

MARANA ORDINANCE NO. 2016.002

RELATING TO FINANCE; EXEMPTING TOWN-OWNED PROJECTS FROM CERTAIN TOWN OF MARANA FEES

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 the Town Council, via Ordinance No. 2011.015, adopted an amended building plan review and building permit fee schedule on June 21, 2011, which was made a public record by and attached as Exhibit A to Resolution No. 2011-065; and

WHEREAS the Town Council finds that exempting Town-owned projects 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, Town-owned projects are 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 and from building plan review fees and building permit fees adopted via Ordinance No. 2011.015 as they may be amended from time to time. Notwithstanding the waiver of these fees, Town projects 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:

- A. Permitting and other project fees that are specifically funded by grants or by other non-Town funding sources.
- B. Fees that are paid into or out of a Town enterprise fund, as those funds are defined in the Town's legally adopted budget.
- C. Projects that are on Town-owned property but where the Town is acting in its proprietary capacity and not as the owner of the project.

D. 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of ordinances, resolutions, or motions of the Council in conflict with the provisions of this ordinance are hereby repealed, effective as of the effective date of this ordinance.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 2nd day of February, 2016.



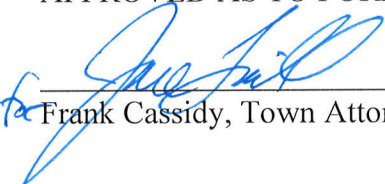
ATTEST:


Jocelyn C. Bronson, Town Clerk



Mayor Ed Honea

APPROVED AS TO FORM:



Frank Cassidy, Town Attorney