

**ORDINANCE NO. (O)14-04**

**AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE TOWN OF ORO VALLEY, ARIZONA, AMENDING THE ORO VALLEY TOWN CODE CHAPTER 13, DEVELOPMENT FEES BY REPEALING CHAPTER 13 IN ITS ENTIRETY AND REPLACING IT WITH A NEW CHAPTER 13 AS PROVIDED IN EXHIBIT “A”, AND REPEALING ALL RESOLUTIONS, ORDINANCES, AND RULES OF THE TOWN OF ORO VALLEY IN CONFLICT THEREWITH**

**WHEREAS**, pursuant to A.R.S. § 9-463.05 the Town has the requisite statutory authority to assess development fees to offset costs to the municipality associated with providing necessary public services to a development; and

**WHEREAS**, the Arizona State Legislature made sweeping changes to ARS § 9-463.05 forcing all Arizona municipalities to revamp their Development Impact Fees in compliance with those changes; and

**WHEREAS**, on January 15, 2014 the Town approved Resolution (R) 14-01, providing notice of intent to increase certain development impact fees in the areas of parks and recreation, police, transportation, potable water system and alternative water resources; and

**WHEREAS**, on October 4, 2013 the Town released reports outlining the method by which these development impact fees were calculated, (See Exhibit “B”); and

**WHEREAS**, on December 4, 2013 and February 19, 2014 the Town held public hearings on each of the proposed land use assumptions, infrastructure improvement plans and development impact fees for each proposed development impact fee category; and

**WHEREAS**, no less than thirty (30) days have passed since the time of the public hearings on the proposed fees and infrastructure improvement plans; and

**WHEREAS**, the Mayor and Council have determined that it is in the best interest of the Town to amend the Town’s development impact fees to conform to the changes made by the Arizona Legislature.

**NOW, THEREFORE, BE IT ORDAINED** by the Mayor and Council of the Town of Oro Valley, Arizona, that:

**SECTION 1.** Repealing the existing Oro Valley Town Code Chapter 13, Development Fees and replacing it with a new Oro Valley Town Code Chapter 13, Development Fees as provided in Exhibit “A”, and repealing all resolutions, ordinances, and rules of the Town of Oro Valley in conflict therewith.

**SECTION 2.** This Ordinance shall become effective on July 1, 2014.

**SECTION 3.** 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, such decision shall not affect the validity of the remaining portions thereof.

**PASSED AND ADOPTED** by the Mayor and Council of the Town of Oro Valley, Arizona, this 2<sup>nd</sup> day of April, 2014.

**TOWN OF ORO VALLEY**

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Dr. Satish I. Hiremath, Mayor

**ATTEST:**

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Julie K. Bower, Town Clerk

\_\_\_\_\_  
Tobin Sidles, Legal Services Director

Date: \_\_\_\_\_

Date: \_\_\_\_\_

**EXHIBIT "A"**

**EXHIBIT "B"**