

**ARTICLE I. INCORPORATION,
FORM OF GOVERNMENT, POWERS AND BOUNDARIES**

Sec. 3. Powers of the city.

The city shall have all the powers, functions, rights, privileges and immunities possible under the Constitution and general laws of Arizona as fully as though they were specifically enumerated in this charter, and all of the powers, functions, rights, privileges and immunities granted or to be granted, either expressly or by implication, to charter cities and to cities and towns incorporated under the provisions of title 9, Arizona Revised Statutes [A.R.S. § 9-101 et seq.], not in conflict herewith, and in addition, the city:

- (1) May acquire property within or without its corporate limits for any city purposes in fee simple or lesser interest or estate by purchase, gift, devise, lease or condemnation. The city may lease, sell, convey and otherwise dispose of any real or personal property owned by the city in the manner, for such consideration, and upon such conditions as may be determined by the council.
- (2) May designate and establish as floodways or floodplains, areas of land within the boundaries of the city reasonably required or necessary to improve, extend, maintain or facilitate the control or discharge of waters of rivers and streams and intermittent flowing creeks, washes, arroyos, drains and channels together with surface and floodwaters so as to prevent the loss of or injury to lives and damage to property and prevent and prohibit encroachments and obstructions within the floodway and floodplain areas so designated and established by the city, together with criminal and civil penalties for the violations thereof.
- (3) May adopt, and may from time to time modify, a General plan of the future physical development of the city to serve as a guide to all future council action concerning land use regulations and expenditures for capital improvements, and the council may by ordinance implement said General plan by adopting land use and development regulations including, but not limited to, an official map and zoning and subdivision regulations.
- (4) May levy and collect assessments and file liens on real property to collect amounts owed to the city for garbage and trash collection, sewer and water charges, and reasonable amounts expended by the city in the abatement of any nuisance, demolition and removal of any legally condemned building or structure and the cleaning and renovating of vacant lots which are offensive to the sight or smell or hazardous to the public health.
- (5) May prescribe the number of times a notice is to be published, the place of publications and the form of such notice when publication of a notice is directed or authorized by law.
- (6) May control and regulate the use and enjoyment of its streets and alleys, public grounds, or ways.

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- (7) May compel the owner or occupant of buildings or grounds to remove dirt, rubbish or weeds therefrom and from the sidewalks adjacent thereto; and in his default to authorize the removal or destruction thereof by some officer of the city at the expense of such owner or occupant, and to make such expense a lien upon such buildings or grounds, and to provide for the imposition of a penalty as in cases of misdemeanor for the failure of such owner or occupant to effect such removal.
- (8) May require all persons, firms, or corporations responsible for new physical development within the city to provide for or furnish, or pay a fee for furnishing: (a) public utility easements; (b) water production, storage and transmission; (c) sewage collection, treatment and disposal; (d) park land and development; (e) school sites; (f) dedication and improvement of public rights-of-way; (g) bike paths and other necessary transportation; (h) detention, retention, drainage, stormwater management facilities and water resources acquisition costs, storage and transmission; (i) flood control; and (j) other public facilities necessary to maintain satisfactory levels of service for said new development, as provided by ordinance which shall include definite standards basing the foregoing requirements on the needs of the residents of said new development.
- (9) May, when authorized by law, fix and determine by ordinance the rates of compensation to be collected by any firm or corporation for cable television services supplied to the city, or to the residents thereof, and to prescribe the quality of the service.
- (10) May compel the owner or occupant of buildings or grounds to keep the sidewalks adjacent thereto in good repair, and in his default to authorize the repair thereof by some officer of the city at the expense of such owner or occupant, and the city may make such expense a lien upon such buildings or grounds and to provide for the imposition of a penalty as in cases of misdemeanors for the failure of such owner to effect such repairs.
- (11) May require architectural and site plan review and approval prior to the development, construction, reconstruction, or conversion of any building.
- (12) May adopt specific plans for the use of areas within the city, and for the purpose of refining such comprehensive plans.
- (13) May require removal of all signs not conforming to the zoning ordinance. Signs not in conformance upon the effective date of this charter shall have the privilege of amortization as determined by ordinance.
- (14) May provide remedies to prevent, abate, and control pollution, including pollution of the air, water, and noise pollution, and exercise its rights and privileges under equity or under common law or statutory law to suppress nuisances or to abate pollution in any form.

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- (15) May exercise any of its powers or perform any of its functions, and may participate in the financing thereof jointly or in cooperation, by contract or otherwise, with any one or more states, political subdivisions, school districts, councils, Indian nations, or any board, commission or agency, a combination of them, or with the United States or any department or agency thereof or with any insular subdivision of the United States or with any political subdivision of a foreign nation.
- (16) In this charter mention of a particular power shall not be construed to be exclusive or to restrict the scope of the powers which the city would have if the particular power were not mentioned. The charter shall be liberally construed to the end that the city shall have all powers necessary or convenient for the conduct of its municipal affairs, and for the health, safety, and general welfare of its residents, including all powers that cities may assume pursuant to state law and the state constitution.

(Approved by voters on 3-19-93; Approval by Governor on 6-28-93)

((Approved by voters on 8-30-16; approved by Governor on 11-21-16) Res. 2016-40B, 4/19/2016, Amended SUPP 2016-03)