

ORDINANCE NO. 998

AN ORDINANCE OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF WICKENBURG, COUNTY OF MARICOPA, ARIZONA AMENDING THE TOWN OF WICKENBURG CODE BY AMENDING CHAPTER 13 UTILITIES, ARTICLE 13-1 UTILITIES IN GENERAL, SECTION 13-1-1 ESTABLISHMENT OF UTILITY RATES, PARAGRAPH B TO INCLUDE FUNDING OF CAPITAL IMPROVEMENTS AS A CONSIDERATION IN RATE SETTING; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; AND PROVIDING FOR SEVERABILITY

BE IT ORDAINED by the Mayor and Common Council of the Town of Wickenburg, Arizona as follows:

Section I. In General.

The Code of Wickenburg, Chapter 13 Utilities, Article 13-1 Utilities in General, Section 13-1-1 Establishment of Utility Rates, Paragraph B is hereby amended by amending to read as follows (deleted text appears in ~~strikeout~~; new text in ALL CAPS):

B. Rates for each utility service department shall be sufficient to:

1. Pay when due all bonds and interest thereon for the payment of which revenue has been pledged, encumbered or charged, and
2. Provide for all expenses of operation, maintenance, expansion and replacement of facilities, and
3. Provide reasonable reserves for the purposes set forth in paragraphs 1 and 2 of this Subsection for each Utility Service Department to which such rates apply, ~~and no higher;~~ AND
4. PROVIDE FOR CAPITAL IMPROVEMENTS IN THE TOWN AT LEVELS DEEMED APPROPRIATE BY THE COUNCIL.

Section II. Repeal of Conflicting Resolutions.

All ordinances and parts of ordinances in conflict with the provisions of this Ordinance are hereby repealed.

Section III. Severance Clause.

If any section, subsection, sentence, clause, phrase or portion of this Ordinance 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 COMMON COUNCIL OF THE TOWN OF WICKENBURG,
ARIZONA THIS 7 DAY OF April, 2008.

By: 
R.R. "Ron" BADOWSKI, MAYOR

Date Signed: 4/15/08

ATTEST:

By: Donna Riffel
Donna Riffel, Town Clerk

Date Signed: 4-15-08

APPROVED AS TO FORM:

By: Susan O. Goodwin
William P. Sullivan, Town Attorney
Curtis, Goodwin, Sullivan, Udall & Schwab, PLC

Number of Councilmembers Present: 7
Number of Votes For: 7
Number of Votes Against: 0
Number of Abstentions: 0

CERTIFICATION

I, Donna Riffel, Town Clerk, HEREBY CERTIFY that the foregoing Ordinance No. 998 was duly passed and adopted by the Mayor and Common Council of the Town of Wickenburg, Arizona, at a Regular meeting held on the 7th day of April 2008, and that a quorum was present at the meeting.

Donna Riffel
Donna Riffel, Town Clerk