



MINUTES

PLANNING AND ZONING COMMISSION REGULAR MEETING

Tuesday, September 30, 2025 - 5:30 P.M.
155 N. TEGNER STREET WICKENBURG, ARIZONA 85390

A. CALL TO ORDER - Chair Green called the meeting to order at 5:30 PM

B. PLEDGE ALLEGIANCE – Led by Chair Green

C. INVOCATION – Led by Chair Green

D. ROLL CALL

Present: Bill Green, Chair
Kristi Henson, Vice Chair
Bill Holder, Member
Connie Jenson, Member
Tom Pollei, Member
Darcy Wekell, Member
Absent: Verne Crissman, Member
Bill Cowles, Alternate Member
Art Rubash, Council Liaison
Staff Present: Steve Boyle, Community Development Director
Amy Brown, Town Clerk

E. CALL TO THE PUBLIC – No Response

F. ITEMS OF BUSINESS

1. Consideration and Action to Approve the Minutes of July 29, 2025

MOVED BY Member Henson to approve the minutes of July 29, 2025

SECONDED BY Member Pollei

VOTE: 6 - 0 (Yes – Chair Green, Members Henson, Holder, Jenson, Pollei, and Wekell)

2. Consideration and Action on the Comprehensive Update of the Property Maintenance Code

Steve Boyle, Community Development Director, stated that this will be a new code for property maintenance. This proposed code was taken to the Council for

their input. They recommended having the Planning and Zoning Commission review to provide more insight. JT Stone will present this item as he has been with the Town of Wickenburg for one year as code enforcement after the Council placed an emphasis on code enforcement. This will move away from the International Property Maintenance Code into one that is specific to Wickenburg.

JT Stone, Community Development Specialist, stated that he retired from the Albuquerque Police Department after twenty years and was able to move to beautiful, clean, and safe Wickenburg. His goal is to keep the community that way which is how he sees property maintenance and code enforcement working. It's how we keep Wickenburg looking good and living safe—one yard, one building, one block at a time. It's about fixing what's broken, cleaning what's messy, and taking pride in where we live—"The Wickenburg Way." Wickenburg's character depends on it. When properties are clean, safe and cared for: neighbors feel pride, visitors see our values, hazards are prevented, and our western charm stays alive. Property Maintenance isn't just code—it's community. The purpose of this code is to accomplish the following:

- Protect health, safety, community pride
- Transition from criminal to civil enforcement
- It's local, aligns with The Wickenburg Way: Responsibility, Respect, and Community
- Fulfills commitment to the Strategic Plan of the Town Council
- Code Officials issue citations directly when needed

Property maintenance is dealing with weeds, overgrown vegetation, inoperable vehicles, unsafe structures, unsecured structures, accumulation of debris, manure, or garbage and green or hazardous pools. Property maintenance is not lighting issues such as the Western Skies, signs, banners, grading land, construction issues or setbacks. Those issues are dealt with in other areas of the Town Code.

The current International Property Maintenance Code (2012) has a criminal pathway, is less tailored for rural needs, isn't adapted to local values, lacks citation authority and is lenient on repeat offenders. This has led to slower compliance, a heavier legal process, and higher cost for the town and residents. The proposed new property maintenance code has a civil citation pathway with the goal of educating before enforcement, is adapted for the rural lifestyle, is built for "The Wickenburg Way", gives the code official citation authority, and includes a provision that recidivists may face criminal charges. This is a more balanced approach working toward compliance before punishment. There will also be a recognition or thank you aspect to recognize residents or businesses who are doing a great job keeping the town looking good.

There are some key definitions to help understand this code including:

- Blight – Neglect, decay, visual property disorder
- Debris – Junk, trash, discarded unsafe materials

- Unsafe Structure – Hazardous, damaged, unsecured building condition
- Recidivist – Repeat violator within two years
- Abandoned Vehicle – Inoperable, unregistered, unmoved vehicle present
- Code Official – Town enforcement lead, designated authority
- Abate- Reduce, remove, or fix the violation

The enforcement pathway includes the following:

- Start with education and conversation – This will be a friendly reminder
- Courtesy notice explains violations clearly
- Notice of violation warns of possible citation
- Civil citations issued directly by officials
- Inspection warrants available through court
- Recidivists may face misdemeanor charges
- Streamlined process: compliance, not punishment

The town is trying to create property standards that make sense including:

- Structures must be sound and safe
- No unsecured or boarded-up openings
- Exterior surfaces maintained in good repair
- Yards free from trash and debris
- Landscaping trimmed, safe, and maintained
- Vehicles limited, screened, or covered
- Visible address for emergency responders
- Remove weeds, tumbleweeds, and hazards
- No stagnant water or unsafe pools
- Graffiti removed promptly
- Manage animal waste and manure piles
- Prevent pest infestations of unsafe conditions

If there are vacant property or unsafe properties, the town will have the following requirements:

- Must remain secure and well maintained
- Unsafe structures subject to condemnation
- Demolition possible for dangerous buildings as per the Town
- Town may abate and lien costs
- Emergency action for immediate safety threats
- Reinforces western pride in neighborhoods

Penalties can include the following:

- Civil citation: \$250 first offense
- Civil citation: \$500 second offense
- Direct citations issued by Code Officials – eliminates the need for law enforcement or process server being involved
- Town may abate and lien a property

- Fair, common-sense Wickenburg Way enforcement
- Recidivists may face misdemeanor charges

The impact of this new code will be to protect health, safety, and the community by preserving the western character and rural identity. This will be a streamlined civil approach which will reduce the burden on the court because code officials will be empowered with direct enforcement tools. The plan is to address the item early and quickly through education with clear expectations explained. This should improve compliance rates and cooperation, preferably with voluntary compliance or finding help for someone who is not able to take care of the issue themselves. This supports balanced and fair enforcement.

In summary, this new code balances the desire to maintain safety, pride, and the rural charm by encouraging voluntary action generally before citation. There is support for the property owners to achieve compliance and prioritize dialogue, fairness, and mutual respect. This is meant to strengthen community trust and responsibility and reflect the values of “The Wickenburg Way.”

The Council has requested the commissions’ comments and recommendations on the code. If the commission chooses to recommend approval to the Council, then staff will work with the Town Attorney to create an official ordinance for formal adoption at a future Council meeting. The main objective of this is to get compliance without punishment.

Member Pollei asked about putting it in writing that the town will try to help the residents, such as a miscellaneous fund or volunteer list.

Member Henson suggested that maybe a card with the names of organizations that can help such as Boy Scouts, Rotary, Knights of Columbus, Elks, Habitat for Humanity, and possibly others with a contact person to give to people. Mr. Stone thought that was a great idea and will work on the card.

Chair Green stated that he liked the teeth in this and had the following comments:

- 10-5-5 DD – Definitions – He liked the idea that you can view the issue from a neighbor’s property since many times there are things in the back yard such as construction equipment that can’t be viewed from the front, but the neighbor has to view all the time. He was okay with a backhoe being there during construction, but not for long term storage.
- 10-5-9 E – For the appearance in the court and failure to appear, he wanted to make sure they had 30 days to work on the issue.
- 10-5-11 – Suggested possibly adding a 10% interest penalty at least with the lien otherwise if the penalty is only \$250 and stays there, they may not pay versus if it is increasing.
- 10-5-14 – Thought that the abatement costs should have an increased penalty.

- 10-5-18 – He would like the yard sale boxes to be added that they have to remove them once the sale is over.
- 10-5-19 – He wondered how many vehicles should be allowed in the back yard. He was okay with a covered car in the driveway, but not on the street.
- 10-5-20 F – He wondered about the discharge of the pool water onto the street.
- 10-5-22 D – He thought that you should allow people 60-days, instead of 30-days to pay the cost of demolishing plus 25%.

Member Wekell, thought with the new bulk pick-up for trash, this might help with the yard maintenance.

Member Holder asked how this works with zoning. Director Boyle stated that zoning is more home occupation regulations and uses versus property maintenance is weeds, abandoned vehicles, and dilapidated buildings.

Member Jenson stated that the liens can have additional costs, penalties, and interest.

Member Henson would like to see the penalties increase over time if the property is not cleaned up. She wondered how this moved to a criminal penalty. Mr. Stone stated that currently it is criminal. This will start as a civil citation with the judge setting the fine each time they are in court. If there is repetition during the two years due to not complying, this can move to a misdemeanor charge.

MOVED BY Member Henson to send to Council with a recommendation for consideration of approval to add to the ordinances

SECONDED BY Member Wekell

VOTE: 6 - 0 (Yes – Chair Green, Members Henson, Holder, Jenson, Pollei, and Wekell)

G. NEXT MEETING DATE – October 28, 2025

H. ADJOURNMENT

MOVED BY Member Henson to adjourn at 6:30 PM

SECONDED BY Member Pollei

VOTE: 6 - 0 (Yes – Chair Green, Members Henson, Holder, Jenson, Pollei, and Wekell)

Attest:

Bill Green, Chair

Amy Brown, Town Clerk