

**ORDINANCE NO. 11-01**

**AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE TOWN OF FOUNTAIN HILLS, ARIZONA, ADOPTING THE "TOWN OF FOUNTAIN HILLS PLANNED AREA DEVELOPMENT (P.A.D.) DISTRICT REGULATIONS" BY REFERENCE; PROVIDING FOR SEVERABILITY AND PROVIDING FOR PENALTIES.**

**WHEREAS, the Mayor and the Council of the Town of Fountain Hills (the "Town Council") approved Ordinance No. 93-22, which adopted the Zoning Ordinance for the Town of Fountain Hills (the "Zoning Ordinance"); and**

**WHEREAS, the Town Council desires to amend the Zoning Ordinance to adopt Planned Area Development (P.A.D.) District regulations; and**

**WHEREAS, in accordance with the Zoning Ordinance and pursuant to ARIZ. REV. STAT. § 9-462.04, as amended, a public hearing regarding the subject matter of this ordinance was advertised in the January 19 and January 26, 2011, editions of the Fountain Hills Times; and**

**WHEREAS, public hearings were held by the Fountain Hills Planning and Zoning Commission on January 27, 2011, and by the Town Council on February 17, 2011.**

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

**SECTION 1. That certain document known as the "Town of Fountain Hills Planned Area Development (P.A.D.) District Regulations" (the "P.A.D. Regulations"), three copies of which are on file in the office of the Town Clerk of the Town of Fountain Hills, Arizona, which document was made a public record by Resolution No. 2011-01 of the Town of Fountain Hills, Arizona, is hereby referred to, adopted and made a part hereof as if fully set out in this Ordinance.**

**SECTION 2. The P.A.D. Regulations shall be inserted into the Zoning Ordinance for the Town of Fountain Hills as a new Chapter 23, Planned Area Development (P.A.D.) District.**

**SECTION 3. Any person found guilty of violating any provision of the P.A.D. Regulations shall be guilty of a class one misdemeanor. Each day that a violation continues shall be a separate offense punishable as described above.**

**SECTION 4. If any section, subsection, sentence, clause, phrase or portion of this Ordinance or the P.A.D. Regulations 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 of this Ordinance or the P.A.D. Regulations.**

**PASSED AND ADOPTED BY** the Mayor and Council of the Town of Fountain Hills,  
February 17, 2011.

**FOR THE TOWN OF FOUNTAIN HILLS:**

**ATTESTED TO:**

  
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Jay T. Schlum, Mayor

  
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Bevelyn J. Bender, Town Clerk

**REVIEWED BY:**

**APPROVED AS TO FORM:**

  
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Richard L. Davis, Town Manager

  
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Andrew J. McGuire, Town Attorney