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**ORDINANCE NO. 25-1206**

**AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF DOUGLAS, COCHISE COUNTY, ARIZONA, AMENDING CHAPTER 15.08 OF THE DOUGLAS MUNICIPAL CODE, BY ADDING SECTION 15.08.010(G) REGARDING THE WAIVER AND REIMBURSEMENT OF CERTAIN FEES; ESTABLISHING SEVERABILITY OF COMPONENTS OF ORDINANCE; AND ESTABLISHING AN EFFECTIVE DATE THEREOF.**

**WHEREAS**, the Mayor and Council have previously adopted Title 15 of the Douglas Municipal Code regarding building permit and inspection fees for buildings within the City of Douglas; and

**WHEREAS**, after consultation with city staff, the Mayor and Council find that certain nonprofit organizations that are victims of criminal activity and who have previously paid building permit and inspection fees should have subsequent fees waived or reimbursed to assist in the redevelopment of the impacted properties.

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

**Section 1.** Section 15.08.010(G) is hereby added to the Douglas Municipal Code and shall read as follows:

The city may waive or reimburse fees for all building, inspection and plan review fees for nonprofit organizations exempt from taxation pursuant to Section 501 of the United States Internal Revenue Code as it now exists or may hereafter be amended, where there are significant facts that tend to demonstrate criminal conduct was involved that necessitated the construction or reconstruction and the organization demonstrates that insurance proceeds are not sufficient to cover total cost for construction or reconstruction of the property.

**Section 2.** To the extent of any conflict between other City Ordinances and this Ordinance, this Ordinance shall be deemed to be controlling; provided, however, that this Ordinance is not intended to amend or repeal any existing City Ordinance, Resolution or regulation except as expressly set forth herein.

**Section 3. Effective date:** The provisions in this Ordinance shall be effective thirty (30) days after final approval and adoption by the Mayor and Council.

**Section 4. Severability.** If any chapter, section, subsection, sentence, clause or phrase 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 and this Ordinance shall continue in full force and effect after the deletion of the illegal or unconstitutional provision.

**PASSED AND ADOPTED** by the Mayor and Council of the City of Douglas, Arizona, this 12<sup>th</sup> day of February 2025.

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Jose Grijalva, Mayor

Attest:

Approved as to form:

\_\_\_\_\_  
Alma Andrade, City Clerk

\_\_\_\_\_  
Denis Fitzgibbons, City Attorney

Prepared by:  
Nick Cook, City Attorney