

## CHAPTER 2 - ADMINISTRATION

Sec. 2-53. Claims; diminution in value of real property; private causes of action; limitations.

(a) If the City Council approves a Diminution in Value Claim and then removes or modifies the subject land use law, and such removal or modification directly regulates and causes a reduction in value of other property pursuant to A.R.S. § 12-1134, the decision of the City Council shall be presumed to constitute a fundamental government policy within the scope of Section 12-820.01, Arizona Revised Statutes.

(b) Any owner of real property other than the party having filed a Diminution in Value Claim with the City who alleges that the removal or modification of a land use regulation directly regulates and causes a reduction in the value of its property shall have a cause of action in superior court to recover from the party who filed the Claim the amount of the reduction.

(c) The prevailing party in such actions shall be entitled to reasonable attorney's fees and costs at trial and upon appeal.

(Ord. No. 07-30, 09/04/07, Enacted Sec. 2-53) SUPP 2007-4