



**ORDINANCE APPROVED AT THE CITY OF DOUGLAS
REGULAR COUNCIL MEETING OF OCTOBER 12, 2016.**

ORDINANCE NO. 16-1066

AMENDING PRIOR CODE §22.1 AS REFERENCED IN TITLE 12 OF THE CITY OF DOUGLAS MUNICIPAL CODE RELATING TO “AWNINGS, POSTS ON SIDEWALKS”; BY AMENDING PORTIONS OF CHAPTER 12, SPECIFICALLY SECTION 12.16.040; ESTABLISHING SEVERABILITY OF COMPONENTS OF ORDINANCE; AND ESTABLISHING AN EFFECTIVE DATE THEREOF.

FURTHER DETAILS ARE AVAILABLE AT THE CITY OF DOUGLAS ADMINISTRATIVE OFFICE, 425 10TH STREET, C/O BRENDA AGUILAR, CITY CLERK/INTERIM CITY MANAGER AND/OR ON THE CITY’S WEBPAGE: WWW.DOUGLASAZ.ORG.

ORDINANCE NO. 16-1066

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF DOUGLAS, COCHISE COUNTY, ARIZONA, AMENDING PRIOR CODE §22.1 AS REFERENCED IN TITLE 12 OF THE CITY OF DOUGLAS MUNICIPAL CODE RELATING TO "AWNINGS, POSTS ON SIDEWALKS"; BY AMENDING PORTIONS OF CHAPTER 12, SPECIFICALLY SECTION 12.16.040; ESTABLISHING SEVERABILITY OF COMPONENTS OF ORDINANCE; AND ESTABLISHING AN EFFECTIVE DATE THEREOF.

WHEREAS, it is the purpose and intent of this Ordinance to amend Chapter 12.16 of the Douglas Municipal Code which was adopted in 1984 prohibiting awnings and post on sidewalks in all areas of the City; and

WHEREAS, the Mayor and Council find it is in the public interest to lift the restrictions within the City of Douglas Historic Preservation Overlay District in order to allow for the preservation of historic architecture in this district; and

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the City of Douglas, Arizona, as follows:

SECTION 1. Section 12.16.040 of the City of Douglas Municipal Code, regarding awnings, posts on sidewalks, shall be amended to now read in its entirety as follows:

Except for areas within the City of Douglas Historic Preservation Overlay District as approved by the Design Review Board, it is unlawful for any person to erect or maintain on the sidewalk of any street of the City an awning, post or ground support at any place on such sidewalk, except at the inner line of the curb of such sidewalk.

SECTION 2. Severability. If any chapter, section, subsection, sentence, clause or phrase of this Ordinance 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 of this Ordinance.

SECTION 3. Effective Date. The provisions in this Ordinance shall be effective thirty (30) days after final approval and adoption by the Mayor and Council.

PASSED AND ADOPTED by the Mayor and Council of the City of Douglas, Arizona, this 12th day of October, 2016.

Robert Uribe, Mayor

Approved as to form:

Attest:

Brenda Aguilar, City Clerk

Juan Pablo Flores, City Attorney