



ORDINANCE NO. 1164

AN ORDINANCE OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF WICKENBURG, ARIZONA AMENDING THE TOWN OF WICKENBURG CODE, CHAPTER 13 UTILITIES, ARTICLE 13-4 WATER SERVICE, BY AMENDING SECTION 13-4-8 RESTRICTION ON RESALE OF WATER, SUBSECTIONS C AND D, RELATED TO THE RESALE OF WATER BY RETAIL ESTABLISHMENTS; PROVIDING FOR PENALTIES; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; AND PROVIDING FOR SEVERABILITY

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

Section 1. In General.

The Code of Wickenburg, Chapter 18 Utilities, Article 13-4 Water Service, is amended by amending Section 13-4-8 Restriction on Resale of Water, Subsections C and D to read as follows (deleted text appears in strikeout; new text in ALL CAPS):

Section 13-4-8 Restriction on Resale of Water

* * *

- C. THE CUSTOMER SHALL, AT THE TOWN'S REQUEST, ~~Each month the customer shall~~ provide the Town with a list of each separately stated charge imposed upon each person for the prior month.
- D. The term "water customer," as used in this section, shall not include THE FOLLOWING:
 - i. A a public service corporation ~~whose~~ THAT CHARGES rates and FEES ~~charges have been subjected to the jurisdiction of~~

SET BY the Arizona Corporation Commission, as defined in the Arizona Constitution, Article XV, Section 2.

- ii. A RETAIL ESTABLISHMENT THAT SELLS WATER IN A CONTAINER OR ALLOWS CONSUMERS TO PROVIDE THEIR OWN CONTAINERS FOR TRANSPORTING WATER.

Section II. Repeal of Conflicting Ordinances.

All ordinances and parts of ordinances in conflict with the provisions of this ordinance or any part of the code adopted herein by reference are hereby repealed.

Section III. Providing for Severability.

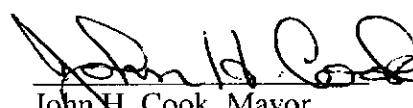
If any section, subsection, sentence, clause, phrase or portion of this Ordinance or any part of the Code adopted herein by reference, is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions thereof.

Section IV. Providing for Penalties.

Any person found guilty of violating any provision of this Ordinance shall be subject to the violation and penalty provisions of Article 14-27 Of the Wickenburg Town Code.

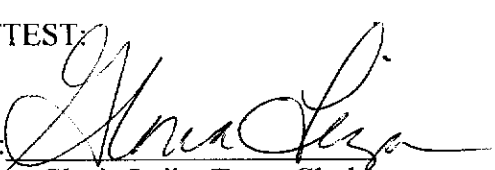
PASSED AND ADOPTED by the Town Council of the Town of Wickenburg, Arizona, this 16th day of May 2016.

By:


John H. Cook, Mayor

ATTEST:

By:


Gloria Leija, Town Clerk

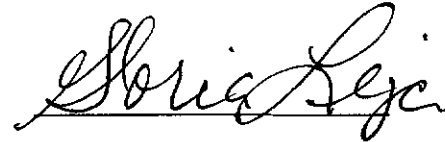
APPROVED AS TO FORM:

By:


Gust Rosenfeld, PLC, Town Attorney
By: Susan Goodwin

CERTIFICATION

I HEREBY CERTIFY that the foregoing Ordinance Number 1164 was duly passed and adopted by the Common Council of the Town of Wickenburg, Arizona, at a regular meeting held on the 16th day of May 2016, and that a quorum was present at the meeting.

A handwritten signature in cursive script, reading "Gloria Leija". The signature is written in black ink and is positioned above the printed name.

Gloria Leija, Town Clerk