

ORDINANCE NO. 762-21

AN ORDINANCE OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF QUEEN CREEK, ARIZONA, AMENDING CHAPTER 16 UTILITIES, ARTICLE 16-3-8(C) SEWER SERVICE FEES, AMENDING THE WASTEWATER SERVICE FEES AND RATE STRUCTURE, AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, Chapter 16 UTILITIES, ARTICLE 16-3-8(C) of the Queen Creek Town Code provides that charges for sanitary sewer system use and service shall be established by Council; and

WHEREAS, Council has determined that it is in the best interest of the Town and its residential sewer service customers to implement a water use cap used in the annual winter average calculation for residential sewer customers which will lower the monthly sewer rate for some customers and not increase any rates for any other customers; and

WHEREAS, the Council has further determined that it is in the best interest of the Town and its residential sewer service customers to allow for the administrative setting of a residential sewer cap; and

WHEREAS, the needed adjustments in the Town Code to effectuate the direction and intent of this ordinance have been identified; and

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COMMON COUNCIL OF THE TOWN OF QUEEN CREEK, ARIZONA, as follows:

Section 1: The Queen Creek Town Code, Arizona Chapter 16 UTILITIES, Article 16-3-8(C) Sewer Service Fees is hereby amended to read as follows (additions in **ALL CAPS**, removals in ~~strikethrough~~):

- C. The average winter water use or the volume portion of the sewer service fee shall be determined for residential (R1) and commercial (C2) users from the average monthly water use during the winter billing cycles of December, January, and February. The new volume portion of the sewer service fee shall become effective the first billing cycle of the subsequent fiscal year. For other users the monthly volume shall be used. **A CAP ON THE AVERAGE WINTER WATER USE TO BE UTILIZED FOR BILLING RESIDENTIAL USERS MAY BE ESTABLISHED ADMINISTRATIVELY BY THE TOWN MANAGER OR THEIR DESIGNEE.**

Section 2: The initial residential monthly wastewater cap is established at 17,000 gallons of water use (11,900 gallons with 70% flow factor) when determining the average winter water use, which will be applied to the July 2021 sewer billing for residential customers.

Section 3: To further effectuate the provisions of this ordinance, Exhibit A to Ordinance 701-19, adopted by the Council on June 5, 2019 which set the monthly charges applied to customers

for sanitary sewer system use and service provided by the Town is amended as set forth in the Exhibit A attached hereto and incorporated herein by reference.

Section 4: This ordinance will be effective on August 21, 2021.

Section 5: If any section, subsection, sentence, clause, phrase or portion of this Ordinance or any part of this additional 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.

Section 6: The Town Clerk is hereby directed to publish this adopting ordinance in full.

PASSED AND ADOPTED by the Mayor and Common Council of the Town of Queen Creek, Arizona, this 21st day of July 2021.

FOR THE TOWN OF QUEEN CREEK:

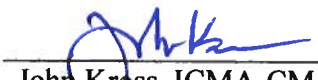
ATTESTED TO:


Gail Barney, Mayor


Maria Gonzalez, Town Clerk

REVIEWED BY:

APPROVED AS TO FORM:


John Kross, ICMA-CM
Town Manager


Dickinson Wright, PLLC
Attorneys for the Town

EXHIBIT A

WASTEWATER RATE SCHEDULE

Base Wastewater Rates

Rate Class	CURRENT
	Base Fee
R1	\$10.25
R2	\$10.25
R3	\$10.25
C1	\$11.96
C2	\$11.96
C3	\$11.96
B1	\$10.25

Base Wastewater Usage Fee (per 1,000 gallons)

Rate Class	CURRENT		PROPOSED	
	Usage Fee	AWWU ¹ Factor	July-21	AWWU ¹ Factor
R1	\$4.82	70%	\$4.82	70%
R2	\$4.82	100%	\$4.82	100%
R3	R1 Average	70%	Average²	70%
C1	\$5.61	N/A	\$5.61	N/A
C2	\$5.61	100%	\$5.61	100%
C3	\$5.61	N/A	\$5.61	N/A
B1	\$0.00	N/A	\$0.00	N/A

Notes

¹ AWWU is the “average winter water use” during the months of December, January, & February.

² ~~Recommended~~ R3 usage fee based on 70% of active-R1 **RESIDENTIAL** customer’s **AWWU**, which is updated annually.

A RESIDENTIAL MONTHLY WASTEWATER CAP IS ESTABLISHED AT 17,000 GALLONS OF WATER USE (11,900 GALLONS WITH 70% FLOW FACTOR) WHEN DETERMINING THE AVERAGE WINTER WATER USE.

R1: Residential I – With an individual water meter such as single family detached.

R2: Residential II – Other, with landscaping on a separate meter, such as condominiums.

R3: Residential III – New customers prior to establishing the AWWU.

C1: Commercial and Industrial I – Landscaping on separate meters and no pretreatment; includes office buildings, apartments, retails, restaurants, schools, employment, etc.

C2: Commercial and Industrial II – Landscaping on the same meter and no pretreatment; includes Queen Creek Middle School, Canyon State Academy, and some Town Center office conversions.

C3: Commercial and Industrial III – C1 with pretreatment.

B1: Builder I – Between issuance of building permit and certificate of occupancy.