

WHEN RECORDED RETURN TO:

City of Buckeye
ATTN: City Clerk, Lucinda J. Aja
530 East Monroe Avenue
Buckeye, Arizona 85326

ORDINANCE NO. 15-18

AN ORDINANCE OF THE MAYOR AND CITY COUNCIL OF THE CITY OF BUCKEYE, ARIZONA, ADOPTING THAT CERTAIN DOCUMENT ENTITLED "CITY OF BUCKEYE AMENDMENTS TO THE 2006 INTERNATIONAL PROPERTY MAINTENANCE CODE, AMENDED AND RESTATED OCTOBER 2018" BY REFERENCE; AMENDING THE CITY OF BUCKEYE CODE, CHAPTER 15 BUILDING REGULATIONS, ARTICLE 15-2 - BUILDING CODES, BY AMENDING CHAPTER 15-2-8 PROPERTY MAINTENANCE CODE, RELATED TO ADOPTING REGULATIONS FOR PROPERTY MAINTENANCE; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR PENALTIES.

WHEREAS, the Mayor and City Council of the City of Buckeye desire to amend the City Code Chapter 15 Building Regulations, Article 15-2 Building Code, Chapter 15-2-8 Property Maintenance Code; and

WHEREAS, the City Council has determined that it is in the best interest of the City and of the health, safety and welfare of its citizens to provide reasonable regulations for property maintenance.

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF BUCKEYE, ARIZONA, as follows:

Section 1. That certain document entitled "City of Buckeye Amendments to the 2006 International Property Maintenance Code, Amended and Restated October 2018" one paper copy and one electronic copy of which are on file in the office of the City Clerk, is hereby declared a public record and said copies are hereby ordered to remain on file with the City Clerk.

Section 2. The City Code of the City of Buckeye, Arizona (the "City Code"), Chapter 15, Building Regulations, Article 15-2 Building Code, Chapter 15-2-8 Property Maintenance Code; is hereby amended as follows:

Section 15-2-8 - Property Maintenance Code

A. Property Maintenance Code Adopted. That certain document designated and marked as the 2006 International Property Maintenance Code, specifically excluding all appendices contained therein, ~~three (3) copies of which are on file in the office of the city clerk~~ ONE PAPER COPY AND ONE ELECTRONIC COPY OF WHICH ARE ON FILE IN THE OFFICE OF THE CITY CLERK, and that certain document entitled the "Buckeye Amendments to the 2006 International Property Maintenance Code, Amended and Restated OCTOBER 2018 ~~December 2010~~" ~~three (3) copies of which are on file in the office of the city~~ ONE PAPER COPY AND ONE ELECTRONIC COPY OF WHICH ARE ON FILE IN THE OFFICE OF THE CITY CLERK, together are hereby adopted by reference as the city's property maintenance code as if fully set forth herein for regulating and controlling the minimum maintenance standards for existing residential and nonresidential premises, structures, equipment and facilities for light, ventilation, space, heating, sanitation, protection from the elements, life safety, safety from fire and other hazards, and for safe and sanitary maintenance, and it is hereby declared to be unlawful to be in violation of any provision of the property maintenance code or cause or permit the same to be done, contrary to or in violation of any of the provisions of the property maintenance code as hereby adopted by the city council.

Section 3. If any section, subsection, sentence, clause, phrase or portion of this Ordinance or any part of the City of Buckeye International Property Maintenance Code adopted herein by reference is for any reason to be held invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions thereof.

Section 4. In the event of any inconsistency, conflict or ambiguity among any section, subsection, sentence, clause, phrase or portion of the City of Buckeye International Property Maintenance Code adopted herein by reference, the City Code, or this Ordinance, the documents shall govern in the order listed herein.

Section 5. The Mayor, the City Manager, the City Clerk and the City Attorney are hereby authorized and directed to take all steps and to execute all documents necessary to carry out the purpose and intent of this Ordinance.

Section 6. The City may proceed civilly or criminally against a responsible party acting in violation of this Ordinance. The civil fine for a violation of this Ordinance shall be \$100.00 base fine for a first or second violation and \$200.00 base fine for a third violation and each subsequent violation of the same code within a twenty-four (24) month period. The City may proceed criminally, as provided in this Ordinance, where a violation warrants increased penalties because of its significant, deleterious impact on property or on the public health, safety or general welfare, where the violation meets the criteria for a recidivist case, or as otherwise permissible by law. Criminal violations shall constitute a class one misdemeanor, punishable by a fine not to exceed \$2,500.00 or by imprisonment for a period not to exceed six months, or by both such fine and imprisonment. A person shall not be charged both as a civil and criminal


offense for the same violation on the same date, but a subsequent violation against the same property or person may be charged as criminal offense rather than as a civil offense. Each day that a violation continues shall be a separate offense.

PASSED AND ADOPTED by the Mayor and City Council of the City of Buckeye, Arizona, this 6th day of November, 2018.



Jackie A. Meck, Mayor

ATTEST:



Lucinda J. Aja, City Clerk

APPROVED AS TO FORM:



City Attorney