

MARANA ORDINANCE NO. 2020.013

RELATING TO FINANCE; EXEMPTING TWO HABITAT FOR HUMANITY TUCSON, INC. PROJECTS FROM CERTAIN TOWN OF MARANA DEVELOPMENT AND BUILDING FEES IN A TOTAL AMOUNT OF UP TO \$40,000

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 Habitat for Humanity Tucson, Inc. ("Habitat") is a 501(c)(3) non-profit organization with the mission of creating a more compassionate and just world by bringing people together to build homes, communities, and hope; and

WHEREAS Habitat is currently in the process of acquiring and developing land located in Marana's Honea Heights area for two affordable housing projects: the Whitney Lane project and the Sandy Street project (the "Habitat Projects"); and

WHEREAS when completed, the two Habitat Projects will yield a combined total of 12 homes that meet affordable housing criteria for the State of Arizona and increase the affordable housing inventory in Marana; and

WHEREAS the Town Council finds that exempting the Habitat 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, the Habitat 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, in a total amount of up to \$40,000 for both Habitat Projects combined. Habitat may use the \$40,000 in fee exemptions for either or both Habitat Projects, as Habitat deems appropriate. Notwithstanding the waiver of these fees, the Habitat Projects must 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. Fees that are paid into or out of a Town enterprise fund, as those funds are defined in the Town's legally adopted budget.
- B. 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 September, 2020.

Mayor Ed Honea

ATTEST:

APPROVED AS TO FORM:

Cherry L. Lawson, Town Clerk

Frank Cassidy, Town Attorney