

ORDINANCE NO. 153-99

AN ORDINANCE OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF QUEEN CREEK, ARIZONA, AMENDING THE TOWN CODE CHAPTER 16, UTILITIES, ARTICLE 4, SANITARY SEWER REGULATIONS, SECTION 16-4-10 SEWER CHARGES SET BY SEPARATE ORDINANCE BY REPEALING THE EXISTING SECTION 16-4-10 AND ADOPTING A NEW SECTION 16-4-10, ENTITLED "SEWER SERVICE FEES", AND A NEW SECTION 16-4-11, ENTITLED "MANDATORY SEWER CONNECTIONS".

BE IT ORDAINED BY THE MAYOR AND COMMON COUNCIL OF THE TOWN OF QUEEN CREEK, ARIZONA, AS FOLLOWS:

Section 1. That the Town Code, Chapter 16 Utilities, Article 4 Sanitary Sewer Regulations, Section 16-4-10 Sewer Charges Set by Separate Ordinance is hereby repealed upon the effective adoption of this ordinance.

Section 2. That the Town Code is hereby amended by the inclusion of a new Chapter 16 Utilities, Article 4 Sanitary Sewer Regulations, Section 16-4-10, entitled "Sewer Service Fees" and that the entire text of the new section is set forth as follows:

16-4-10: SEWER SERVICE FEES

- (A) The Council shall at least biennially by separate ordinance set the fees to be made for sewer service.
- (B) Sewer service fees shall be apportioned to include a user charge relating to the volume of effluent contributed by each user and a collection system maintenance and operation charge that includes all costs associated with maintenance of the collection system, customer billing and administration. Sewer service fees shall be allocated in such a manner that is proportionate to the cost of providing wastewater service to each user or user class insofar as those costs can reasonably be determined.
- (C) The volume portion of the sewer service fee shall be determined for residential users from the average monthly water use during the winter months of December, January and February. For other users the yearly average shall be used.
- (D) If a user can demonstrate that the volume portion of their service fee is significantly in error, they can appeal to the Town Engineer for an adjustment of their sewer service fee. The decision of the Town Engineer shall be final.
- (E) The following sewer user classes and user fees are established:

CLASS	FEE
Residential – (With an individual water meter)	AWW Use in Thousand Gallons X 90% X \$1.77 Plus a base fee of \$6.98.
Residential – (Other, with landscaping on the Same meter)	AWW Use in Thousand Gallons X 95% X \$1.77 Plus a base fee of \$6.98.
Residential – (Other, with landscaping on a Separate meter)	AWW Use in Thousand Gallons X \$1.77 Plus a base fee of \$6.98
Other Uses – (Without Pretreatment)	Ave. Monthly Use in Thousand Gallons X \$1.77 Plus \$6.98
Other Uses – (With Pretreatment)	Ave. Monthly Use in Thousand Gallons X \$1.77 Plus \$6.98 Plus a pretreatment monitoring charge (To be Determined)

For purpose of this section the following abbreviations and definitions apply:

AWW – This is the Average Winter Water use for the months of December, January and February.

- (F) In addition to the sewer service charges listed in (B) and (E) the Council may set other sewer service classes, fees or charges as desired.

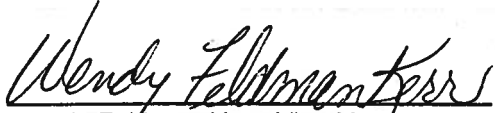
Section 3. That the Town Code is hereby amended by the adoption of Chapter 16 Utilities, Article 4 Sanitary Sewer Regulations, Section 16-4-11, entitled "Mandatory Sewer Connections" and that the entire text of the new section is set forth as follows:

16-4-11: MANDATORY SEWER CONNECTIONS

- (A) Property currently served by a septic tank system and located within the Town's sanitary sewer service area shall within six months from the date a public sewer becomes available to the property, connect to the public sewer in accordance with the provisions of this section and the Town's building code. It is the Town's responsibility to notify property owners when sewer service becomes available. The Town's sanitary sewer service area is described by separate resolution on file with the Town Engineer and Town Clerk.
- (B) All new development within the town's sanitary sewer service area shall be required to connect to a public sewer system. When an existing sewer line is not adjacent to a proposed new development it shall be the property owners responsibility to extend the system in accordance with the Town's Sewer Master Plan to serve their development.
- (C) A sewer line is considered available to the property if it is located in public right-of-way or public utility easement adjacent to the property.

PASSED AND ADOPTED by the Mayor and common Council of the Town of Queen Creek, Arizona, this 2nd day of June, 1999.

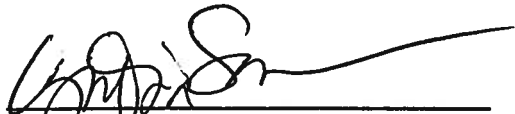
FOR THE TOWN OF QUEEN CREEK:


Wendy Feldman-Kerr, Vice-Mayor

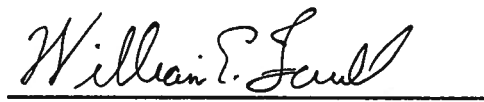
ATTESTED TO:


Jennifer F. Robinson, Town Clerk

REVIEWED BY:


Cynthia Seelhammer, Town Manager

APPROVED AS TO FORM:


William E. Farrell, Town Attorney


Richard L. Schaner, Town Engineer