

CITY OF WILLCOX, COCHISE COUNTY, ARIZONA

RESOLUTION 2019-10

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF WILLCOX, ARIZONA, APPROVING AND ADOPTING A FLOOD ELEVATION CERTIFICATE FEE FOR DEVELOPMENT SERVICES PROVIDED BY THE CITY OF WILLCOX, SETTING AN EFFECTIVE DATE AND DIRECTING AUTHORIZED CITY OFFICERS AND ADMINISTRATORS TO CARRY OUT THE PURPOSE AND INTENT OF THIS RESOLUTION.

WHEREAS, the Mayor and Council of the City of Willcox make the following findings:

(a) The City of Willcox, Arizona, hereinafter "CITY", is authorized and empowered pursuant to Title 9, A.R.S. §§ 9-101 and 9-240 et seq., as well as, §9-276, with all the powers of an incorporated city and all other provisions of law relating to cities and towns, which includes providing community development services within the City of Willcox; and,

(b) The CITY has the requisite statutory authority to engage in any business or enterprise which may be engaged in by persons by virtue of a franchise from the municipal corporation, and may construct, purchase, acquire, own and maintain within or without its corporate limits any such business or enterprise pursuant to the provision of A.R.S. § 9-511 et. seq.; and,

(c) Presently the CITY does not charge a cost associated with the service of providing Flood Elevation Certificates and the provision of said service is a burden on the finances of the corporation; and,

(d) The Mayor and City Council have adopted the requisite notice of intention to adopt the Flood Elevation Certificate Fee, provided notification on the CITY'S website and set a date for a public hearing on the proposed rates and charges in accordance with A.R.S. §9-499.15; and,

(e) The Mayor and Council adopted the Notice of Intention pursuant to **Resolution 2019-03** and declared the written report entitled "**City of Willcox 2019 Flood Elevation Certificate Service Fee Study**" dated **April 4, 2019** a public document on April 4, 2019, and three (3) copies of such report were made available to the public for inspection on April 5, 2019, by filing such in the office of the City Clerk, more than 30 days prior to the date set for the public hearing; and,

(f) The Notice of Intention was published two (2) times in the Range News, a newspaper of general circulation within the boundaries of CITY, on April 10, 2019 and April 17, 2019, not less than 20 days prior to the Public Hearing scheduled on **June 6, 2019** at which time oral and written comments were received by the Mayor and Council on the proposed new fee; and,

(g) The Mayor and City Council believe that annually reviewing fees charged for services provided by CITY is necessary and in the best interests of the citizens of the City of Willcox and they desire that this item be presented for consideration at the regular Council Meeting on June 6, 2019.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF WILLCOX, COCHISE COUNTY, ARIZONA, as follows:

SECTION 1: The Mayor and City Council hereby formally approve and adopt the Flood elevation Certificate Fee as presented and as outlined in Exhibit "A" attached hereto and made a part hereof by reference, entitled "**City of Willcox 2019 Flood Elevation Certificate Service Fee Study**" dated April 4, 2019 and deem such are in the best interests of the residents of the City of Willcox; and,

SECTION 2: The fee adopted shall be in full force and effect as of August 1, 2019, based upon formal adoption and passage of this Resolution by Mayor and Council in accordance with A.R.S. § 9-499.15; and,

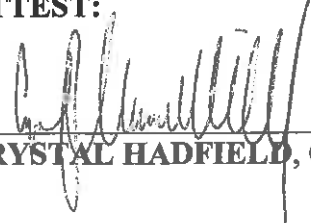
SECTION 3: The Mayor is authorized and empowered to execute this Resolution and City staff are authorized and directed to carry out the intent of this Resolution and **Resolution No. 2019-03.**

PASSED AND ADOPTED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF WILLCOX, ARIZONA, this 6th day of June 2019.

APPROVED/EXECUTED:


MICHAEL J. LAWS, MAYOR

ATTEST:


CRYSTAL HADFIELD, City Clerk

APPROVED AS TO FORM:


ANN P. ROBERTS, City Attorney

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