

MARANA ORDINANCE NO. 2021.007

RELATING TO BUILDING; ADOPTING BY REFERENCE THE 2021 TOWN OF MARANA OUTDOOR LIGHTING CODE; AMENDING TOWN CODE SECTION 7-1-2 (BUILDING CODES ADOPTED); AND DESIGNATING AN EFFECTIVE DATE

WHEREAS the Mayor and Council of the Town of Marana find that the adoption of the 2021 Town of Marana Outdoor Lighting Code is in the best interest of the Town of Marana and the general public; and

WHEREAS the 2021 Town of Marana Outdoor Lighting Code is a lengthy document that may appropriately be adopted by reference under A.R.S. § 9-802.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the Town of Marana, Arizona, as follows:

SECTION 1. The document known as the "2021 Town of Marana Outdoor Lighting Code," one paper copy and one electronic copy of which are on file in the office of the Town Clerk of the Town of Marana, Arizona, which was made a public record by and attached as Exhibit A to Marana Resolution No. 2021-053, is hereby referred to, adopted, and made part of this ordinance as if fully set forth here.

SECTION 2. Marana Town Code Section 7-1-2 (Building Codes Adopted), paragraph B is revised as follows (with deletions shown with ~~strikeouts~~ and additions shown with double underlining):

B. The Marana building code adopts by reference the ~~2008~~2021 Town of Marana outdoor lighting code, which is on file with the town clerk's office.

SECTION 3. The following penalty clauses are included in the 2021 Town of Marana Outdoor Lighting Code:

SECTION 108 VIOLATIONS

108.1 Unlawful acts. It shall be unlawful for any person, firm, or corporation to erect, construct, alter, extend, repair, move, remove, install, use or demolish outdoor lighting equipment as regulated by this code, or cause same to be done, in conflict with or in violation of any of the provisions of this code

108.2 Notice of violation. The building official is authorized to serve a notice of violation or order on the person responsible for the erection, construction, alteration, extension, repair, moving, removing, demolition or use of any outdoor lighting in

violation of this code or in violation of a detail statement or a plan approved hereunder, or in violation of a permit issued under the provisions of this code. Such order shall direct the discontinuance of the illegal action or condition and the abatement of the violation. The property owner or authorized agent of the owner shall comply with the requirements of the notice of violation or file a notice of appeal in accordance with the provisions of section 102.10 above within the time period given on the notice for abatement of the violation.

108.3 Enforcement and penalties. Failure to address a notice of violation in a timely fashion may result in the issuance of a civil citation as provided for in chapter 5-7 of the Marana Town Code. Such citation shall not excuse the need to correct or abate such violation, or to remove or terminate the unlawful use of outdoor lighting in violation of the provisions of this code or of the order or direction made pursuant thereto. Each day a violation continues shall be considered a separate offense.

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, including but not limited to the 2008 Marana Outdoor Lighting Code, are hereby repealed, effective as of the effective date of this ordinance; provided, however, that this repeal shall not affect the rights and duties that matured or penalties that were incurred and proceedings that were begun before the effective date of the repeal.

SECTION 6. If any section, subsection, sentence, clause, phrase or portion of the 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.

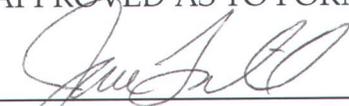
PASSED AND ADOPTED by the Mayor and Council of the Town of Marana, Arizona, this 20th day of April, 2021.


ATTEST

Cherry Lawson, Town Clerk



Mayor Ed Honea

APPROVED AS TO FORM:


Jane Fairall, Town Attorney