

MARANA ORDINANCE NO. 2018.002

RELATING TO WIRELESS COMMUNICATION FACILITIES; ADOPTING COMPREHENSIVE REVISIONS TO THE TOWN'S WIRELESS COMMUNICATION FACILITIES REGULATIONS; REVISING MARANA TOWN CODE TITLE 12 (TRAFFIC AND HIGHWAYS) BY ADDING A NEW CHAPTER 12-8 (WIRELESS COMMUNICATION FACILITIES IN THE RIGHT-OF-WAY); COMPREHENSIVELY REWRITING AND REPLACING THE WIRELESS COMMUNICATION FACILITIES REGULATIONS CURRENTLY FOUND IN MARANA LAND DEVELOPMENT CODE TITLE 23 (WIRELESS COMMUNICATION FACILITIES) WITH NEW CHAPTER 17-18 (WIRELESS COMMUNICATION FACILITIES) IN TITLE 17 (LAND DEVELOPMENT) OF THE MARANA TOWN CODE; AND DESIGNATING AN EFFECTIVE DATE

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

Section 1. Marana Town Code Title 12 (Traffic and Highways) is hereby amended by adding new Chapter 12-8 (Wireless communication facilities in the right-of-way), which was made a public record by and attached as Exhibit A to Marana Resolution No. 2018-004 and is hereby adopted and made a part of this ordinance by reference as if fully set out here.

Section 2. Existing Marana Land Development Code Title 23 (Wireless communication facilities) is hereby repealed and replaced with new Chapter 17-18 (Wireless communication facilities) in Title 17 (Land Development) of the Marana Town Code. New Chapter 17-18 (Wireless communication facilities) was made a public record by and attached as Exhibit B to Marana Resolution No. 2018-004 and is hereby adopted and made a part of this ordinance by reference as if fully set out here.

Section 3. The exhibits incorporated by reference into new Town Code Section 12-8-25 (Exhibits), which were made a public record by and attached as Exhibit C to Marana Resolution No. 2018-004, are hereby adopted and made a part of this ordinance by reference as if fully set out here.

Section 4. The various town officers and employees are authorized and directed to perform all acts necessary or desirable to give effect to this ordinance.

Section 5. 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of ordinances, resolutions, or motions of the Council in conflict with the provisions of this ordinance are hereby repealed, effective as of the effective date of this ordinance.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 6. 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 7. This ordinance shall become effective on the thirty-first day after its adoption.

PASSED AND ADOPTED BY THE MAYOR AND COUNCIL OF THE TOWN OF MARANA, ARIZONA, this 16th day of January, 2018.

Mayor Ed Honea

ATTEST:

APPROVED AS TO FORM:

Jocelyn C. Bronson, Town Clerk

Frank Cassidy, Town Attorney