

State of Arizona
House of Representatives
Fifty-third Legislature
Second Regular Session
2018

CHAPTER 139
HOUSE BILL 2503

AN ACT

AMENDING SECTION 11-865, ARIZONA REVISED STATUTES; RELATING TO COUNTY
PLANNING AND ZONING.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 11-865, Arizona Revised Statutes, is amended to
3 read:

4 11-865. Exemptions: exception

5 A. ~~The provisions of~~ This article ~~shall~~ DOES not ~~be construed to~~
6 apply to:

7 1. Construction or operation incidental to construction and repair
8 to irrigation and drainage ditches or appurtenances thereto, of regularly
9 constituted districts or reclamation districts, or to farming, dairying,
10 agriculture, viticulture, horticulture or stock or poultry raising, or
11 clearing or other work ~~upon~~ ON land in rural areas for fire prevention
12 purposes.

13 2. Devices used in manufacturing, processing or fabricating
14 normally considered as involved in industry and construction, operation
15 and maintenance of electric, gas or other public utility systems operated
16 by public service corporations operating under a franchise or certificate
17 of convenience and necessity.

18 B. Notwithstanding subsection A OF THIS SECTION, the requirements
19 of this article apply to the use or occupation of land or improvements by
20 a person or entity consisting of or including changing, remanufacturing or
21 treating human sewage or sludge for distribution or resale.

22 C. IF AN OWNER OF PROPERTY THAT IS CLASSIFIED AS TWO(R)
23 AGRICULTURAL PROPERTY PURSUANT TO SECTION 42-12002, PARAGRAPH 1,
24 SUBDIVISION (a), (b) OR (d) AND THAT IS EXEMPT PURSUANT TO THIS SECTION
25 DESIRES TO CHANGE THE AGRICULTURAL USE OF ALL OR PART OF THE PROPERTY, THE
26 PROPERTY OWNER SHALL NOT IMPLEMENT A CHANGE ENDANGERING PUBLIC HEALTH OR
27 SAFETY.

APPROVED BY THE GOVERNOR APRIL 5, 2018.

FILED IN THE OFFICE OF THE SECRETARY OF STATE APRIL 5, 2018.