

ORDINANCE NO. O2017.15

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEMPE, ARIZONA, AMENDING THE ZONING AND DEVELOPMENT CODE, PART 4 – DEVELOPMENT STANDARDS, SECTION 4-102, PERTAINING TO MAINTENANCE.

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

Section 1. That section 4-102, subsection E of the Zoning and Development Code, is hereby amended to read as follows:

E. Maintenance.

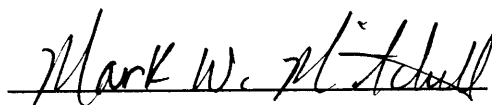
1. The owner or owner's association, or the lessee of the site, as applicable, shall maintain the *development* and property in conformance with the plans approved by the city. Any deterioration shall be considered a violation of this Code and any applicable ordinances. DETERIORATION SHALL BE DEFINED AS IN CHAPTER 21 OF THE CODE OF THE CITY OF TEMPE.

City code reference—See TCC §21-1, DEFINITIONS. (DETERIORATED OR DETERIORATION)

2. Any *landscape* feature required in this section that does not survive, function properly, or is in need of repair, shall be replaced within thirty (30) days of its demise or damage. The Community Development Director, or designee, may approve an extension when requested in writing, based on conflicts arising from construction activity, seasonal availability of materials, or a similar hardship.
3. *Landscape* features, lighting, walls, screening devices or other features installed in conformance with Part 4 of this Code shall not be modified or removed without prior approval by the Community Development Director, or designee. The removal or destruction of such features without prior approval by the Community Development Director, or designee, shall constitute a violation of this Code. In such case, the owner shall be required to replace said feature(s) with those of like size and quality, or alternate material may be approved by the Community Development Director, or designee.
4. Improvements required under Part 4 of this Code shall be reasonably maintained.
5. Plant material and trees shall be pruned to promote a healthy growth pattern, natural characteristic form, and maximize shade.
6. The lack of *maintenance* shall constitute a violation of this Code, penalties for which are provided in Section 1-201.

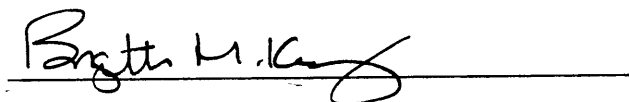
Section 2. Pursuant to city charter, Section 2.12, ordinances are effective thirty (30) days after adoption.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF TEMPE, ARIZONA, this 20th day of April, 2017.



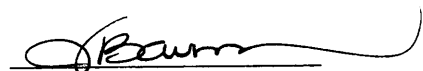
Mark W. Mitchell, Mayor

ATTEST:



Brigitta M. Kuiper, City Clerk

APPROVED AS TO FORM:



Judith R. Baumann, City Attorney