

ORDINANCE NO. 21-1134

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF DOUGLAS, COCHISE COUNTY, ARIZONA, REASSIGNING DUTIES OF THE DESIGN REVIEW BOARD TO THE BOARD OF ADJUSTMENTS AND REMOVING THE DESIGN REVIEW BOARD FROM THE DOUGLAS MUNICIPAL CODE BY AMENDING ORDINANCE NO. 352, 659, 702, 04-862, 14-1034, AND 20-1127 AS TO ARTICLE 11 OF THE ZONING REGULATIONS, AND AMENDING ORDINANCE NO. 703 AND 04-862, AS TO ARTICLE 16 OF THE ZONING REGULATIONS; ESTABLISHING SEVERABILITY OF COMPONENTS OF ORDINANCE; AND ESTABLISHING AN EFFECTIVE DATE THEREOF.

WHEREAS, Article V, Section 1 of the City Charter, approved in 1982, establishes that the Council by ordinance or resolution may create or abolish boards, commissions and committees of the City; and

WHEREAS, Pursuant to Resolution No. 20-1447 approved by Council on December 9, 2020, in which several City of Douglas committees were abolished, the need to abolish some committees was needed as committees were inactive.

WHEREAS, staff recommends that the duties of the Design Review Board be reassigned to the Board of Adjustments; and

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

**Section 1. Release from Duties and removed from the DMC**

That all references to the above-noted Design Review Board be relieved of their duties and removed from the Douglas Municipal Code.

**Section 2. Reassigning of Committee Duties**

The duties of the Design Review Board are hereby reassigned to the Board of Adjustments and that an Ordinance issue to this effect transfer of duties to take effect upon the Ordinance's effective date.

**Section 3. Severability:** if any part or clause or sentence of this Ordinance is declared by any Court of competent jurisdiction to be illegal or unconstitutional, then the remainder of this Ordinance shall not be deemed affected and shall continue in full force and effect after the deletion of the illegal or unconstitutional provision.

**Section 4.** This Ordinance provision 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 14<sup>th</sup> day of July, 2021.

Donald C. Hujish, Mayor

Approved as to Form:

Attest:

Alma Andrade, City Clerk

Denis Fitzgibbons, City Attorney