

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 DECLARING AN EMERGENCY.

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. [Any reimbursement paid under this Section 15.08.010\(G\) shall be only for fees paid within two \(2\) years of the effective date of this Ordinance.](#)

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. 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.

Section 4. Emergency Clause: Whereas the immediate operation of this Ordinance is necessary to the preservation of the public health, peace and welfare, an emergency is declared to exist and this Ordinance shall come into full force and effect by its terms from and after its passage by six-sevenths (6/7) of the Council and approval of the Mayor.

PASSED AND ADOPTED by the Mayor and Council of the City of Douglas, Arizona, this 12th day of March 2025.

Jose Grijalva, Mayor

Attest:

Approved as to form:

Alma Andrade, City Clerk

Denis Fitzgibbons, City Attorney

Prepared by:
Nick Cook, City Attorney