

ORDINANCE NO. 5223

**AN ORDINANCE OF THE COUNCIL OF THE CITY OF
MESA, MARICOPA COUNTY, ARIZONA, PERTAINING TO
ADOPTION OF AMENDMENTS TO TITLE 5, CHAPTER 13,
SECTIONS 1 THROUGH 5 OF THE MESA CITY CODE.**

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF MESA,
MARICOPA COUNTY, ARIZONA, AS FOLLOWS:

Section 1: REFERENCE AND ADOPTION OF AMENDMENTS TO TITLE 5, CHAPTER 13 SECTIONS 1 THOUGH 5 OF THE MESA CITY CODE. That the certain document entitled Residential Development Fee, Title 5, Chapter 13, Sections 1 through 5 of the Mesa City Code, three copies of which are on file on the Office of the City Clerk of the City of Mesa, which document was made a public record by Resolution No. 10463, of the City of Mesa, Maricopa County, Arizona, is hereby referred to and adopted as amendments to Title 5 Chapter 13, Sections 1 though 5 of the Mesa City Code as fully set forth in this section.

Section 2: REPEAL OF CONFLICTING ORDINANCES. That all Ordinances or parts of Ordinances, and all sections of the Mesa City Code or parts of such sections in conflict herewith, are hereby repealed; provided that such repeal shall not: i) Affect suits pending, or rights and duties that matured or were existing, or penalties that were incurred and proceedings that were begun immediately prior to the effective date of this Ordinance; ii) Impair, void or affect and grant or conveyance made, or any right acquired, or a cause of action now existing under such repealed portions.

Section 3: SEVERABILITY. If any section, subsection, sentence clause, phrase or portion of this Ordinance or any part of the material adopted herein by reference is for any reason held to be invalid or unconstitutional by the decision of a Court of competent jurisdiction such decision shall not affect the validity of the remaining portions thereof.

Section 4: PENALTY. In accordance with A.R.S. § 9-803, the penalty clause is hereby set forth in full:

5-13-5 VIOLATION; PENALTY:

Any person who shall construct a single-residence attached or detached dwelling unit or multi-residence dwelling unit(s) or place a manufactured home in a manufactured home subdivision or develop a manufactured home park or recreational vehicle park or subdivision without payment of the prescribed fee or who shall violate any of the provisions of the Mesa City Code as hereby amended shall be guilty of a misdemeanor and upon conviction shall be punished by a fine not to exceed two thousand five hundred dollars (\$2,500.00) or by imprisonment for a period not to exceed six (6) months, or by both such fine and imprisonment. Upon conviction, firms or corporations shall be punished by a fine not to exceed twenty thousand dollars (\$20,000.00). Each violation continued shall be a separate offense, punishable as described above.

Section 5: EFFECTIVE DATE. The effective date of this Ordinance shall be 30 days following adoption by the Mesa City Council.

PASSED AND ADOPTED BY THE COUNCIL OF THE CITY OF MESA, MARICOPA COUNTY, ARIZONA, this 19th day of May, 2014.

APPROVED:



Mayor

ATTEST:



City Clerk

