

**RESOLUTION NO. 2012-31**

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE TOWN OF FOUNTAIN HILLS, ARIZONA, FINDING THE EXISTENCE OF THE STATUTORY CRITERIA SUPPORTING THE CREATION OF A POLITICAL SIGN-FREE ZONE IN AREAS OF THE TOWN THAT CONTAIN A PREDOMINANCE OF COMMERCIAL TOURISM, COMMERCIAL RESORT AND HOTEL USES.

**WHEREAS**, ARIZ. REV. STAT § 16-1019, as amended, authorizes the Town to establish political sign-free zones in areas within the corporate limits of the Town of Fountain Hills (the “Town”) where the predominance of commercial tourism, commercial resort and hotel uses exist within the zone and that placement of political signs within the rights-of-way of the zone will detract from the scenic and aesthetic appeal of the area within the zone and deter its appeal to tourists; and

**WHEREAS**, due to the topography of Fountain Hills, many of the commercial tourism, commercial resort and hotel uses, including the Town’s world-famous fountain, the McDowell Mountain Preserve, numerous golf courses and the gateway to the regionally significant McDowell Mountain Park, are located in areas that require visitors to traverse many Town arterial and collector streets causing such streets to be key amenities for tourists that are visiting the hotel, resort and tourism sites within and adjacent to Fountain Hills; and

**WHEREAS**, the Mayor and Council of the Town (the “Town Council”) deem that it is in the best interests of the Town that certain areas within the corporate limits of the Town, as depicted in Exhibit A, attached hereto and incorporated by reference, should be designated as a “Political Sign-Free Zone”; and

**WHEREAS**, the Town Council held a public hearing on November 15, 2012 and reviewed evidence that within the proposed Political Sign-Free Zone there exists a predominance of the essential access points to the commercial tourism, commercial resort and hotel uses within and adjacent to the corporate limits of the Town.

**NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE TOWN OF FOUNTAIN HILLS**, as follows:

**SECTION 1.** The foregoing recitals are incorporated as if fully set forth herein.

**SECTION 2.** The Town Council finds that the areas depicted on Exhibit A meet the criteria established in ARIZ. REV. STAT § 16-1019 as central components for maintaining the commercial tourism, commercial resort and hotel uses located at various locations throughout the corporate limits of the Town.

SECTION 3. The Town Council hereby establishes a Political Sign-Free Zone over the public property within the contiguous areas depicted on Exhibit A, the total area of which does not exceed three square miles. For those portions of the area designated on Exhibit A covering only arterial and collector streets, the Political Sign-Free Zone shall cover the full extent of the right-of-way of such street.

SECTION 4. If any provision of this Resolution is for any reason held by any court of competent jurisdiction to be unenforceable, such provision of portion hereof shall be deemed separate, distinct, and independent of all other provisions and such holding shall not affect the validity of the remaining portions of this Resolution.

SECTION 5. The Mayor, the Town Manager, the Town Clerk and the Town Attorney are hereby authorized and directed to take all steps necessary to carry out the purpose and intent of this Resolution.

**PASSED AND ADOPTED** by the Mayor and Council of the Town of Fountain Hills, November 15, 2012.

**FOR THE TOWN OF FOUNTAIN HILLS:**

**ATTESTED TO:**

  
\_\_\_\_\_  
Linda M. Kavanagh, Mayor

  
\_\_\_\_\_  
Bevelyn J. Bender, Town Clerk

**REVIEWED BY:**

**APPROVED AS TO FORM:**

  
\_\_\_\_\_  
Kenneth W. Buchanan, Town Manager

  
\_\_\_\_\_  
Andrew J. McGuire, Town Attorney

EXHIBIT A  
TO  
RESOLUTION NO. 2012-31

[Political Sign-Free Zone]

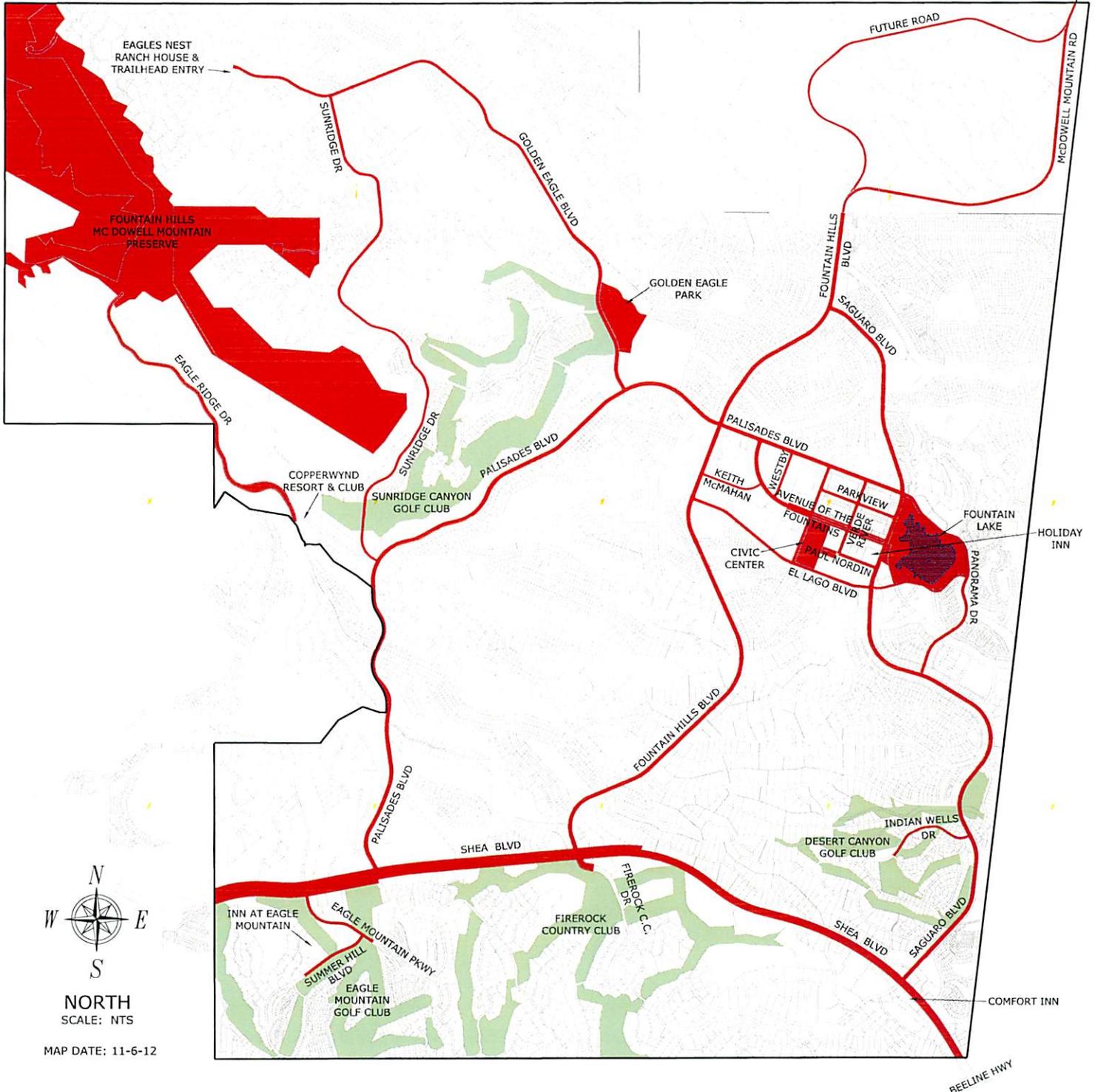
See following page.



# TOWN OF FOUNTAIN HILLS POLITICAL SIGN-FREE ZONE MAP

SIGN-FREE ZONE	(SF)	(AC)	(SQ. MILES)
	55,756,800	1,280	2.0

TO  
MC DOWELL MOUNTAIN  
REGIONAL PARK



MAP DATE: 11-6-12