) zoning district; and

WHEREAS, the General Plan designates the Property as being within a General Plan Land Use Designation of Neighborhoods; and

WHEREAS, a rezoning of the Property from R1-6 (Single-Family) to MF-12 (Multi-Family) and MF-24 for the development of a multi-family community is consistent with the current General Plan; and

WHEREAS, the increase in densities that will result from the proposed rezoning will result in an increase in the amount of potable water needed to serve the Property and an increase in the discharges to the city’s wastewater treatment plant than reflect in the West Goodyear Master Water and Wastewater Studies, which may require additional water and/or sewer infrastructure improvements other than the infrastructure improvements reflected in the West Goodyear Master Water and Wastewater Studies; and

WHEREAS, Owner is responsible for constructing, at Owner's sole cost and expense, all additional water and sewer infrastructure needed to serve the Property; and

WHEREAS, the proposed zoning is in conformance with the General Plan and will not adversely impact the surrounding area; and

WHEREAS, an alternative citizen review process was conducted for this proposal due to the city of Goodyear Emergency Declaration in Response to Coronavirus and notice of the application was provided to property owners within 500 feet of the property at least 35 calendar days prior to public hearing to provide ample opportunity for input prior to noticing the public hearing itself and was mailed on May 22, 2021; and

WHEREAS, a public notice that this rezoning request would be considered and reviewed at a public hearing to be held before the Planning and Zoning Commission on September 15, 2021 appeared in the Arizona Republic Southwest Valley Edition August 27, 2021; postcards were mailed to adjoining owners on August 19, 2021; and a sign was posted on the site on August 27, 2021; and

WHEREAS, a public hearing was held before the Planning and Zoning Commission on September 15, 2021, nine households spoke in opposition to the rezoning request and an additional two members of the public filled out forms stating they were opposed to the rezoning request. The members of the public were from the adjacent El Cidro and Sin Lomas communities. The speakers stated concerns with increased traffic, increased crime, loss of views, noise, transient renters and homelessness; and

WHEREAS, following the public hearing, the Commission voted 4-1 to recommend approval of the proposed rezoning subject to stipulations; and

WHEREAS, a public notice that this rezoning request would be considered and reviewed at a public hearing to be held before the City Council on September 27, 2021 appeared in the Arizona Republic Southwest Valley Edition August 27, 2021; postcards were mailed to adjoining owners on August 19, 2021; and a sign was posted on the site on August 27, 2021; and

WHEREAS, the Mayor and Council of the City of Goodyear, Arizona find the adoption of this ordinance to be in the best interests of the public health, safety, and welfare.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF GOODYEAR, MARICOPA COUNTY, ARIZONA, AS FOLLOWS:

SECTION 1. DESCRIPTION OF THE PROPERTY WITHIN REZONE

This Ordinance No. 2021-1508 applies to approximately 40-acres of land in Goodyear, Maricopa County, Arizona, generally located southwest of 173rd Avenue and Lower Buckeye Road as shown on the "Official Supplementary Zoning Map No. 21-05 City of Goodyear, AZ – Rezone Case" and as legally described in that certain document titled "Legal Description – Cotton Commons," both documents having been declared public records by Resolution No. 2021-

2169 and which documents are referred to made a part hereof as if fully set forth in this Ordinance (the "Property").

SECTION 2. ADOPTION OF FINDINGS

The clauses set forth above are hereby adopted and incorporated herein by this reference as if fully set forth herein.

SECTION 3. REZONING

Approximately 20.95-acres of the Property located on the western side of the Property as more particularly described a that certain document titled "Legal Description – Cotton Common MF-24 Parcel" declared a Public Record by Resolution No. 2021-2169, and which is referred to and incorporated herein by this reference (the "MF-24 Parcel") is conditionally rezoned from R1-6 (Single-Family Residential) zoning district to the MF-24 (Multi-Family Residential) zoning district and approximately 19.18-acres of the Property located on the eastern side of the Property as more particularly described a that certain document titled "Legal Description – Cotton Common MF-12 Parcel" declared a Public Record by Resolution No. 2021-2169, and which is referred to and incorporated herein by this reference (the "MF-12 Parcel") is conditionally rezoned from the R1-6 (Single Family Residential) zoning district to the MF-12 (Multi-Family Residential) zoning district.

SECTION 4. STIPULATIONS

The rezoning and development of the Property is subject to all of the following stipulations and conditions:

1. Approval of the rezoning does not constitute approval of the site plan that has been submitted to the City. All future development will be subject to site plan review and approval by city staff, at which time all elements of site development will be reviewed, including, but not limited to, architecture, landscaping, grading and drainage, lighting, infrastructure, parking, access and circulation.
2. Except as modified the stipulations herein, the MF-12 Parcel shall be developed in accordance with all requirements in the Goodyear Zoning Ordinance including the requirements specific to the MF-12 (Multi-Family Residential) zoning district, which includes, by way of example, but not limitation, principal permitted uses, permitted accessory uses, use permit uses, special uses development regulations, parking, signage, lighting, and the City of Goodyear Design Guidelines, including the design guidelines applicable to multi-family residential.

3. Except as modified the stipulations herein, the MF-24 Parcel shall be developed in accordance with all requirements in the Goodyear Zoning Ordinance including the requirements specific to the MF-24 (Multi-Family Residential) zoning district, which includes, by way of example, but not limitation, principal permitted uses, permitted accessory uses, use permit uses, special uses development regulations, parking, signage, lighting, and the City of Goodyear Design Guidelines, including the design guidelines applicable to multi-family residential.
4. Development within the MF-24 Parcel include color schemes that add visual interest and variation to buildings on the site.
 - a. At least two (2) base colors and three (3) accent colors/materials shall be used throughout the site. The combination of base colors and accent colors/materials shall be used in a manner which creates a minimum of 4 (four) unique building schemes throughout the site.
 - b. The color palates that incorporate a variety colors and not simply shades of grays/browns.
 - c. A variation in roof height is required.
5. Development within the MF-12 Parcel include color schemes that add visual interest and variation to buildings on the site.
 - a. The main body color(s) for the individual homes (residential structures) shall be distinctly different from one another and will not simply utilize varying shades of grey or varying shades of tan to accomplish the three unique colors.
 - b. The accent colors/shades utilized on the individual homes (residential structures) shall add vibrancy to the base color of the home and not simply be a darker, lighter or muted shades/colors/version of the primary homes base color.
 - c. The upper portions of the structure, that are visible above the perimeter wall height, shall utilize different trim, fascia, siding, recessed features, shutters, pop-outs, etc. color (different than the main body color of the home (residential structure) in order to add to the uniqueness and street character of the project.
6. A West Goodyear monument sign shall be installed at the corner southwest corner of Lower Buckeye Road and 173rd Avenue to match the theme and character of the West Goodyear area (agrarian). This will be achieved by constructing a trellis or agrarian themed monument structure that says "West Goodyear" or "<Project Name> at West Goodyear "on the monumentation at this location or similar concept as determined by the Zoning Administrator.
7. The Property shall be developed to provide a minimum of one pedestrian connection from the MF-24 Parcel to 175th Avenue. If only one

pedestrian connection is provided it shall be located generally midway between Lower Buckeye Road and the Pioneer Street alignment unless otherwise approved by the Zoning Administrator in an approved Site Plan.

8. If a perimeter wall is constructed along the boundaries of the Property, it shall be cohesive between the MF-12 Parcel and MF-24 Parcel and shall compliment the overall themes established within the West Goodyear area and shall provide a complimentary transition between the existing El Cidro development theme wall.
9. Perimeter walls constructed along the boundaries of the Property shall incorporate faux picket fence and/or split rail fence, cobblestone wall pillars with end caps, and/or other agrarian elements and desert/natural colors for the primary wall (not shades of grey, white or pink). Accent colors on the theme wall are encouraged.
10. If a perimeter wall or fence is constructed along the southern boundary of the Property adjacent to the El Cidro open space corridor, view walls and/or view fencing shall be utilized except where trash enclosures, utilities and mechanical equipment need to be screened. If parking is located along the southern property line, the view wall shall have a minimum of three (3) feet of Concrete Masonry Unit (CMU) or a similar screening material at the base of the wall.
11. The maximum number of dwelling units that can be developed within the Property shall be 734.
12. A minimum 15-foot wide landscape buffer shall be installed along the southern boundary of the MF-24 Parcel. No buildings, carports, parking spaces or drive aisles/ driveways shall be located within the landscape buffer except drive aisles/driveways may cross over a landscape buffer as needed to access a parking lot. The landscape buffer may include sidewalks, parks/open space, and private yards.
13. Structures within 100 feet of the southern boundary of the Property shall not exceed 30 feet.
14. Owner shall submit water and wastewater studies required by the City Engineer or his designee that reflect the increased demands on the city's water and wastewater systems resulting from the rezoning reflected herein proposed herein. Owner shall be responsible, at Owner's sole cost, for constructing any additional water and wastewater infrastructure improvements located within the Property or outside the boundaries of the Property identified in any water and wastewater study for the Property approved by the City Engineer or his designee as being needed to provide water and wastewater service to the Property and for

conveying to the City, at no cost to the City, all easements located within the Property or outside the boundaries of the Property required for such infrastructure improvements. The easement to be conveyed to the City herein shall be in a form acceptable to the City Attorney or his designee.

15. Except as otherwise provided herein, Property Owner shall, at no cost to the City, construct full half-street improvements along and adjacent to the boundaries of the Property for the following roadways. Half-Street Improvements are the improvements required in the Engineering Design Standards and Policies Manual for the applicable street designation (i.e. scenic, major arterial, arterial, major collector, collector etc.) and include, but are not limited to curb, gutter, sidewalk, paving, half street width of medians if required, half of median landscaping, landscaping, landscape irrigation, street lights, signing and striping.
 - a. Half-Street Improvements to the section of Lower Buckeye Road (minor arterial) along and adjacent to the frontage of the Property.
 - b. Half-Street Improvements to the section of 175th Avenue (minor collector) along and adjacent to the frontage of the Property.
 - c. Half-Street Improvements to the western half of 173rd Avenue (minor collector) from where the existing sidewalk ends, which is generally at the south side of the intersection of 173rd Avenue and W. Kendall Street, to Lower Buckeye Road.
 - d. Notwithstanding the foregoing, rather than constructing half a median and installing half of the median landscaping, Property Owner shall remit to the City an in-lieu payment for one-half the cost of a full median and full-median landscaping, for any required median. The in-lieu payment for the median and landscaping shall be based on the actual cost of the improvements if previously completed by others or based on the estimated cost of the improvements as determined by the City Engineer or designee. Unless modified by the terms of a development agreement approved by the Goodyear City Council or a written phasing plan approved by the City Engineer, the in-lieu payments referred to herein shall be made prior to or concurrent with recordation of a final plat that includes the area in which the property to be dedicated is located or prior to the issuance of any permits for construction work within the Property pursuant to an approved site plan for the development of the Property that includes or is adjacent to the area in which the portion of the Property to be dedicate is located.
16. Property Owner shall dedicate, at no cost to the City, all rights-of-way and/or easements, whether within the boundaries of the Property or outside the boundaries of the Property that are: (i) needed for the construction of infrastructure improvements required for the City to

provide water and wastewater services to the Property; (ii) required to be dedicated under any applicable law, code, ordinance, rule, regulations, standards, guidelines governing the development of the Property including, but not limited to the City of Goodyear subdivision regulations, Building Codes and Regulations, and the City of Goodyear's Engineering Design Standards and Policies; (iii) required to be dedicated pursuant to any development agreement with the City regarding the development of the Property; and/or (iv) required for the construction of infrastructure improvements required to be constructed pursuant to the stipulations herein. The rights-of-way to be dedicated shall be dedicated in fee and all rights-of-ways and easements shall be dedicated lien free and, unless otherwise agreed to by the City, free of all other easements or other encumbrances. Unless the timing of the required dedications is modified by the terms of a development agreement approved by the Goodyear City Council or a written phasing plan approved by the City Engineer, all dedications shall be made prior to or concurrent with recordation of a final plat that includes the area in which the property to be dedicated is located or prior to the issuance of an permit for construction work within the Property pursuant to an approved site plan for the development of the Property that includes or is adjacent to the area in which the portion of the Property to be dedicate is located. The rights-of-way to be dedicated include, but are not limited to the following:

- a. South half of Lower Buckeye Road right-of-way, 55 feet from centerline;
 - b. East half of 175th Avenue right-of-way, 30 feet from centerline
 - c. West half of 173rd Avenue right-of-way, 30 feet from centerline, where the Property is adjacent to the existing 173rd Avenue right-of-way.
17. Owner is responsible for a proportionate share of the costs for adjacent traffic signals and for additional adjacent traffic signals identified in any approved Traffic Impact Analysis/Study for the Property as being needed. The proportionate share shall be 25% of the cost of a full traffic signal (all four legs) for each leg of the traffic signal adjacent to Property. Owner shall make an in-lieu payment for a proportionate share of the cost of each traffic signal adjacent to the Property and towards the cost of additional traffic signals identified in any approved Traffic Impact Analysis/Study for the Property as being needed. The in-lieu payment shall be based on shall be based on the actual cost of the improvements if previously completed by others or based on the estimated cost of the improvements as determined by the City Engineer or designee. The in-lieu payment shall be made at the earlier of the following: (i) prior to the recordation of any final plat that triggers the requirement for the construction of the adjacent roadway where the traffic signal is require or (ii) prior to the issuance of any construction

permit for work pursuant to any approved site plan for the development of any part of the Property that triggers the requirement for the construction of the adjacent roadway where the traffic signal is required.

18. Owner shall apply to the Arizona Department of Water Resources (ADWR) for the extinguishment of the Type 1 Rights appurtenant to the Property and request that any assured water supply credits issued by ADWR as a result of any such extinguishment be credited to the City of Goodyear. Said extinguishment shall occur prior to recordation of the first final plat subdividing all or part of the Property or the issuance of any construction permits for work within the Property, whichever is earlier.
19. Prior to recordation of the first final plat subdividing all or part of the Property or the issuance of any permit for work within the Property, whichever is earlier, a reimbursement in the amount of \$39,666.00 for the reimbursements owed per the Cost Recovery Resolution – Water Delivery Lines for water delivery lines A (\$12,035.00) and B (\$27,631.00) shall be paid to the City. No permits shall be issued for any construction work within the Property until the payments referred to herein have been paid to the City.
20. Prior to recordation of the first final plat subdividing all or part of the Property or the issuance of any permit for work within the Property, whichever is earlier, a reimbursement in the amount of \$135,759.00 for the reimbursements owed per the Cost Recovery Resolution – Wastewater Trunk Lines for wastewater trunk lines B (\$71,509.00) E (\$27,735.55) and F (\$36,514.43) shall be paid to the City. No permits shall be issued for any construction work within the Property until the payments referred to herein have been paid to the City.
21. Prior to the issuance of the first Certificate of Completion, Temporary Certificate of Occupancy or Certificate of Occupancy for any structure within the Property, all existing above ground utilities, except for electric lines that are 69kV or larger, located within and adjacent to the Property, including but not limited to, cable and electrical utilities, shall be placed underground at no cost to the City.
22. In addition to constructing the specific infrastructure identified in the stipulations herein, Owner/Developer shall construct, at no cost to the City, all public infrastructure improvements: (i) needed for the city to provide water and wastewater services to the Property and (ii) required to be constructed pursuant to any applicable law, code, ordinance, rule, regulations, standards, guidelines governing the development of the Property including, but not limited to the City of Goodyear subdivision

regulations, Building Codes and Regulations, and the City of Goodyear's Engineering Design Standards and Policies.

23. All public infrastructure improvements Owner is required to construct shall be constructed in accordance with the prevailing Engineering Design Standards at the time the improvement plans are reviewed and approved by the City Engineer, or his designee.
24. In addition to compliance with the stipulations set forth herein, the development of the Property shall comply with the Goodyear Zoning Ordinance, the City of Goodyear subdivision regulations, the City of Goodyear's Engineering Design Standards and Policies, except as modified by the City Engineer, the Maricopa County Association of Governments standards for public works construction, and all other federal, state and locals laws, ordinances, rules, regulations, standards, and policies applicable to the development of the Property.
25. All Public Sales Reports for the Property, all final plats subdividing all or part of the Property, and all rental agreements for the rental of any unit within the Property shall include disclosures that the Property is in close proximity to agricultural uses and may therefore be subject to noise, dust, and odors associated with such uses.
26. All Public Sales Reports for the Property, all final plats subdividing all or part of the Property, and all rental agreements for the rental of any unit within the Property shall include disclosures that the Property is subject to attendant noise, vibrations, dust, and all other effects that may be caused by overflight and by the operation of aircraft landing at, or taking off from, Luke Air Force Base.
27. Signage shall be posted within all sales and rental office offices identifying the location of the Luke Air Force Base: Accident Potential Zones (APZs), 65 Ldn and higher noise contours, departure corridors, and vicinity boundary. This display shall include a 24-inch x 36-inch map at the main entrance of such sales and rental offices and shall include the approximate locations of the Luke Air Force Base: Accident Potential Zones (APZs), 65 Ldn and higher noise contours, departure corridors, and vicinity boundary and all of the buildings on the Property.

SECTION 5. AMENDMENT TO THE ZONING MAP

The Zoning Map of the City of Goodyear is hereby amended to reflect the rezoning of the Property provided for herein by the adoption of the "Official Supplementary Zoning Map No. 21-05 City of Goodyear, AZ – Rezone Case"

declared a public record by Resolution No. 2021-2169, which is referred to and made a part hereof as if fully set forth in this Ordinance, and the "Official Supplementary Zoning Map No. 21-05 City of Goodyear, AZ – Rezone Case" shall be filed with the City Clerk in the same manner as the Zoning Map of the City of Goodyear.

SECTION 6. ABRIDGEMENT OF OTHER LAWS

Except where expressly provided, nothing contained herein shall be construed to be an abridgement of any other ordinance, regulation, or requirement of the city of Goodyear.

SECTION 7. CORRECTIONS

The Zoning Administrator, the City Clerk, and the codifiers of this Ordinance are authorized to make necessary clerical corrections to this Ordinance, including, but not limited to, the correction of scrivener's/clerical errors, references, ordinance numbering, section/subsection numbers and any references thereto.

SECTION 8. SEVERABILITY

If any provision of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining provisions of the ordinance or parts thereof.

SECTION 9. EFFECTIVE DATE

This Ordinance shall become effective as prescribed by law.

SECTION 10. PENALTIES

Any person who violates any provision of this Ordinance shall be subject to penalties set forth in Section 1-2-3 of the city of Goodyear Zoning Ordinance as it may be amended from time to time and which currently provides:

Section 1-2-3 Violations and Penalties

- A. It is unlawful to construct, erect, install, alter, change, maintain, use or to permit the construction, erection, installation, alteration, change, maintenance, or use of any house, building, structure, sign, landscaped area, parking lot or fence, or to permit the use of any lot or land contrary to, or in violation of any provisions of this Ordinance, or of any conditions, stipulations or requirements included as a condition of any applicable approval. Any land use that is specifically prohibited by this Ordinance or is unspecified and not classified by the Zoning Administrator is prohibited in any district.

- B. Responsible Party. The responsible party for any violations hereunder is the owner of personal property improvements or real property and/or person in possession or control of any personal property improvements or real property (Person). The responsible party shall be responsible for any violations hereunder whether or not the responsible party or its agent committed the prohibited act(s) or neglected to prevent the commission of the prohibited act(s) by another.
- C. Every Responsible Party shall be deemed responsible or guilty of a separate offense for each and every day during which any violation is committed or continued.
- D. Penalty. Any Person who violates any of the provisions of this Ordinance and any amendments there to and/or any conditions, stipulations or requirements included as a condition of any applicable approval shall be:
1. Subject to civil sanctions of not less than one hundred dollars (\$100) nor more than one thousand dollars (\$1,000) per offense; or
 2. Guilty of a class 1 misdemeanor, punishable by a fine not exceeding two thousand five hundred dollars (\$2,500), or by a term of probation not exceeding three (3) years, or imprisonment for a term not exceeding six (6) months, or punishable by a combination of fine, probation or imprisonment. The City Prosecutor is authorized to file a criminal misdemeanor complaint in the city of Goodyear Municipal Court for violations hereunder.

PASSED AND ADOPTED by the Mayor and Council of the city of Goodyear, Maricopa County, Arizona, this _____ day of _____, 20_____.

Georgia Lord, Mayor

Date: _____

ATTEST:

APPROVED AS TO FORM:

Darcie McCracken, City Clerk

Roric Massey, City Attorney