

## ORDINANCE NO. 2016-01

**AN ORDINANCE OF THE CITY OF SEDONA, ARIZONA, AMENDING SECTION 918 OF THE SEDONA LAND DEVELOPMENT CODE REVISING OCCUPANCY AND SIZE LIMITS, CONSTRUCTION STANDARDS, PARKING, PLAN SUBMISSIONS, GROWTH CAP, REMOVAL OF THE AMNESTY PROVISIONS, AND MAKING OTHER EDITORIAL CHANGES TO ACCESSORY DWELLING UNITS; PROVIDING THAT ALL ORDINANCES OR PARTS OF ORDINANCES OR ANY PART OF THE SEDONA CITY CODE IN CONFLICT WITH THE PROVISIONS OF THIS ORDINANCE SHALL BE REPEALED UPON THE EFFECTIVE DATE OF THIS ORDINANCE; AND DESCRIBING PENALTIES THERETO.**

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF SEDONA, ARIZONA, AS FOLLOWS:

### Section 1. Adoption by Reference

The proposed amendments to Section 918 of the Sedona Land Development Code (SLDC) relating to accessory dwelling units, as set forth in that edited document entitled "**THE 2016 AMENDMENTS TO SECTION 918 (ACCESSORY DWELLING UNITS) OF THE SEDONA LAND DEVELOPMENT CODE**", incorporated as Exhibit A and established as a public record by Resolution No. 2016-02, is hereby referred to, adopted, and made a part hereof, as if fully set forth in this Ordinance, and serve to amend the Sedona Land Development Code in accordance with the provisions thereof.

### Section 2. Repeal

All ordinances or parts of ordinances or any part of the Sedona City Code in conflict with the provisions of this Ordinance are hereby repealed to the extent of such conflict as of the effective date hereof.

### Section 3. Savings Clause

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, such decision shall not affect the validity of the remainder of this Ordinance. The City Council declares that it would have adopted this Ordinance and each section, subsection, sentence, clause, phrase, or portion thereof, despite the fact that any one or more sections, subsections, sentences, clauses, phrases, or portions thereof would be declared invalid or unconstitutional.

### Section 4. Penalty

Except as otherwise provided, any person found guilty of violating any provisions of this Land Development Code, any amendment hereto, or any order or regulation made hereunder (collectively, the "Code"), including the failure to perform any act or duty so required, shall be guilty of a Class 1 misdemeanor and, upon conviction, shall be punished by a fine not to exceed \$2,500 or by imprisonment for a period not to exceed 6 months, or by both such fine and imprisonment. Probation may be imposed in accordance with the provisions of A.R.S. Title 13, Chapter 9. Each day that any violation continues shall be a separate offense punishable as

above described or by civil sanction. In the alternative, an action may be commenced as a civil violation pursuant to SLDC 1401.

PASSED AND ADOPTED by the Mayor and City Council of the City of Sedona, Arizona this 9<sup>th</sup> day of February, 2016.

  
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Sandra J. Moriarty, Mayor

ATTEST:

  
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Susan L. Irvine, CMC, City Clerk

APPROVED AS TO FORM:

  
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Robert L. Pickels, Jr, City Attorney