

**ORDINANCE O-24-01**

**AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF BISBEE, COUNTY OF COCHISE, STATE OF ARIZONA, AMENDING THE ZONING CODE OF THE CITY OF BISBEE, ARTICLE 7 “SIGN REGULATIONS”, SECTION 7.2.6 “GENERAL REQUIREMENTS APPLICABLE TO ALL SIGNS” BY ADDING SUB SECTION “H” PROHIBITING THE PLACING OF SIGNS / CONES THAT MISLEAD THE PUBLIC INTO THINKING PUBLIC STREET PARKING IS PRIVATE OR RESERVED PARKING; PROVIDING FOR THE REPEAL OF CONFLICTING ORDINANCES; AND PROVIDING FOR SEVERABILITY.**

**WHEREAS**, the City of Bisbee (“City”) Zoning Code serves to secure the social, physical, and economic advantages of the citizens of Bisbee; and,

**WHEREAS**, the City’s Planning and Zoning Commission develop and recommend ordinances to the City Council for carrying out plans, goals, and objectives related to growth, development, and redevelopment of the City; and,

**WHEREAS**, the City has considered the impact this Zoning Code text amendment may have on housing as provided for in the attached Zoning Housing Impact Form, attached hereto as Exhibit A and incorporated herein; and,

**WHEREAS**, it is in the best interest of the City and its citizens to adopt the amendment to Zoning Code, Article 7 Sign Regulations, Section 7.2.6 General Requirements Applicable to All Signs, by adding subsection “H,” prohibiting the placing of signs/cones that mislead the public into thinking that public street parking is private or reserved parking.

**NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF BISBEE, COUNTY OF COCHISE, STATE OF ARIZONA, THAT:**

**Section 1.** The City of Bisbee Zoning Code, Article 7 Sign Regulations, Section 7.2.6 General Requirements Applicable to All Signs is hereby amended by adding a new subsection “H” with additions in all CAPS as set forth below:

**ARTICLE 7 SIGN REGULATIONS**

**7.2.6 General Requirements Applicable to All Signs**

...

- H. NO SIGN SHALL BE ERECTED, INSTALLED, OR MAINTAINED AT OR NEAR ANY STREET, INTERSECTION, OR ANY LOCATION WHERE, BY REASON OF ITS POSITION, SHAPE, COLOR OR

ILLUMINATION, SO AS TO INTERFERE WITH, OBSTRUCT THE VIEW OF, OR BE CONFUSED WITH ANY AUTHORIZED TRAFFIC-SIGN, SIGNAL, OR TRAFFIC REGULATING DEVICE SUCH AS TRAFFIC CONES, OR MAKES USE OF THE WORD "NO PARKING," "RESERVED PARKING" OR ANY OTHER WORD, PHRASE, SYMBOL, OR CHARACTER IN SUCH MANNER AS TO INTERFERE WITH, MISLEAD, OR CONFUSE DRIVERS, RIDERS, OR PEDESTRIANS.

**Section 2.** Providing For Repeal of Conflicting Ordinances. All ordinances and parts of ordinances in conflict with the provisions of this Ordinance or any part of the Zoning Code adopted herein by reference, are hereby repealed.

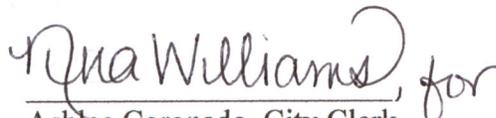
**Section 3.** Providing For Severability. If any section, subsection, sentence, clause, phrase or portion of this Ordinance or any part of the Zoning Code adopted herein by reference, is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such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

**PASSED, APPROVED AND ADOPTED** by the Mayor and Council of the City of Bisbee on this 6<sup>th</sup> day of February, 2024.

**APPROVED:**

  
\_\_\_\_\_  
Ken Budge, Mayor

**ATTEST:**

  
\_\_\_\_\_  
Ashlee Coronado, City Clerk

**APPROVED AS TO FORM:**

  
\_\_\_\_\_  
Joseph D. Estes, City Attorney

EXHIBIT "A"

A.R.S. § 9-462.01 HOUSING IMPACT STATEMENT

Ordinance No. 24-01

General estimate of the ordinance's probable impact on the average cost to construct housing for sale or rent.

Because the proposed language regulating parking signs does not impact housing for sale or rent, and the proposed language does not add residential uses to the permitted uses, there is no probable impact on the average cost to construct housing for sale or rent as a result of this zoning code text amendment.

Describe any data or reference material on which the ordinance is based.

The City reviewed and used, in part, sample text from the following entities: Youngtown, AZ; harfordcountymd.gov; and law.pace.edu 2904.11.

Describe any less costly or less restrictive alternative methods of achieving the ordinance's purpose.

None.