

## **ARTICLE 2 - ADMINISTRATION**

### **SEC. 2.0 RESPONSIBILITY.**

- A.** The City Council for the City of Eloy is hereby authorized to receive, process and otherwise act upon applications for preliminary subdivision plats, Master Planned Developments (M.P.D.), and Planned Area Developments (P.A.D.) in accordance with this Ordinance.
- B.** The City Council shall have final jurisdiction over all matters pertaining to the implementation of this Ordinance.
- C.** All applications for action under this Ordinance shall be filed initially with the Zoning Administrator or his/her designee for processing in accordance with this Ordinance.

### **SEC. 2.1 APPLICATION.**

- A.** Where this Ordinance imposes a greater restriction upon land, land improvement, or development, and land use than is imposed by existing provisions of law, ordinance, contract or deed, this Ordinance shall control.
- B.** This ordinance shall apply to all subdivisions, land splits, and minor land divisions as defined in Appendix A - Definitions of this Ordinance.

**SEC. 2.2 FILING FEES.** The Mayor and City Council of the City of Eloy may from time to time establish, and set by resolution, administrative fees considered necessary to process subdivision applications, and to review improvement plans and construction documents. The subdivider/developer/applicant shall, at the time of filing, pay to the City those established fees. These fees shall be non-refundable.

**SEC. 2.3 PROHIBITION OF CIRCUMVENTION.** No person, firm, corporation or legal entity shall sell, offer to sell, or divide any lot, piece, or parcel of land which constitutes a subdivision, as defined herein, or part thereof without first having recorded a plat thereof in accordance with this Ordinance. The City shall not issue any permits for work on any parcel in violation of this Ordinance.

### **SEC. 2.4 MODIFICATIONS.**

- A.** Where, in the opinion of the Council, upon recommendation by the Planning Department or the Planning and Zoning Commission, there exist extraordinary conditions of topography, land ownership or adjacent development, or other circumstances not provided for in this Ordinance, the Council may modify these provisions in such a manner and to such extent as it may deem appropriate to the public interest.
- B.** In the case of a plan and program for a Master Planned Development (M.P.D.), or a Planned Area Development (P.A.D.), the Council may modify this Ordinance in such manner as appears necessary and desirable to provide adequate space and improvements for the circulation, recreation, light, air, and service needs of the development when fully developed and populated and may require stipulations to assure conformance with the achievement of the approved plan.



- C. In modifying the standards or requirements of this Ordinance, as outlined above, the Council may make such additional requirements as appear necessary, in its judgment, to secure substantially the objectives of the standards or requirements so modified.

**SEC. 2.5** **VIOLATIONS AND PENALTIES.** Any person, firm, corporation, or other legal entity who violates any provision of this chapter shall be guilty of a misdemeanor, as set forth in §1-8 of the City Code. Each day that a violation is permitted to exist may constitute a separate offense. The imposition of any sentence shall not exempt the offender from compliance with the requirements of these regulations.

