

**ORDINANCE NO. 12-06**

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE TOWN OF FOUNTAIN HILLS, ARIZONA, AMENDING THE TOWN OF FOUNTAIN HILLS ZONING ORDINANCE, RELATING TO TEMPORARY USE PERMITS.

**WHEREAS**, the Town of Fountain Hills (the "Town") adopted Ordinance No. 93-22, which adopted the Zoning Ordinance for the Town of Fountain Hills (the "Zoning Ordinance"); and

**WHEREAS**, the Town desires to amend various sections of the Zoning Ordinance to streamline the procedures for temporary use permits; and

**WHEREAS**, pursuant to ARIZ. REV. STAT. § 9-462.04, public hearings were (i) advertised in the August 22, 2012, and August 29, 2012 editions of the Fountain Hills Times and (ii) held by the Fountain Hills Planning and Zoning Commission on September 13, 2012, and by the Mayor and Council of the Town of Fountain Hills (the "Town Council") on October 4, 2012.

**NOW THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE TOWN OF FOUNTAIN HILLS, ARIZONA, as follows:**

**SECTION 1.** The recitals above are hereby incorporated as if fully set forth herein.

**SECTION 2.** The Zoning Ordinance, Chapter 2, Subsection 2.03(B)(1) (Temporary Use Permits – General Regulations) is hereby amended as follows:

1. Zoning district regulations established elsewhere in this ordinance specify that certain buildings, structures and uses of land may be allowed as temporary uses in a given district subject to the provisions of this section and to requirements set forth in district regulations. The ZONING ADMINISTRATOR ~~staff~~ is empowered to grant applications for temporary use permits ~~if no objections are received within the prescribed advertising period.~~ The ZONING ADMINISTRATOR ~~staff~~ may impose reasonable conditions upon such temporary use permits.

**SECTION 3.** The Zoning Ordinance, Chapter 2, Subsection 2.03(C) (Temporary Use Permits – Temporary Use Permit Application) is hereby amended as follows:

- C. **Temporary Use Permit Application:** Application for a temporary use permit shall be filed with the ~~Community Development~~ SERVICES Department on a form prescribed by the ~~Community Development~~ ZONING ADMINISTRATOR. The application shall be accompanied by a detailed site plan prepared in accordance with Section 2.04 showing all information necessary to demonstrate that the proposed use will comply with all special conditions as well as other regulations and requirements of this ordinance. An applicant shall furnish the staff with any additional information the staff may consider relevant to investigation of the case.

**SECTION 4.** The Zoning Ordinance, Chapter 2, Subsection 2.03(D) (Temporary Use Permits – Action and Findings) is hereby amended as follows:

- .....
2. ~~[RESERVED.] Notice of the nature of the temporary use permit application and the date in which any objections must be received shall be posted on the property and shall be mailed to the owners of all real property within three hundred (300) feet of the external boundaries of the property for which application is made. The advertising period shall be for at least ten (10) calendar days. The applicant shall be responsible for providing the names and addresses of these owners on postage paid, first class legal sized envelopes. It shall be the responsibility of the applicant to maintain the posting.~~
  3. Objections to ~~any proposed~~ THE ISSUANCE OF A temporary use permit shall be in writing. Such objections shall state the reason(s) for the objection and protest. The written objection must also contain the name, address, telephone number, and signature of the objector.
  4. If there is a written objection received WITHIN TEN (10) DAYS OF THE COMMENCEMENT OF THE USE ALLOWED BY THE TEMPORARY USE PERMIT ~~by the closing date of the advertising period,~~ THE ZONING ADMINISTRATOR SHALL SUSPEND THE TEMPORARY USE PERMIT UNTIL COUNCIL RENDERS A DECISION. The Council shall consider the application at the first regular meeting held not less than fifteen (15) days after receipt of said protest. At this meeting, the ~~Town~~ Council may render A decision on the matter or continue the matter to a specified date (but not later than the next regularly scheduled meeting).
  5. In order to grant a AN APPEALED temporary use permit, the findings of the Council must be that the establishment, maintenance, or operation of the use applied for will not be detrimental to the public health, safety, peace, comfort, and general welfare of persons residing or working in the neighborhood of such proposed use, nor shall it be detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the town.
- .....

SECTION 5. The Zoning Ordinance, Chapter 2, Subsection 2.03(E) (Temporary Use Permits, Time Limits) is hereby amended as follows:

1. Temporary use permits become effective the day ~~after the advertising period, if no written objections are received~~ OF ISSUE.
2. If any written protest is received, a temporary use permit ~~issued by the Town Council is~~ SUSPENDED AND BECOMES effective either the day after the Council's APPROVAL ~~decision~~ if no conditions for operation are outstanding; or, the day after any outstanding conditions are met.
3. A time limitation for temporary use permits shall be made at the time of issuance. At no time shall a temporary use permit be granted for more than two (2) years. In no case, shall a termination date of a temporary use permit be automatically extended as a result of a delay on the applicant's part to comply ~~to~~ WITH the conditions stipulated in the temporary use permit or in securing a building permit.
4. A building permit for the construction of any improvements allowed by any temporary use permit issued by the staff or ~~Town~~ Council shall be secured within six (6) months

from the date of approval. Any lapsing of the building permit prior to completion of the improvements will cause the temporary use permit to become null and void. Prior to the termination of this time limit, the staff or ~~Town Council~~ (whichever issued the temporary use permit) may reconsider said temporary use permit to determine if the permit should be reissued for an additional time period or be terminated.

5. No person shall reapply for the same or substantially the same temporary use permit on the same or substantially the same plot, lot, or parcel of land within a period of one (1) year from the date of denial of said TEMPORARY use permit.

SECTION 6. The Zoning Ordinance, Chapter 2, Subsection 2.03(F) (Temporary Use Permits, Time Limits) is hereby amended as follows:

1. Temporary use permits granted in accordance with the provisions of this ordinance may be revoked by the ~~Town Council~~ ZONING ADMINISTRATOR, if any of the conditions or terms of the permit are violated or if any law or ordinance is violated in connection therewith. The Zoning Administrator shall notify the ~~permittee~~ PERMIT HOLDER of a violation of a temporary use permit, in writing. If the violation is not remedied or the remedy is not substantially begun in the opinion of the Zoning Administrator within ten (10) days after notification, the owner/tenant ~~should~~ SHALL be notified that the ~~Town Council will consider revocation of the permit at its next meeting~~ TEMPORARY USE PERMIT IS REVOKED.
2. Any temporary use permit shall be considered null and void if construction does not SUBSTANTIALLY conform to the originally approved site plan. MINOR DEVIATIONS FROM THE ORIGINALLY APPROVED SITE PLAN MAY BE APPROVED BY THE ZONING ADMINISTRATOR. Any requests for MAJOR deviations from the originally approved site plan shall be processed as a new temporary use permit.

SECTION 7. The Zoning Ordinance, Chapter 5, Section 5.16 (Temporary Carnivals, Circuses, Revivals, Rodeos, Swap Meets, Outdoor Retail Sales and Similar Activities) is hereby amended as follows:

**Section 5.16 Temporary Carnivals, Circuses, Revivals, Rodeos, Swap Meets, ~~Outdoor Retail Sales and Similar Activities~~**

- A. **Applicability:** The provisions of this Section do not apply to garage sales or rummage sales. All other temporary carnivals, circuses, revivals, rodeos, swap meets, ~~outdoor sales~~, and similar activities may be permitted only in OSR, Commercial and Industrial Zone Districts subject to the restrictions of Subsection B of this Section.
- B. **~~Temporary Use~~ SPECIAL EVENT Permit:** A ~~temporary use~~ SPECIAL EVENT permit shall be obtained from the ~~Zoning Administrator~~ TOWN in accordance with the following:
  1. The ~~Zoning Administrator~~ TOWN shall ensure that health and safety are considered, and shall obtain the approval of the Maricopa County Health Department, the Fire Department, and the ~~Town Marshal's~~ MARICOPA COUNTY SHERIFF'S Office prior to issuing the ~~temporary use~~ SPECIAL EVENT permit.

2. The ~~Zoning Administrator~~ TOWN shall ensure that land area is adequate for the proposed use and consequent parking, and shall ensure that traffic safety is considered.
  - a. APPLICANTS SHALL submit a site plan, to scale, showing the proposed locations of temporary structures and activities and identify the available parking areas.
  - b. All parking areas must be paved or have an ~~approved~~ method of dust control ~~from~~ APPROVED BY the Town Engineer.
  - c. If the proposed ~~temporary use~~-SPECIAL EVENT location is within an existing parking area the number of parking spaces shall not be reduced BY more than ten (10) percent of the total spaces existing ~~unless otherwise approved by Council~~.
3. The ~~Zoning Administrator~~-TOWN shall require any measures necessary to protect surrounding property.
4. A time limit shall be established for each use conducted under the ~~temporary use~~-A SPECIAL EVENT permit. Unless otherwise approved ~~by the Town Council~~, the time limit shall not exceed seven (7) consecutive days, ~~nor shall there be more than one (1) temporary use permit issued for the same use during any calendar year. The Town Council may grant permission for the same use to be held more than one (1) time during a calendar year. Outdoor retail sales and similar SPECIAL EVENT uses, RECURRING OR OTHERWISE, such as swap meets and farmers markets may be permitted ANNUALLY under a single temporary use-SPECIAL EVENT permit. subject to the following:~~
  - ~~a. The recurring event shall not exceed a maximum of fifty (50) days during a calendar year.~~
  - ~~b. The event permitted under the temporary use permit shall recur within thirty (30) days of the prior event held under such permit; if the period of recurrence is greater than thirty (30) days, a separate temporary use permit shall be obtained for each occurrence.~~
  - ~~c. The Town Council shall approve all temporary use permits for outdoor retail sales recurring more than once (1) in a calendar year.~~
5. Permanent structures shall not be permitted under a ~~temporary use~~-SPECIAL EVENT permit.

SECTION 8. The Zoning Ordinance, Chapter 5, Section 5.21 (Temporary Construction Equipment and Storage Yards for Construction Activity in Public Rights-of-Way and Easements) is hereby amended as follows:

Construction equipment and material storage for projects in public rights-of-way and easements may be allowed in any zoning district, except the Open Space Recreational Zoning District, with ~~a temporary use~~-AN ENCROACHMENT PERMIT ISSUED BY THE TOWN ENGINEER. At a minimum, the following regulations are placed upon any such ~~a use~~:

....

**B.** The construction equipment and storage yards shall be enclosed by a VIEW OBSCURING fence at least six (6) feet and not more than eight (8) feet in height to provide effective site screening from adjoining properties. ~~uses or streets by the use of~~ Fencing materials that obscure at least ninety-five (95%) percent of wall plane of the fence ARE REQUIRED.

....

**K.** Vegetation shall be reestablished on all exposed fill slopes, cut slopes, and graded surfaces by means of a mixture of grasses, shrubs, trees or cacti to provide a basic ground cover which will prevent erosion and permit natural revegetation upon removal of the construction equipment and storage yard activity. Revegetation plans must be submitted to and approved by the Town of Fountain Hills prior to the granting of the ~~temporary-use~~ ENCROACHMENT permit. Revegetation of cut and fill slopes shall be done in such fashion as to restore those graded slopes to an appearance approximating, as closely as possible, their natural state. Indigenous plant materials or low water usage shrubs, trees and grasses must be used.

SECTION 9. The Zoning Ordinance, Chapter 9, Subsection 9.02(B)(7) (Open Space Zoning District – Permitted Uses) is hereby amended as follows:

**a.** A special event facility shall be constructed using the same exterior building materials and paint color as the clubhouse. Unless permitted by a development agreement, tents, membrane structures or similar buildings or structures are specifically prohibited. However, temporary single-event tent(s) may be permitted by SPECIAL EVENT ~~Temporary Use~~ Permit pursuant to Section 5.16 of this Ordinance.

....

**c.** In no case shall a special event facility be used between the hours of 12:00 AM and 6:00 AM on Friday and Saturday evenings. A special event facility shall not be used between the hours of 10:00 PM and 6:00 AM on Sunday through Thursday evenings. However, on holidays that occur on Sunday through Thursday evenings, the DEVELOPMENT SERVICES Director of ~~Community Development~~ may, with prior approval, allow a special event facility to be used until 12:00 AM instead of 10:00 PM. If the DEVELOPMENT SERVICES Director of ~~Community Development~~ determines that music or crowd noise has disturbed adjacent residential users, the DEVELOPMENT SERVICES Director of ~~Community Development~~, at his/her discretion and by certified letter to the golf course operator, may further limit the hours of future special events.

**d.** No additional parking spaces are required to be provided for a special event facility. However, there shall be no non-golf-related events that utilize the special event facility that begin before 4:00 PM unless either additional on-site parking for the facility is provided at a rate of one parking space per every 4 persons of the capacity of the special event facility or alternative parking accommodations and transportation (if necessary) are provided and prior approval is given by the DEVELOPMENT SERVICES Director of ~~Community Development~~.

....

SECTION 10. The Zoning Ordinance, Chapter 9, Subsection 9.03(A) (Uses Subject to Temporary Use Permit in the "OSR" Zoning District) is hereby amended as follows:

- A. **Master-Planned Village Sales and Information Center within a Clubhouse.** The developer of a master-planned VILLAGE ~~community over 200 contiguous acres,~~ may operate A MASTER-PLANNED VILLAGE SALES AND INFORMATION CENTER ~~an information/sales facility~~ within a clubhouse by temporary use permit only. In the review for a master-planned VILLAGE ~~community~~ sales and information center temporary use permit, the TOWN staff, ~~and if necessary, the Town Council,~~ may consider lighting, landscaping, hours of operation, signage, parking, duration, and neighborhood impact. ~~As-AT~~ a minimum, the following standards shall apply:

....

- 2. The center shall be for the purpose of marketing the specific master-planned village, the sale of lots in the master-planned village and the distribution of material concerning the attributes of the Town and surrounding areas. The office may not be used as an office for the sales of houses, the resale of lots, subdivisions with model homes, or property outside of the master-planned village. The sale of country club memberships within the master-planned village is permitted as an accessory USE ONLY IF THE MASTER-PLANNED VILLAGE HAS SUCH A COUNTRY CLUB.

....

- 5. Signage shall BE in conformance with Chapter 6, Section 6.07 of this ordinance.

SECTION 11. The Zoning Ordinance, Chapter 10, Subsection 10.02(A)(10) (Single-Family Residential Districts – Permitted Uses) is hereby amended as follows:

- 10. Home Day Care Center in an operator's residence, with no swimming pool, for five (5) or less people, operation only between the hours of 6:00 A.M. and 8:00 P.M. No signage or other evidence of a day care center is permitted. One additional off-street parking space is required. ANY OPERATION OF A DAY CARE CENTER PRIOR TO 6:00 A.M. AND AFTER 8:00 P.M. IS PERMITTED ONLY BY A SPECIAL USE PERMIT.

SECTION 12. The Zoning Ordinance, Chapter 10, Section 10.03 (Single-Family Residential Districts – Uses Subject to Temporary Use Permit) is hereby amended as follows:

- A. **Day Care Center for the Care of More Than Five (5) People:** A day care center for the care of more than five (5) people is permitted by temporary use permit only. A day care center for the care of more than five (5) people may be operated in ~~these~~ SINGLE-FAMILY RESIDENTIAL Zoning Districts with the following minimal stipulations:

....

- 5. ~~[RESERVED] Any operation of a Day Care Center prior to 6:00 A.M. and after 8:00 P.M. is permitted only by Special Use Permit.~~

....

- 9. Any Day Care CENTER Facility with a swimming pool or other applicable body of water as defined in Section 5.09-(D)- of this ordinance must meet the requirements for a pool enclosure described in that Section.
- 10. Any Day Care Center, which cares for more than five (5) people, shall be REQUIRED TO HAVE A VALID FOUNTAIN HILLS BUSINESS LICENSE AND BE licensed by the State of Arizona.

**B. Bed and Breakfast:** Bed and Breakfast operations may be permitted in ~~these SINGLE-FAMILY RESIDENTIAL~~ zones by Temporary Use Permit only. At a minimum, the following standards shall apply:

....

**C. Model Homes:** Model Homes may be permitted in a SINGLE FAMILY-residential area by Temporary Use Permit only. In the review for a model home, the staff, ~~and if necessary, the Town Council,~~ may consider lighting, landscaping, hours of operation, signage, parking, duration, and neighborhood impact. ~~As~~ AT a minimum, the following standards shall apply:

....

2. The model home shall be for the purpose of marketing the construction of custom ~~homes~~ or a tract ~~subdivision~~ HOMES with a given product line in Fountain Hills. A model home may not be used as an office for the marketing of developed property, or the marketing of property outside of Fountain Hills.

3. An off-street parking stall for each person stationed on site, plus two (2) spaces SHALL BE PROVIDED. Parking lots for model homes may be located on an adjacent lot owned by the owner of the model home.

**D. Master-Planned Village Sales and Information Center:** The developer of a master-planned village ~~over two hundred (200) contiguous acres~~ may operate an ~~information/sales facility~~ A MASTER-PLANNED VILLAGE SALES AND INFORMATION CENTER within a residentially zoned area by temporary use permit only. In the review for a master-planned village sales AND ~~information center~~ temporary use permit, the staff, ~~and if necessary the Town Council,~~ may consider lighting, landscaping, hours of operation, signage, parking, duration, and neighborhood impact. As AT a minimum, the following standards shall apply:

....

2. The center shall be for the purpose of marketing the specific master-planned village, the sale of lots in the master-planned village and the distribution of material concerning the attributes of the Town and surrounding areas. The office may not be used as an office for the sales of houses, the resale of lots, subdivisions with model homes, or property outside of the master-planned village. The sale of country club memberships within the master-planned village is permitted as an accessory use ONLY IF THE MASTER-PLANNED VILLAGE HAS SUCH A COUNTRY CLUB.

....

8. There shall be a landscape buffer of at least one-hundred-fifty (150) feet between the sales and information center and any occupied residential structures.

Landscaped areas shall include an approved mixture of drought tolerant or other plant materials, and organic and non-organic ground cover materials. Landscaping shall consist of one (1) plant for each twenty (20) square feet of landscape area. At least twenty-five (25) percent of the plants shall be 15 gallon or greater plants and the remaining plants must be at least five (5) gallon plants. The approval of the above mixture of landscape materials shall be by the ~~Community Development Department staff~~ ZONING ADMINISTRATOR with appeal to the Planning and Zoning Commission.

....

- E. **Swim School:** Swim schools may be permitted in ~~these~~ RESIDENTIAL zones by temporary use permit only. At a minimum, the following standards shall apply:

....

SECTION 13. The Zoning Ordinance, Chapter 11, Section 11.04 (Multi-Family Residential Zoning Districts – Uses Subject to Temporary Use Permit) is hereby amended as follows:

- A. **Day Care Center for the Care of More Than Five (5) People:** A day care center for the care of more than five (5) people is permitted by temporary use permit only. A day care center for the care of more than five (5) people may be operated in ~~these~~ MULTI-FAMILY RESIDENTIAL Zoning Districts with the following minimal stipulations:

....

- 5. Any operation of a Day Care Center prior to 6:00 A.M. and after 8:00 P.M. is permitted only by A SEPARATE Special Use Permit.

....

- 9. Any Day Care CENTER Facility with a swimming pool or other applicable body of water as defined in Section 5-(10)-(C) of this ordinance must meet the requirements for a pool enclosure described in that Section.

- 10. Any Day Care Center, which cares for more than five (5) people, shall be REQUIRED TO HAVE A VALID TOWN BUSINESS LICENSE AND BE licensed by the State of Arizona.

- B. **Bed and Breakfast:** Bed and Breakfast operations may be permitted in ~~these~~ MULTI-FAMILY RESIDENTIAL zones by Temporary Use Permit only. At a minimum, the following standards shall apply.

....

- C. **Model Homes:** Model Homes may be permitted in a MULTI-FAMILY residential area by Temporary Use Permit only. In the review for a model home, the staff, ~~and if necessary, the Town Council,~~ may consider lighting, landscaping, hours of operation, signage, parking, duration, and neighborhood impact. ~~As~~ AT a minimum, the following standards shall apply:

....

- 2. The model home shall be for the purpose of marketing the construction of custom ~~homes~~ or a tract ~~subdivision~~ HOMES with a given product line in Fountain Hills. A model home may not be used as an office for the marketing of developed property, or the marketing of property outside of Fountain Hills.

- 3. AN OFF-STREET PARKING SPACE FOR EACH PERSON STATIONED ON SITE, PLUS TWO (2) SPACES SHALL BE PROVIDED. PARKING LOTS FOR MODEL HOMES MAY BE LOCATED ON AN ADJACENT LOT OWNED BY THE OWNER OF THE MODEL HOME.

- E. **Master-Planned Village Sales and Information Center:** The developer of a master-planned village ~~over 200 contiguous acres,~~ may operate an ~~information/sales facility~~ A

MASTER-PLANNED VILLAGE SALES AND INFORMATION CENTER within a residentially zoned area by temporary use permit only. In the review for a master-planned village sales AND information center temporary use permit, the staff, ~~and if necessary the Town Council,~~ may consider lighting, landscaping, hours of operation, signage, parking, duration, and neighborhood impact. ~~As~~ AT a minimum, the following standards shall apply:

....

2. The center shall be for the purpose of marketing the specific master-planned village, the sale of lots in the master-planned village and the distribution of material concerning the attributes of the Town and surrounding areas. The office may not be used as an office for the sales of houses, the resale of lots, subdivisions with model homes, nor property outside of the master-planned village. The master-planned village is permitted as an accessory use ONLY IF THE MASTER-PLANNED VILLAGE HAS SUCH A COUNTRY CLUB.

....

8. There shall be a landscape buffer of at least ONE-HUNDRED-FIFTY (150) feet between the sales and information center and any occupied residential structures.
  - a. Landscaped areas shall include an approved mixture of drought tolerant or other plant materials, and organic and non-organic ground cover materials. Landscaping shall consist of one (1) plant for each TWENTY (20) square feet of landscape area. At least twenty-five (25) percent of the plants shall be 15 gallon or greater plants and the remaining plants must be at least five (5) gallon plants. The approval of the above mixture of landscape materials shall be by ~~the Community Development Department staff~~ ZONING ADMINISTRATOR with appeal to the Planning and Zoning Commission.

....

SECTION 14. The Zoning Ordinance, Chapter 15, Section 15.03 (Mobile Home District – Uses Subject to Temporary Use Permit) is hereby amended as follows:

- A. **Day Care Center for the Care of More Than Five (5) People:** A day care center for the care of more than five (5) people is permitted by temporary use permit only. A day care center for the care of more than five (5) people may be operated in ~~this~~ THE MOBILE HOME Zoning District with the following minimal stipulations:

....

5. Any operation of a Day Care Center prior to 6:00 A.M. and after 8:00 P.M. is permitted only by A SEPARATE Special Use Permit.
- ....
9. Any Day Care CENTER Facility with a swimming pool or other applicable body of water as defined in Section 5-(10)-(C) of this ordinance must meet the requirements for a pool enclosure described in that Section.
10. Any Day Care Center, which cares for more than five (5) people, shall be REQUIRED TO HAVE A VALID TOWN BUSINESS LICENSE AND BE licensed by the State of Arizona.

**B. Bed and Breakfast:** Bed and Breakfast operations may be permitted in ~~these~~ THE MOBILE HOME ZONING DISTRICT ~~zones~~ by Temporary Use Permit only. At a minimum, the following standards shall apply:

....

**C. Model Homes:** Model Homes may be permitted in a ~~residential~~ MOBILE HOME area by Temporary Use Permit only. In the review for a model home, the staff, ~~and if necessary, the Town Council,~~ may consider lighting, landscaping, hours of operation, signage, parking, duration, and neighborhood impact. ~~As AT~~ a minimum, the following standards shall apply:

....

3. AN OFF-STREET PARKING SPACE FOR EACH PERSON STATIONED ON SITE, PLUS TWO (2) SPACES SHALL BE PROVIDED. PARKING LOTS FOR MODEL HOMES MAY BE LOCATED ON AN ADJACENT LOT OWNED BY THE OWNER OF THE MODEL HOME.

SECTION 15. If any section, subsection, sentence, clause, phrase or portion 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 16. The Mayor, the Town Manager, the Town Clerk and the Town Attorney are hereby authorized and directed to execute all documents and take all steps necessary to carry out the purpose and intent of this Ordinance.

**PASSED AND ADOPTED BY** the Mayor and Council of the Town of Fountain Hills, Arizona, October 4, 2012.

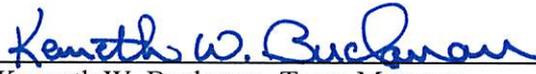
**FOR THE TOWN OF FOUNTAIN HILLS**

  
Linda M. Kavanagh, Mayor

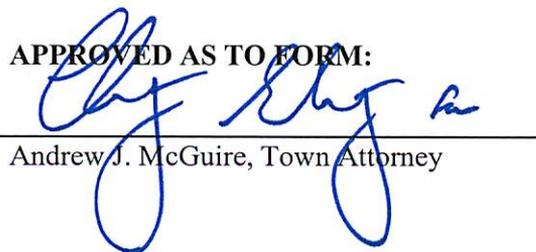
**ATTESTED TO:**

  
Bevelyn J. Bender, Town Clerk

**REVIEWED BY:**

  
Kenneth W. Buchanan, Town Manager

**APPROVED AS TO FORM:**

  
Andrew J. McGuire, Town Attorney