ORDINANCE NO. 2003.36

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEMPE, ARIZONA, REPEALING ZONING ORDINANCE NO. 808 AND ADOPTING THE CITY OF TEMPE ZONING AND DEVELOPMENT CODE ESTABLISHING LAND USE CLASSIFICATIONS; DIVIDING THE CITY INTO DISTRICTS; IMPOSING REGULATIONS, PROHIBITIONS AND RESTRICTIONS FOR THE PROMOTION OF HEALTH, SAFETY, MORALS, CONVENIENCE, AESTHETICS, AND WELFARE.

WHEREAS, it has been found necessary for the public health, safety or general welfare of the City of Tempe that an amended Zoning Ordinance shall be enacted, and

WHEREAS, by authority conferred by Title 9, Chapter 4, Article 6.1, Arizona Revised Statutes, the City of Tempe is authorized and empowered to enact such an ordinance;

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF TEMPE, ARIZONA, as follows:

Section 1. That Zoning Ordinance No. 808 adopted by the City Council on September 2, 1976 is hereby repealed in its entirety.

Section 2. That the City Council hereby adopts the Zoning and Development Code, copies of which are on file in the office of the City Clerk.

Section 3. That all rights or remedies of the City of Tempe are expressly saved as to any and all violations of such repealed ordinance and all amendments thereto. Courts of competent jurisdiction shall have all the powers that existed prior to the effective date of the Zoning and Development Code as to all violations that have accrued at the time of the effective date of the Code. All existing violations of the Zoning Ordinance of the City of Tempe, Arizona, Ordinance No. 808, and all amendments thereto, which may otherwise become nonconforming uses under this Ordinance, shall not become legal nonconforming uses.

Section 4. If any section, subsection, sentence, clause, phrase or portion of the Zoning and Development Code 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 CITY COUNCIL OF THE CITY OF TEMPE, ARIZONA, this 20th day of January, 2005.

MAYOR

ATTEST:

City Clerk

APPROVED AS TO FORM:

City Attorney