

PRESCOTT CITY COUNCIL SPECIAL MEETING AGENDA

**PRESCOTT CITY COUNCIL
SPECIAL MEETING
FRIDAY, JULY 13, 2012
2:00 PM**

**Council Chambers
201 South Cortez
Prescott, Arizona
(928) 777-1100**

The following Agenda will be considered by the Prescott City Council at its **Special Meeting** pursuant to the Prescott City Charter, Article II, Section 13. Notice of this meeting is given pursuant to Arizona Revised Statutes, Section 38-431.02.

- ◆ **CALL TO ORDER**
- ◆ **PLEDGE OF ALLEGIANCE**
- ◆ **ROLL CALL**

MAYOR AND CITY COUNCIL:

Mayor Kuykendall
Councilman Arnold
Councilman Blair
Councilman Carlow

Councilman Kuknyo
Councilman Lamerson
Councilman Scamardo

I. REGULAR AGENDA

A. Campaign Sign Free Zone(s):

1. Adoption of Resolution No. 4141-1301 establishing Campaign Sign Free Zones(s); **OR**
2. Adoption of Resolution No. 4141-1301 establishing Campaign Sign Free Zones(s) and declaring an emergency.
3. Adoption of Ordinance No. 4839-1302 amending City Code Sections 8-2-3 and 8-2-4 to limit campaign signs in certain public rights-of-way; **OR**
4. Adoption of Ordinance No. 4839-1302 amending City Code Sections 8-2-3 and 8-2-4 to limit campaign signs in certain public rights-of-way and declaring an emergency.

RECOMMENDED ACTION: MOVE to adopt Resolution No. 4141-1301 (and declaring an emergency if Council wishes); and MOVE to adopt Ordinance No. 4839-1302 (and declaring an emergency if Council wishes).

II. ADJOURNMENT

CERTIFICATION OF POSTING OF NOTICE

The undersigned hereby certifies that a copy of the foregoing notice was duly posted at Prescott City Hall on _____ at _____ .m. in accordance with the statement filed by the Prescott City Council with the City Clerk.

Kim Webb, CMC, Interim City Clerk

RESOLUTION NO. 4141-1301

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF PRESCOTT, YAVAPAI COUNTY, ARIZONA, CREATING CAMPAIGN SIGN FREE ZONES, RECITING THE BASIS FOR SAME, ESTABLISHING THE BOUNDARIES OF THE ZONES, AND ESTABLISHING ENFORCEMENT AUTHORITY

RECITALS:

WHEREAS, Arizona Revised Statutes authorize municipalities to create campaign sign free zones in important commercial tourism destination areas; and

WHEREAS, Prescott's significant commercial tourism and hotel destinations cover much of the city and the major roadways leading into it; and

WHEREAS, protection of the scenic and aesthetic appeal of these areas is of paramount importance to the economic and cultural vitality of the community; and

WHEREAS, it is in the interest of the citizens of the City of Prescott to establish campaign sign free zones over most of the public rights of ways within the community.

ENACTMENTS:

NOW THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF PRESCOTT AS FOLLOWS:

Section 1. THAT the City of Prescott designates the road rights-of-ways, as depicted on the map labeled "Attachment 1", and as designated on said map as "Area A", as a significant commercial tourism zone and therefore designated a Campaign Sign Free Zone to become effective November 23, 2012.

Section 2. THAT the City of Prescott designates the road rights-of-ways, as depicted on the map labeled "Attachment 1", and as designated on said map as "Area B", as a significant commercial tourism zone and therefore designated a Campaign Sign Free Zone to become effective November 23, 2012.

Section 3. THAT violations of the Campaign Sign Free Zone shall be as prescribed in City Code Section 8-2-12 PENALTIES and any other references to other City Code penalty sections contained therein.

PASSED AND ADOPTED by the Mayor and Council of the City of Prescott on this 13th day of July, 2012.

MARLIN D. KUYKENDALL, Mayor

ATTEST:

APPROVED AS TO FORM:

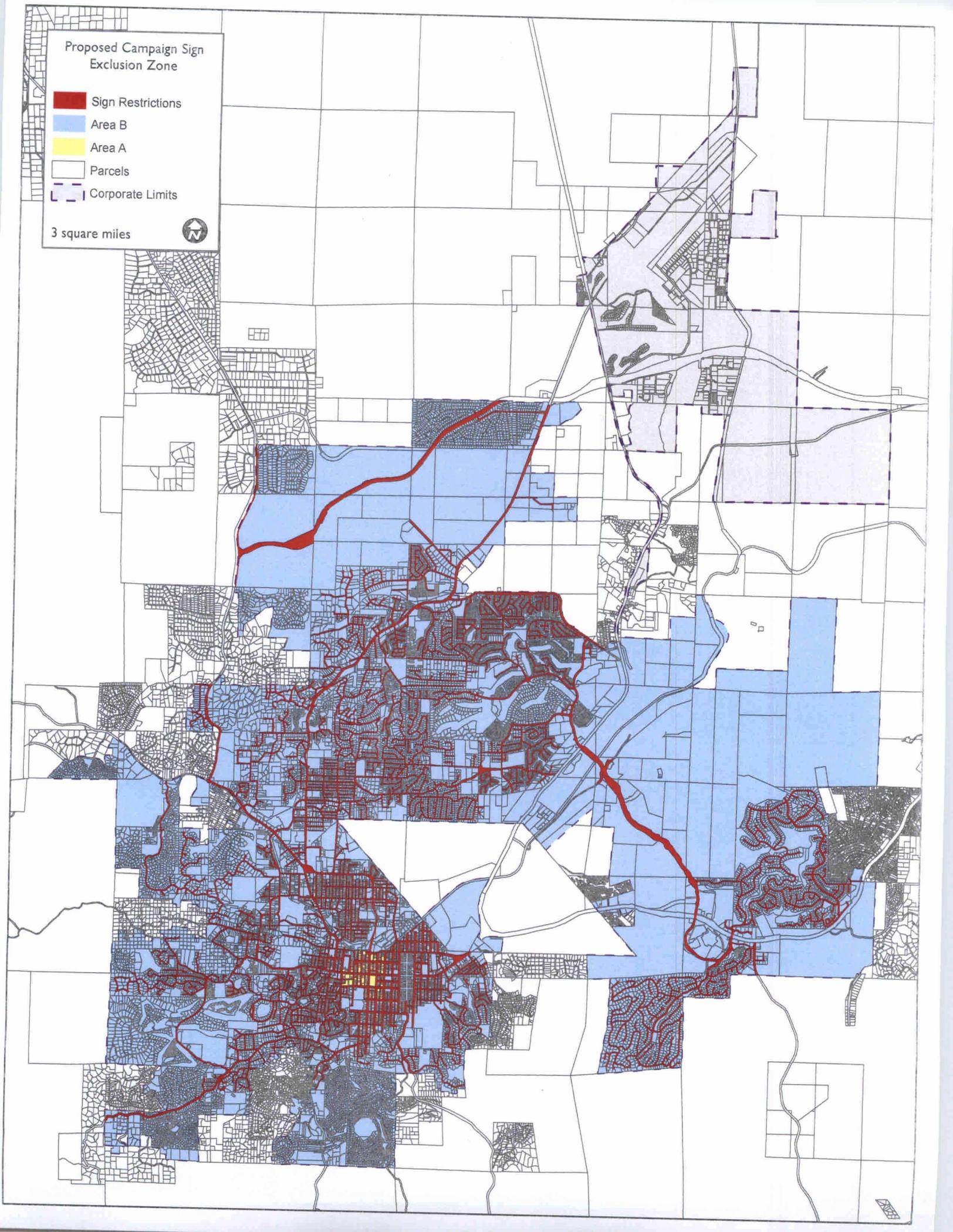
KIM WEBB, Interim City Clerk

City Attorney

Proposed Campaign Sign Exclusion Zone

- Sign Restrictions
- Area B
- Area A
- Parcels
- Corporate Limits

3 square miles



RESOLUTION NO. 4141-1301

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF PRESCOTT, YAVAPAI COUNTY, ARIZONA, CREATING CAMPAIGN SIGN FREE ZONES, RECITING THE BASIS FOR SAME, ESTABLISHING THE BOUNDARIES OF THE ZONES, AND ESTABLISHING ENFORCEMENT AUTHORITY, AND DECLARING AN EMERGENCY

RECITALS:

WHEREAS, Arizona Revised Statutes authorize municipalities to create campaign sign free zones in important commercial tourism destination areas; and

WHEREAS, Prescott's significant commercial tourism and hotel destinations cover much of the city and the major roadways leading into it; and

WHEREAS, protection of the scenic and aesthetic appeal of these areas is of paramount importance to the economic and cultural vitality of the community; and

WHEREAS, it is in the interest of the citizens of the City of Prescott to establish campaign sign free zones over most of the public rights of ways within the community; and

WHEREAS, the City of Prescott relies on tourism to generate revenue required for the provision of public health, safety and welfare services and any erosion to this revenue stream will severely affect the ability of the city to provide these vital services.

ENACTMENTS:

NOW THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF PRESCOTT AS FOLLOWS:

Section 1. THAT the City of Prescott designates the road rights-of-ways, as depicted on the map labeled "Attachment 1", and as designated on said map as "Area A", as a significant commercial tourism zone and therefore designated a Campaign Sign Free Zone immediately upon the effective date of this resolution.

Section 2. THAT the City of Prescott designates the road rights-of-ways, as depicted on the map labeled "Attachment 1", and as designated on said map as "Area

B”, as a significant commercial tourism zone and therefore designated a Campaign Sign Free Zone to become effective November 23, 2012.

Section 3. THAT violations of the Campaign Sign Free Zone shall be as prescribed in City Code Section 8-2-12 PENALTIES and any other references to other City Code penalty sections contained therein.

Section 4. THAT, an EMERGENCY is hereby declared to exist. The City of Prescott relies on tourism to generate revenue required for the provision of public health, safety and welfare services and any erosion to this revenue stream will severely affect the ability of the city to provide these vital services. THIS RESOLUTION SHALL BE IN FULL FORCE AND EFFECT FROM AND AFTER ITS PASSAGE, ADOPTION AND APPROVAL BY THE MAYOR AND COUNCIL OF THE CITY OF PRESCOTT.

PASSED AND ADOPTED by the Mayor and Council of the City of Prescott on this 13th day of July, 2012.

MARLIN D. KUYKENDALL, Mayor

ATTEST:

APPROVED AS TO FORM:

KIM WEBB, Interim City Clerk

City Attorney

ORDINANCE NO. 4839-1302

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF PRESCOTT, YAVAPAI COUNTY, ARIZONA, AMENDING CHAPTER 8 OF THE CITY CODE TO REGULATE CAMPAIGN SIGNS WITHIN THE PUBLIC RIGHT-OF-WAY

RECITALS:

WHEREAS, the Arizona Revised Statutes have been amended to allow campaign signs within the public rights-of-way; and

WHEREAS, the City Code of the City of Prescott currently does not permit campaign signs in the public-rights-of-way; and

WHEREAS, the City Council of the City of Prescott has determined that amending the City Code to conform to the Arizona Revised Statutes is in the interest of the citizens of Prescott.

ENACTMENTS:

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF PRESCOTT AS FOLLOWS:

SECTION 1. THAT, Section 8-2-3: Use of City Right of Way shall be amended by adding a new paragraph (E) to read:

“(E) No person shall place, maintain or cause to be placed or maintained a campaign sign on or in any public right of way within any established Campaign Sign Free Zone, as may be established by the City Council pursuant to applicable state statutes. Violations of these provisions shall be punishable as prescribed in section 1-3-1, GENERAL PENALTY; MISDEMEANORS, CIVIL VIOLATIONS, CONTINUING VIOLATIONS of the City Code”.

SECTION 2. THAT Section 8-2-4: Exemptions shall be amended to add a new paragraph “(R)” to read:

“(R) Campaign Signs provided however that they meet the following criteria:

- 1. The sign supports or opposes a candidate for public office or it supports or opposes a ballot measure.*
- 2. The sign is not placed in a location that is hazardous to public safety, obstructs clear vision in the area or interferes with the requirements of the Americans with Disabilities Act.*

- 3. *The sign has a maximum area of sixteen square feet, if the sign is located in an area zoned for residential use, or a maximum area of thirty-two square feet if the sign is located in any other area.*
- 4. *The sign contains the name and telephone number of the candidate or campaign committee contact person.*
- 5. *The sign is placed not more than 60 days before a primary election and is removed no later than 15 days after the general election. For candidates who do not advance to the general election, the sign must be removed no later than 15 days after the primary.”*

SECTION 3. THAT the Mayor and staff are hereby authorized to take all necessary steps to effectuate such rezoning.

PASSED AND ADOPTED by the Mayor and Council of the City of Prescott on this 13th day of July, 2012.

MARLIN D. KUYKENDALL, Mayor

ATTEST:

APPROVED AS TO FORM:

KIM WEBB, Interim City Clerk

Interim City Attorney

ORDINANCE NO. 4839-1302

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF PRESCOTT, YAVAPAI COUNTY, ARIZONA, AMENDING CHAPTER 8 OF THE CITY CODE TO REGULATE CAMPAIGN SIGNS WITHIN THE PUBLIC RIGHT-OF-WAY AND DECLARING AN EMERGENCY

RECITALS:

WHEREAS, the Arizona Revised Statutes have been amended to allow campaign signs within the public rights-of-way; and

WHEREAS, the City Code of the City of Prescott currently does not permit campaign signs in the public-rights-of-way; and

WHEREAS, the City Council of the City of Prescott has determined that amending the City Code to conform to the Arizona Revised Statutes is in the interest of the citizens of Prescott

WHEREAS, The City of Prescott relies on tourism to generate revenue required for the provision of public health, safety and welfare services and any erosion to this revenue stream will severely affect the ability of the city to provide these vital services.

ENACTMENTS:

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SECTION 3. THAT, an EMERGENCY is hereby declared to exist. The City of Prescott relies on tourism to generate revenue required for the provision of public health, safety and welfare services and any erosion to this revenue stream will severely affect the ability of the city to provide these vital services. THIS ORDINANCE SHALL BE IN FULL FORCE AND EFFECT FROM AND AFTER ITS PASSAGE, ADOPTION AND APPROVAL BY THE MAYOR AND COUNCIL OF THE CITY OF PRESCOTT.

SECTION 4. THAT the Mayor and staff are hereby authorized to take all necessary steps to effectuate such rezoning.

PASSED AND ADOPTED by the Mayor and Council of the City of Prescott on this 13th day of July, 2012.

MARLIN D. KUYKENDALL, Mayor

ATTEST:

APPROVED AS TO FORM:

KIM WEBB, Interim City Clerk

City Attorney