



OFFICE OF THE
MAYOR
CITY OF SAN LUIS

Ordinance

ORDINANCE NO. 241

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF SAN LUIS, ARIZONA ESTABLISHING SETBACKS FOR WASTEWATER TREATMENT PLANTS; REPEALING CONFLICTING PROVISIONS; PROVIDING FOR SEVERABILITY; AND DECLARING AN EMERGENCY

WHEREAS the City of San Luis owns and operates a wastewater treatment plant whose site limits the amount of space available for expansion;

WHEREAS plans to expand said existing wastewater treatment plant will need to be instituted in the near future;

WHEREAS there is a desire to use as much of the existing site as possible for such expansion;

WHEREAS the City of San Luis is presently constructing a one million gallon per day East Mesa wastewater treatment facility and said facility is to be sited on a twenty acre site;

WHEREAS there is a desire to utilize as much of the existing site as possible for the establishment of said wastewater facility;

WHEREAS establishment of set back lines for said wastewater treatment plants is necessary for the maximum utilization of said sites and is immediately necessary to keep financial commitments made by the City of San Luis;

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

Section 1: That the setback distance for wastewater treatment facilities of a size of seven hundred fifty thousand gallons per day (750,000 gpd) or greater shall be no less than 100 feet from the property line on any side of the property upon which said treatment facility is located.

Section 2: In the event of a conflict between the provisions of this Ordinance and any other ordinance, resolution, regulation, or policy of the City of San Luis, the conflicting

Section 2: In the event of a conflict between the provisions of this Ordinance and any other ordinance, resolution, regulation, or policy of the City of San Luis, the conflicting provisions are hereby repealed, superseded, and replaced, and the provisions of this ordinance shall govern.

Section 3: If any section, subsection, sentence, clause, phrase, or portion of this Ordinance is for any reason held to be invalid or unconstitutional by the final decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance.

Section 4: Whereas, it is necessary for the preservation of the peace, health, safety and welfare of the City of San Luis, Arizona, and for further reason that the best interest of the City require the amendments to go into immediate effect, an emergency is declared to exist, and this ordinance shall become immediately operative and in force from and after the date of posting hereof.

PASSED AND ADOPTED by the Mayor and Council of the City of San Luis, Arizona, this 22nd day of February, 2006.



Nieves Riedel, Mayor

ATTEST:



Sonia Sanchez, City Clerk

APPROVED AS TO FORM:



Glenn J. Gimbut
City Attorney