

ORDINANCE NO. 4630

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SCOTTSDALE, MARICOPA COUNTY, ARIZONA, AMENDING PORTIONS OF CHAPTER 49 OF THE SCOTTSDALE REVISED CODE, REGARDING WATER, SEWERS, AND SEWAGE DISPOSAL

WHEREAS, the City of Scottsdale desires to continue to accommodate community needs for utility services without decreasing current standards of public health; and

WHEREAS, the City desires to adjust the current fees to provide water and sewer service in the City of Scottsdale to meet present and increasing demand and recover costs using a fair and proportionate structure.

WHEREAS, the City further desires to amend the provisions of Chapter 49 to provide clarity of language and improve the operations of the Water Resources Division of the City.

BE IT ORDAINED by the Council of the City of Scottsdale as follows:

Section 1.

Chapter 49 of the Scottsdale Revised Code, relating to Water, Sewers, and Sewage Disposal is amended in accordance with the provisions of Resolution No. 13091 with an outline of the provisions that may be affected below:

ARTICLE II – MUNICIPAL WATER SYSTEM

DIVISION 1. – GENERALLY

- Sec. 49-17 – City division director; rules and regulations; assignment of duties.
- Sec. 49-21 - Connection and meter installation fees.
- Sec. 49-22 – Application for domestic water service for an existing unit of service.
- Sec. 49-22.2 - Installation of automatic meter reading devices.
- Sec. 49-24 – Maintenance and testing of water meters.
- Sec. 49-25 – Water main shutdown.
- Sec. 49-28 – Relocation of service.

DIVISION 2. – USER RATES AND CHARGES

- Sec. 49-48 – Metered domestic rates.
- Sec. 49-48.1 – Stormwater fee.
- Sec. 49-50 – Hydrant and construction meters and water hauling.
- Sec. 49-53.1 – Assessment of late charges.

Accounts are considered delinquent after the due date. The due date is equal to twenty (20) days after the bill date, evidenced by the date printed on the bill, and late fees shall be assessed at any time thereafter. A late fee charge of five dollars (\$5.00) or the greater of one and one-half (1.5) percent, whichever is greater, per month or five dollars

~~(\$5.00) per account~~ shall be assessed on any combined unpaid balance greater than ~~ten~~ ~~five dollars (\$510.00)~~ for charges made pursuant to this article II and/or article IV of chapter 49 and/or article II of chapter 24 that are past due at time of regular billing. Late charges shall not be imposed on the first occurrence of any past due balance. They shall be imposed on all occurrences thereafter; however, a ~~one-time~~ late fee waiver of the greater of one and one-half (1.5) percent per month or five dollars (\$5.00) may be granted once per thirty-six (36) month period when requested.

Sec. 49-54 – Termination of service for nonpayment; fee; medial or financial hardships; hearing.

(b) When an authorized City employee turns off or attempts to turn off water service as provided in this section, the account holder shall be assessed a penalty of ~~ninety-eight dollars~~ ~~eighty dollars (\$980.00)~~ whether or not the employee is physically able to turn off the service.

ARTICLE III. - WATER AND WASTEWATER DEVELOPMENT FEES

Sec. 49-75. - Authority for development fees.

ARTICLE IV. – SEWAGE COLLECTION, PRETREATMENT and TREATMENT

DIVISION 3. – USER RATES AND CHARGES

Sec. 49-141. – Rates and user charges.

ARTICLE V. – WATER AND SEWER EXTENSIONS AND REIMBURSEMENT AGREEMENTS

Sec. 49-212. – General policy.

Sec. 49-215. – Line payback agreements.

Sec. 49-224. - Extension requirements for water and sewer lines.

ARTICLE VII. – WATER CONSERVATION

DIVISION 1. – WATER CONSERVATION

Sec. 49-242. - Limitation on water features for commercial users, new industrial users and common areas of residential developments.

Sec. 49-243. – Water conservation rebate programs.

as provided in that certain document known as “Amendments to Chapter 49, Scottsdale Revised Code - WATER, SEWERS AND SEWAGE DISPOSAL”, a paper and electronic copy of which is on file in the office of the City Clerk, which document was made a public record by Resolution No. 13091 of the City of Scottsdale, Arizona, and is hereby referred to, adopted, and made a part hereof as if fully set out in this ordinance.

Section 2. If any section, subsection, sentence, clause, phrase or portion of this ordinance or any part of the code adopted herein 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 3. The effective date of this Ordinance, as it relates to the amendments to Chapter 49, of the Revised Code of the City of Scottsdale, sewer/water reclamation rates and miscellaneous rates and charges is July 1, 2024.

Section 4. The effective date of this Ordinance, as it relates to the amendments to Chapter 49, of the Revised Code of the City of Scottsdale, water rate (volumetric and base) charges is November 1, 2024.

PASSED AND ADOPTED by the Council of the City of Scottsdale this 14 day of May, 2024.

CITY OF SCOTTSDALE, an Arizona municipal corporation

ATTEST:

By: Ben Lane
Ben Lane, City Clerk

By: David D. Ortega
David D. Ortega, Mayor

APPROVED AS TO FORM:

OFFICE OF THE CITY ATTORNEY

Karen Tyler
Sherry R. Scott, City Attorney
By: Karen Tyler, Senior Assistant City Attorney