

ORDINANCE 702-19

AN ORDINANCE OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF QUEEN CREEK, ARIZONA, AMENDING CHAPTER 16 UTILITIES, ARTICLE 16-9 WATER AND WASTEWATER CAPACITY CHARGES OFF-SITE IMPROVEMENTS, WATER AND WASTEWATER CAPACITY CHARGES, DECLARING AN EMERGENCY AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the Town Council adopted new, lower capacity fees for Water and Wastewater customers on June 5, 2019, which became effective on July 1, 2019; and

WHEREAS, capacity charges are used to pay the proportionate share of costs for the needed utility infrastructure attributable to new growth; and

WHEREAS, the Town desires to amend the adopted capacity fee schedule to more accurately reflect the fee calculation for meter sizes larger than 4 inches; and

WHEREAS, the Town has complied with all notice requirements associated with A.R.S. §9-511.01; and

WHEREAS, A.R.S. § 9-802 provides a procedure whereby a municipality may enact the provisions of a code or public record by reference, without setting forth such provisions, providing that the adopting ordinance is published in full.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Common Council of the Town of Queen Creek, Arizona as follows:

Section 1: That charges found in Exhibit A shall apply to Water and Wastewater customers, as prescribed in Section 16-9-2 "Water Capacity Charge" and 16-9-3 "Wastewater Capacity Charges" of the Town Code.

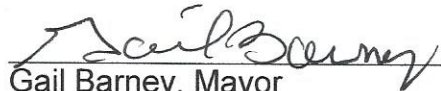
Section 2: That the current charges found in 16-9-2 "Water Capacity Charge" and 16-9-3 "Wastewater Capacity Charges" of the Town Code be amended to remove reference to 6", 8", and 10" meters and allow for a special calculation of water and wastewater capacity charges for turbine meters and meters larger than 4".

Section 3: Effective Dates for Water and Wastewater Capacity Charges; Emergency Clause: The immediate operation of the provisions of this Ordinance is necessary for the preservation of peace, health and safety of the Town of Queen Creek, Arizona, and an emergency is declared to exist, and this ordinance will be in full force and effect from and after August 8, 2019, pending posting hereof before such date.

Section 4: If any section, subsection, sentence, clause, phrase or portion of this Ordinance or any part of this addition or modification adopted herein by reference 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 thereof.

PASSED AND ADOPTED by the Mayor and Common Council of the Town of Queen Creek, Arizona, this 7th day of August 2019.

FOR THE TOWN OF QUEEN CREEK:


Gail Barney, Mayor

ATTESTED TO:


Jennifer F. Robinson, Town Clerk

REVIEWED BY:


John Kross, Town Manager

APPROVED AS TO FORM:

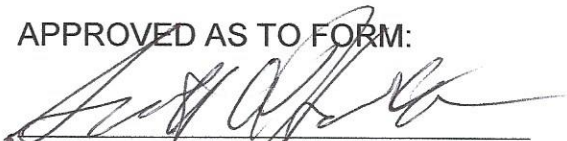

Dickinson Wright, PLLC
Attorneys for the Town

EXHIBIT A

WATER AND WASTEWATER CAPACITY CHARGES

Water Capacity Charges

Meter Size ⁽¹⁾	Capacity Ratio	Proposed Water Capacity Charge
3/4"	1.00	\$ 2,382
1"	1.67	\$ 3,978
1 1/2"	3.33	\$ 7,933
2"	5.33	\$ 12,697
3"	10.00	\$ 23,822
4"	16.67	\$ 39,711
6"	33.33	\$ 79,397
8"	53.33	\$ 127,044
10"	76.67	\$ 182,640
<u>(1) Meter sizes and associated fees are for compound meters. Fees for turbine meters and meters larger than 4-inches are subject to a special calculation</u>		

Wastewater Capacity Charges

Meter Size ⁽¹⁾	Capacity Ratio	Proposed Sewer Capacity Charge (Residential)	Proposed Sewer Capacity Charge (Non-Residential)
3/4"	1.00	\$ 2,901	\$ 2,901
1"	1.67	\$ 2,901	\$ 4,845
1 1/2"	3.33	\$ 9,660	\$ 9,660
2"	5.33	\$ 15,462	\$ 15,462
3"	10.00	\$ 29,009	\$ 29,009
4"	16.67	\$ 48,358	\$ 48,358
6"	33.33	\$ 96,688	\$ 96,688
8"	53.33	\$ 154,706	\$ 154,706
10"	76.67	\$ 222,413	\$ 222,413
<u>(1) Meter sizes and associated fees are for compound meters. Fees for turbine meters and meters larger than 4-inches are subject to a special calculation</u>			