Marana Ordinance No. 2019.023

Relating to Finance; exempting the Sol Dog Lodge development project from certain Town of Marana development and building fees in an amount up to $30,000

WHEREAS the Town Council is authorized by A.R.S. § 9-240(A) to control the finances of the Town; and

WHEREAS the Town Council has adopted a comprehensive fee schedule for the Town which includes various fees that apply to development and building projects within the Town; and

WHEREAS AGR Foundation, Inc. DBA Sol Dog Lodge is a 501 (c) (3) non-profit organization dedicated to the space where human services and animal welfare intersect; and

WHEREAS Sol Dog Lodge is currently in development on a new multi-building, multi-phase campus to be built at the Tangerine Business Park, located on Tangerine Road east of the I10 (the “Sol Dog Lodge Development Project”); and

WHEREAS the Sol Dog Lodge Development Project will feature approximately 18,000 square feet of new building space, and significantly expand services and programs to benefit both humans and dogs within the Marana community; and

WHEREAS the Town Council finds that exempting the Sol Dog Lodge Development Project from certain Town of Marana fees as set forth in this ordinance is in the best interests of the Town and its residents.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE TOWN OF MARANA, as follows:

SECTION 1. Except as set forth otherwise herein, the Sol Dog Lodge Development Project is hereby exempted from any and all applicable Town of Marana fees included in the Town’s comprehensive fee schedule as adopted by the Town Council and amended from time to time, in an amount up to $30,000. Notwithstanding the waiver of these fees, the Sol Dog Lodge Development Project shall still be required to go through the Town’s normal review and permitting process.

SECTION 2. The exemption set forth in section 1 of this ordinance shall not apply to the following:

1. Fees that are paid into or out of a Town enterprise fund, as those funds are defined in the Town’s legally adopted budget.
2. Any and all development impact fees adopted by the Town.

SECTION 3. The various town officers and employees are authorized and directed to perform all acts necessary or desirable to give effect to this ordinance.

SECTION 4. All ordinances, resolutions, or motions and parts of ordinances, resolutions, or motions of the Council in conflict with the provisions of this ordinance are hereby repealed, effective as of the effective date of this ordinance.

SECTION 5. 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, the decision shall not affect the validity of the remaining portions of this ordinance.

SECTION 6. This ordinance is administrative, and shall be effective immediately.

Passed and adopted by the Mayor and Council of the Town of Marana, Arizona, this 15th day of October, 2019.

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|  | Mayor Ed Honea |
| ATTEST:    Cherry L. Lawson, Town Clerk | APPROVED AS TO FORM:    Frank Cassidy, Town Attorney |