

**CITY OF LITCHFIELD PARK
ORDINANCE NO. 07-123**

AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF LITCHFIELD PARK, ARIZONA, AMENDING THE LITCHFIELD PARK CITY CODE, CHAPTER 9 HEALTH AND SANITATION, ARTICLE 9-5 PUBLIC NUISANCES BY AMENDING SECTION 9-5-5 PROPERTY MAINTENANCE REGULATIONS TO ADD NEW PARAGRAPH I TO PROHIBIT THE STORAGE OF EQUIPMENT, APPLIANCES, FURNITURE, CONSTRUCTION MATERIALS, GARBAGE CONTAINERS AND SIMILAR ITEMS IN OPEN CARPORTS; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR PENALTIES

WHEREAS, the City of Litchfield Park and its residents desire to maintain the City in a manner that enhances the property values of property in the City; and

WHEREAS, the unsightly storage of equipment, appliances, furniture, construction materials, garbage containers and similar items in open carports visible and readily accessible from the street or neighboring properties may present an uncivil threat to the health, safety and well being of the community.

NOW THEREFORE, BE IT ORDAINED BY THE MAYOR AND COMMON COUNCIL OF THE CITY OF LITCHFIELD PARK AS FOLLOWS:

Section I. In General.

The Code of the City of Litchfield Park, Arizona is hereby amended by amending Chapter 9 Health and Sanitation Article 9-5 Public Nuisances, Section 9-5-2 Definitions to add the definition of “carport” to read as follows (new text in ALL CAPS):

“CARPORT” MEANS A COVERED SHELTER OPEN ON AT LEAST ONE SIDE THAT IS INTENDED TO BE USED FOR THE PARKING OF CARS OF RESIDENTS OF THE ATTACHED DWELLING.

The Litchfield Park City Code, Chapter 9 Health and Sanitation Article 9-5 Public Nuisances, Section 9-5-5 Property Maintenance Regulations is amended to add new Paragraph I to read as follows (deleted text appears in ~~strikeout~~; new text in ALL CAPS):

- I. CARPORTS SHALL BE USED EXCLUSIVELY FOR THE STORAGE OF AUTOMOBILES, BICYCLES, ELECTRIC CARTS AND OTHER SUCH

COMMONLY USED TRANSPORTATION EQUIPMENT EXCEPT AS PERMITTED IN PARAGRAPHS 1 AND 2 BELOW.

1. LATCHED CABINETS IF THE REMAINING CARPORT SPACE MEETS CITY PARKING REQUIREMENTS. THE CABINETS SHALL BE WELL-MAINTAINED AND THE EXTERIOR FINISH OF THE CABINETS SHALL BE COMPATIBLE WITH THE COLOR OF THE RESIDENCE;
2. CONSTRUCTION MATERIALS BEING UTILIZED IN A HOME REMODELING PROJECT ON-SITE MAY BE PLACED IN AN OPEN CARPORT FOR A PERIOD OF TIME UP TO FOURTEEN (14) CONSECUTIVE DAYS, WHICH TIME PERIOD MAY BE EXTENDED BY THE BUILDING INSPECTOR FOR GOOD CAUSE SHOWN. ALL SUCH CONTRUCTION MATERIALS SHALL BE ASSEMBLED AND STORED SO THAT IT DOES NOT PRESENT A SAFETY HAZARD TO THE RESIDENTS OF THE PROPERTY OR TO THE PUBLIC.
3. CARPORTS WHOSE INTERIOR AREA IS NOT VISIBLE FROM THE PUBLIC STREET OR NEIGHBORING PROPERTIES ARE EXEMPT FROM THIS PARAGRAPH I.

Section II. 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 Code adopted herein by reference are hereby repealed.

Section III. Providing for Severability.

If any section, subsection, sentence, clause, phrase or portion of this Ordinance or any part of the 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.

Section IV. Providing for Penalties.

Any person found in violation of any provision of this Ordinance shall be responsible for a civil violation, punishable by a fine as set forth in Article 1-8 of the City Code. Each day that a violation continues shall be a separate offense punishable as herein described.

PASSED AND ADOPTED by the Common Council of the City of Litchfield Park, Arizona, this 21st day of February, 2007.

Thomas L. Schoaf, Mayor

ATTEST:

Mary Rose Evans, City Clerk

APPROVED AS TO FORM:

Curtis, Goodwin, Sullivan, Udall & Schwab, P.L.C.
City Attorneys
By Susan D. Goodwin