

ORDINANCE 865

AN ORDINANCE OF THE CITY OF GLOBE, ARIZONA, AMENDING THE GLOBE CITY CODE BY AMENDING SECTION 14-9-6 PROCEDURES FOR CONDITIONAL USE PERMITS AND ADDING SECTION 14-9-6-F, HABITUAL OFFENDERS

WHEREAS, the Mayor and Council of the City of Globe have determined that some types of businesses can operate within the City with restrictions; and

WHEREAS, Section 14-9-6 of the City Zoning Code provides for a process whereby Conditional Use Permits (collectively "CUP") may be issued to address such restrictions; and

WHEREAS, the City's Planning and Zoning Commission makes recommendations to the Council of conditions under which the business may be permitted; and

WHEREAS, the Council takes the P&Z recommendations and approves the issuance of a (CUP; and

WHEREAS, the Council wishes to add remedies for CUP holders not meeting the conditions in their CUP; and

NOW THEREFORE, be it ordained by the Globe City Council:

Section 1.

Section 14-9-6 is amended by adding the following:

Section 14 -9-6-F Habitual Offenders

(A) A person who commits a violation of the condition(s) of their Conditional Use Permit (CUP) after previously having been found responsible for committing three (3) violations of conditions of the CUP within a twelve (12) month period shall upon the commission of the third violation within such twelve months period for the same violation of condition will be considered a habitual offender and shall be guilty of a civil violation and shall be subject to either:.

1. Punishment as provided in Sections 1-5-1(A) and 6-2-10 of this Code;
or
2. Suspension of the CUP for a minimum of 30 days. If the owner of the property subject to CUP makes changes or repairs that eliminate the offensive violations to the satisfaction of Zoning Administrator, the

CUP shall be reinstated.

- (B) If the owner of the property that is subject to CUP fails to make the repairs to eliminate the offensive violations to the satisfaction of Zoning Administrator within six (6) months after the third violation within a twelve (12) month period, a public hearing shall be held before the Board of Adjustment to determine whether the CUP shall be rescinded.

Section 2.

Severability. All ordinances, or parts of ordinances, adopted by the City of Globe in conflict with the provisions of this ordinance or any part of the City Code adopted herein, are hereby repealed, effective as of the day this ordinance is effective.

Section 3.

This ordinance is effective upon the expiration of a thirty 30-day period following the adoption hereof and completion of publication and any posting as required by law.

PASSED AND ADOPTED by a majority vote of the City Council in an open meeting by the City Council, City of Globe, Arizona, on the 22nd day of September, 2020.

CITY OF GLOBE




Alfred Gameros, Mayor

ATTEST:



Shelly Salazar, City Clerk

APPROVED AS TO FORM:



WILLIAM J. SIMS III, City Attorney