

# ARTICLE 14-1 INTRODUCTION

(Amended by Ord. No. 2014-21)

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### 14-1-1 INTENT

The intent of this chapter is to secure adequate light and air, to prevent the overcrowding of land and undue concentration of population, to secure safety from fire, panic and other dangers, to lessen or avoid congestion in the streets, to facilitate the adequate provision of transportation, water, sewerage, schools, parks and other public facilities, and otherwise to pro-mote the health, safety, morals, convenience and general welfare of the citizens of the City of Peoria, Arizona.

### 14-1-2 CONFLICTING REGULATIONS

Wherever any provision of this chapter imposes more stringent requirements, regulations, restrictions or limitations than are imposed or required by the provisions of any other law or ordinance, the provisions of this chapter shall govern. Whenever the provisions of any other law or ordinance impose more stringent requirements than are imposed or required by this chapter, then provisions of such ordinance or law shall govern.

### 14-1-3 PRIVATE AGREEMENTS

It is the intent of this chapter not to interfere with, abrogate or annul any easement, covenant, deed restriction or other agreement between parties; provided, however, that whenever this chapter imposes a greater restriction upon the use of buildings, structures or land, the provisions of this chapter shall govern.

**14-1-4 VESTED RIGHTS**

This chapter and any of the provisions herein established are not intended and shall not be construed to establish any vested rights in or on behalf of any person, firm or corporation, in respect to the continuation of any particular, use, zoning district classification or any activity occurring in connection therewith.

**14-1-5 STATUTORY EXEMPTIONS**

Nothing contained in this chapter shall be construed as:

- A. Unreasonably affecting existing uses of property or the right to its continued use or the reasonable repair or alteration thereof for the purpose for which used prior to the effective date of this chapter:
- B. Preventing, restricting or otherwise regulating the use or occupation of and improvements for railroad, metallurgical, grazing or general agricultural purposes, as herein defined, if the tract concerned is not less than two (2) contiguous acres. (Ord No. 03-25)

**14-1-6 JURISDICTION**

The jurisdiction of this chapter shall include all lands and waters within the corporate limits of the City of Peoria, Arizona.

**14-1-7 ADMINISTRATION**

Responsibility for the administration of this chapter is hereby vested in the Zoning Inspector. Zoning, as a police power vested in the City, is a primary means of regulating the specific, current and immediate future use of land in the community. Zoning regulations must therefore be comprehensive and reasonable and must be adjusted and expanded as necessary to meet new and changing conditions. To this end, the Planning and Zoning Commission shall, from time to time as the need arises, undertake and carry out such special studies and make such revisions, modifications and amendments of zoning standards, requirements, regulations, procedures and maps as may be necessary to improve the effectiveness of this chapter, and keep it responsive to Peoria's needs. The Commission shall be assisted in its duties by the Zoning Inspector, and by such outside consultants as the Council may retain for the purpose.

**14-1-8 ENFORCEMENT**

Responsibility for the enforcement of this chapter as hereinafter provided is hereby vested in the office of the Zoning Inspector, who shall be a city official appointed by the Council.

- A. Unless expressly stated otherwise, violations of this chapter may be enforced alternatively by civil or criminal penalties; however, no person served with a notice

charging a civil violation may be subject to criminal charge arising out of the same offense. However, prior civil determinations of responsibility for the same offense may be used to enhance penalties imposed upon a subsequent criminal conviction for an offense.

- B. Civil violations of this chapter shall be enforced as provided in Chapter 15 and Chapter 17, Section 17-51 of the City Code.
- C. Criminal violations of this chapter shall be enforced as provided in Chapter 15 and Chapter 17, Section 17-51 and pursuant to state statute.
- D. In addition to other enforcement actions that may be taken pursuant to this code or ordinance, the City Manager or designee may issue an order of abatement pursuant to Chapter 17, Section 17-59 of the City Code.
- E. Violations of this Ordinance are in addition to any other violation enumerated within the City ordinances or the City Code and in no way limits the penalties, actions or abatement procedures which may be taken by the City for any violation of this ordinance, which is also a violation of any other ordinance or Code provision of the City or statutes of the State.

**14-1-9 AMENDMENTS**

References within this ordinance to provisions, Articles or Sections of Articles within this ordinance shall be deemed to refer to said provision, Article or Section of Article as most recently amended, including cases in which such amendment may be located in a new or different Article or Section of Article of this ordinance or be otherwise renumbered.