

Section 408: IMPLEMENTATION OF THE COMPREHENSIVE PLAN

- (A) **AREA IMPROVEMENT.** The Council may by ordinance provide for improvement, rehabilitation, and conservation programs for: (1) the alleviation or prevention of obsolescence, blight, or other conditions of deterioration; (2) the achievement of the most appropriate use of land; and (3) expend for such purposes funds of the City and may issue bonds for such purposes in the manner provided by the laws of the State of Arizona.
- (B) **HOUSING CODE.** No housing code shall be adopted by the Council without approval of the qualified electors of the City voting thereon at a general or special election.* The Council may implement an Individual Residential Rental Inspection program as authorized by State law. (Amd. Charter Election 11-4-08/4831)

Section 409: BOARD OF ADJUSTMENT

The Council shall, as required by state law, establish a Board of Adjustment, none of whose members shall be members of the Planning and Zoning Board or employees of the City, and shall provide standards and procedures for such Board. The Board shall hear and rule on appeals from administrative decisions, petitions for variances in the case of peculiar and unusual circumstances which would prevent the reasonable use of the land, and such other matters as may be required by the Council or by law.

Section 410: CITY COURT

There shall be a City Court of one (1) or more divisions, each presided over by a City Magistrate, with jurisdiction established by state law or by ordinance.

ARTICLE V - BOARDS AND COMMISSIONS

Section 501: BOARDS AND COMMISSIONS

- (A) **CREATION.** The Council may by ordinance create such advisory boards or commissions as in its judgment are required or as now are provided by law and may grant to them such powers and duties as are consistent with this Charter. The Council may abolish any board or commission not required by law or by Charter. A civilian Police Review Board is prohibited by this Charter.

- (B) **APPOINTMENT.** The Mayor shall appoint all board and commission members with the approval of the Council. Appointees shall be residents of the City. (Amd. Charter Election 3-29-94)
- (C) **TERMS.** Terms of board and commission members shall be staggered terms of three (3) years, except as otherwise provided by law. No member shall serve more than two (2) complete consecutive terms; however, a person may be reappointed after the lapse of three (3) years.

ARTICLE VI - FINANCE AND TAXATION

Section 601: FISCAL POWERS

The powers of the City concerning budget, taxation, finance, and fiscal matters shall be limited only by the provisions of the Constitution and laws of the State and by this Charter.

Section 602: TAXES

- (A) **TRANSACTION PRIVILEGE TAX.** The Council shall have the power to levy a transaction privilege tax (commonly called sales tax), provided that no such tax, if based on gross income, gross proceeds of sale, or gross receipts, shall be levied at a rate in excess of one percent (1%), unless such rate is approved by a majority of the qualified electors voting on the question at a general or special election.
- (B) **INCOME TAX.** No tax shall be levied on incomes unless approved by a majority of the qualified electors voting thereon at a general or special election.
- (C) **REAL ESTATE TAX.** No tax shall be levied on real estate unless approved by a majority of the qualified electors voting thereon at a general or special election. (Amd. Charter Election 3-14-00/IN99-2)
- (D) **PERSONAL PROPERTY TAX.** No tax shall be levied on personal property unless approved by a majority of the qualified electors voting thereon at a general or special election. (Amd. Charter Election 3-14-00/IN99-2)

* On March 14, 2000, the voters approved Proposition 400 (Ordinance No. 3478), which created a housing code for certain issues. See Title 8, Chapter 6 of the Mesa City Code.