

CITY COUNCIL REPORT



Meeting Date: May 19, 2026

Charter Provision: *Provide for the orderly government and administration of the affairs of Scottsdale*

Objective: *Determine Policies*

ACTION

Accept citizen comments at a public hearing regarding proposed rates and fees

Adopt Rates and Fees Ordinances and Resolutions

Adopt Resolution No. 13658 and Ordinance No. 4708, amending Scottsdale Revised Code, Chapter 49, Water, Sewer and Sewage Disposal sewer/water reclamation rates and miscellaneous rates and charges, effective July 1, 2026, and adjusting water rate (volumetric and base) charges, effective November 1, 2026.

Adopt Ordinance No. 4709, amending Scottsdale Revised Code Chapter 24, Solid Waste Management by adjusting solid waste rates and charges, effective July 1, 2026.

Adopt Resolution No. 13661, authorizing and approving adjustments to the Planning & Development Services Department fees and charges, July 1, 2026.

Adopt Resolution No. 13655, authorizing and approving the Parks and Recreation Department schedule of rates and fees, effective July 1, 2026.

Adopt Resolution No. 13656, authorizing and approving adjustments to the Preserve Department schedule of rates and fees, effective July 1, 2026.

Adopt Resolution No. 13667, authorizing and approving the Scottsdale Stadium and Indian School Park professional baseball facilities schedule of program charges, rentals, and event fees, effective July 1, 2026, and authorizing the City Manager or designee to execute Scottsdale Stadium and Indian School Park use agreements with negotiated fees or fees for areas not typically reserved.

Adopt Resolution No. 13668, authorizing and approving the event directional street banner fees in the Tourism & Events Department, effective July 1, 2026.

Adopt Resolution No. 13665, authorizing and approving adjustments to the Human Services schedule of program charges, rental fees, and fines, effective July 1, 2026.

Adopt Resolution No. 13660, authorizing and approving adjustments to the Library Department schedule of program charges, rental fees, and fines, effective July 1, 2026.

Adopt Resolution No. 13666, increasing Police Department hourly fees for off duty officers and increasing vehicle use fees, effective July 1, 2026.

BACKGROUND

Scottsdale’s Comprehensive Financial Policies and Governing Guidance require that enterprise fund (Water, Sewer, Solid Waste Management, and Aviation) user fees and charges be examined annually to ensure recovery of direct and indirect costs of service, debt service, provide adequate funding for future capital needs and be approved by the City Council.

The financial policies also require that all other user fees and charges be examined periodically to determine the direct and indirect cost of service recovery. The acceptable recovery rate and any associated changes to user fees and charges are to be approved by the City Council. Based on these policy directives, this report includes findings and recommendations for FY 2026/27.

FY 2026/27 proposed rate and fee changes were originally presented to the City Council on March 3, 2026. Further, the 60-day notice required under A.R.S. § 9-499.15 was posted on the city’s home page on March 19, 2026, and the notice of intent to establish or modify fees was also posted on the city’s home page on April 30, 2026, and distributed through the city’s social media accounts and other electronic communication tools. The schedule of rates and fees and written report or supporting documents were also filed in the office of the City Clerk.

IMPACT ANALYSIS

Enterprise Rates and Fees

As prescribed by Scottsdale’s adopted Comprehensive Financial Policies, the city sets rates for water, wastewater, solid waste management, and aviation services customers based on an annually updated five-year financial plan for each enterprise fund. The five-year plans are used to ensure that rate changes generate sufficient revenues to cover costs of serving customers and to maintain adequate reserves in accordance with the city’s adopted financial policies; reserve policies provide for contingencies and stabilize rate increases over the five-year planning period. As part of the comprehensive planning effort, the impact to the customer is carefully considered in determining the appropriate balance between utility bill increases, system needs and affordability. To accomplish this objective, the city systematically incorporates annual modest rate changes to meet current and future needs and strives to avoid acute rate escalations in any one year.

Water and Sewer State Public Notification Process: State statutes establish the public notice and public hearing processes to ensure that city water and sewer customers receive adequate notice to study the rate report supporting the proposed rate increases and the opportunity to speak at a public hearing regarding the proposed increases. State statutes require:

- Adoption of notice of intention to modify rates and miscellaneous water charges at a regular Council meeting (February 24, 2026) and setting of a date for a public hearing (May 19, 2026) on the proposed changes to be held not less than 60 days after adoption of the notice of intention;
- Posting a written report or data supporting the changes with the City Clerk at least 30 days prior to the public hearing (April 19, 2026);
- Publication of a notice of public hearing regarding the city's intention to modify rates and miscellaneous water charges in a newspaper of general circulation within the boundaries of the municipality not less than 20 days prior to the public hearing date (April 29, 2026);
- A public hearing at a City Council meeting (May 19, 2026);
- Adoption of the proposed changes any time after the public hearing (May 19, 2026);
- Implementation of changes no sooner than 30 days after adoption (proposed water rates effective November 1, 2026, miscellaneous water charges and wastewater rates effective July 1, 2026).

Recent Staff Action – Water and Sewer

In accordance with its adopted financial policies, the city completed the annual updates to the comprehensive five-year financial plans that incorporate all projected operating and capital revenues and expenses to determine the cash needs of the Water and Sewer Enterprise Funds. The city is proposing an increase of 4.5% to each meter size and volumetric tier of the water system and a 3.5% increase to each meter size and volume type of the sewer system. The city is also proposing an increase to miscellaneous rates and charges to meet cost recovery requirements for services provided to specific customers. Based on the updated five-year financial plans, a synopsis of revenue requirements and recommended miscellaneous charges are explained below:

Water Fund

The Water Enterprise Fund is impacted by multiple cost factors over the five-year planning period including:

- Operating cost increases for raw water, to include current drought pricing, put in place by Central Arizona Project (CAP),
- Operating cost increases for electricity in the Arizona Public Service (APS) service area,
- Costs associated with additional water source and supply,
- Increasing cost for replacing and repairing aging infrastructure,
- Operating cost increases for personnel services and benefits.

Increases to base fees are proposed to better reflect the recovery of fixed operating costs and adjusted to capture the demand availability designed into the system. Increases to commodity rates are proposed to generate sufficient revenues to maintain the water fund as a self-sustaining enterprise, encourage efficient water use and urge conservation.

Overall, the water base fee and commodity rate changes are forecasted to generate an annual revenue increase of approximately \$6.3 million and proposed to become effective November 1, 2026.

The current and proposed base fees, tiers, and commodity rates are as follows:

Base Fees (All Customers)		
Size	Current	Proposed
5/8" Meter	\$15.75	\$16.46
3/4" Meter	\$21.85	\$22.83
1" Meter	\$31.45	\$32.87
1.5" Meter	\$62.90	\$65.73
2" Meter	\$78.70	\$82.24
3" Meter	\$173.05	\$180.84
4" Meter	\$275.35	\$287.74
6" Meter	\$550.50	\$575.27
8" Meter	\$943.65	\$986.11

Residential Commodity Rates and Tiers						
Tier	Current			Proposed		
	Rate	From	To	Rate	From	To
1	\$1.72	0	5,000	\$1.80	0	5,000
2	\$3.24	5,001	12,000	\$3.39	5,001	12,000
3	\$4.75	12,001	20,000	\$4.96	12,001	20,000
4	\$6.27	20,001	30,000	\$6.55	20,001	30,000
5	\$8.05	Over 30,000		\$8.41	Over 30,000	
Rates are Per 1,000 Gallons						

Multi-Family Residential/Commercial/Landscaping Commodity Rates and Tiers						
Tier	Current			Proposed		
	Rate	From	To	Rate	From	To
1	\$1.72	0	5,000	\$1.80	0	5,000
2	\$3.24	5,001	12,000	\$3.39	5,001	12,000
3	\$4.75	12,001	20,000	\$4.96	12,001	20,000
4	\$6.27	Over 20,000		\$6.55	Over 20,000	
Rates are Per 1,000 Gallons						

Wastewater (Sewer) Fund

The Wastewater Enterprise Fund is impacted by multiple cost factors over the five-year planning period including:

- Operating cost increases for electricity in the APS service area;
- Increasing cost for replacing and repairing aging infrastructure;
- Expansion of facilities and sewer line extensions within the service area that are not covered by development fees;
- Maintenance cost increases of system infrastructure due to increased system demand;

- Operating cost increases for personnel services and benefits.

Increases to base fees are proposed to better reflect the recovery of fixed operating costs and adjusted to capture the demand availability designed into the system. Increases to volumetric rates are proposed to reflect the cost of wastewater loadings by customer class and generate sufficient revenues to maintain the wastewater fund as a self-sustaining enterprise.

Overall, the wastewater base fee and volumetric rate changes are forecasted to generate an annual revenue increase of approximately \$2.1 million and proposed to be effective July 1, 2026.

The current and proposed base fees and volumetric rates are as follows:

Base Fees (All Customers)		
Size	Current	Proposed
5/8" Meter	\$8.20	\$8.49
3/4" Meter	\$8.20	\$8.49
1" Meter	\$8.20	\$8.49
1.5" Meter	\$49.20	\$50.92
2" Meter	\$114.80	\$118.82
3" Meter	\$147.60	\$152.77
4" Meter	\$216.40	\$223.97
6" Meter	\$410.00	\$424.35
8" Meter	\$574.00	\$594.09

Volumetric rates		
Size	Current	Proposed
Single Family Residential	\$3.15	\$3.26
Multi-Family Residential	\$3.15	\$3.26
Commercial without Dining	\$3.15	\$3.26
Commercial with Dining	\$5.02	\$5.20
Hotels without Dining	\$3.15	\$3.26
Hotels with Dining	\$5.02	\$5.20
Car Washes	\$3.15	\$3.26
Commercial Laundry	\$4.13	\$4.27
Laundromats	\$3.15	\$3.26
Metal Platers	\$3.59	\$3.72
Restaurants/Bakeries	\$6.77	\$7.01
Service Station Auto Repair	\$3.17	\$3.28
Medical Institutions	\$3.15	\$3.26
Schools	\$3.15	\$3.26
Rates are Per 1,000 Gallons		

Water and Wastewater Miscellaneous Rates and Charges

To address cost recovery, new hydrant meter volumetric and bulk water rates are proposed in addition to increases to miscellaneous charges and are proposed to be effective on July 1, 2026. These increases are needed to meet the City’s financial policy that rates and charges recover all direct and indirect costs of service. Miscellaneous rates and charges are assessed to specific users of the service so that general rate payers do not bear the burden.

Increases to water miscellaneous rates and charges are proposed to maintain cost recovery for specific services and are forecasted to generate an annual revenue increase of approximately \$64,783 and be effective July 1, 2026.

The proposed miscellaneous rates and charges increase include:

Program/Fee	Fee Assessed	FY 2025/26 Current Fee	FY 2026/27 Proposed Fee	Change in Fee	Revenue Change
5/8" Meter Service Line	per development	\$2,400	\$2,790	\$390	\$390
5/8" Meter Service Line and Meter	per development	\$2,690	\$3,080	\$390	\$390
3/4" Meter Service Line	per development	\$2,410	\$2,800	\$390	\$390
3/4" Meter Service Line and Meter	per development	\$2,730	\$3,120	\$390	\$1,170
1" Meter Service Line	per development	\$2,440	\$2,830	\$390	\$1,170
1" Meter Service Line and Meter	per development	\$2,880	\$3,270	\$390	\$57,330
2" Meter Service Line	per development	\$3,920	\$4,090	\$170	\$340
2" Meter Service Line and Meter	per development	\$4,790	\$4,960	\$170	\$850
Bulk Water Rate	per 1,000 gallons	\$2.42	\$2.53	\$.11	\$2,753

There are no miscellaneous rates or changes proposed for wastewater.

Changes to the City Code for housekeeping updates, including processes, definitions, and titles are proposed to be effective July 1, 2026.

Solid Waste Fund

In accordance with its adopted financial policies, the city completed annual updates to the comprehensive five-year financial plans that incorporate all projected operating and capital revenues and expenses to determine the cash needs of the Solid Waste Fund. A proposed increase of 2% to the residential solid waste rate and various increases to the commercial solid waste rates reflected increased costs of service provision based on a range of factors. The 2% residential rate will raise the monthly rate for single-family home collection service by \$0.64, from \$31.78 per month to \$32.42 per month.

Revenue requirements for the Solid Waste Fund are primarily impacted by inflationary effects, landfill and transfer disposal costs, fleet costs, and recycling market volatility and resulting costs. The national CPI average was approximately 2.6% in 2025. These inflationary increases significantly impact the commodities utilized by the Solid Waste Department, most notably by way of rising costs for Personal Protective Equipment (PPE), equipment, parts, and more. These items are essential to daily operations and are required for successful collection efforts across all programs. Landfill tipping costs have also contributed to the need for additional revenues; a tipping fee increase of 2.7% became effective October 1, 2025. The transfer fee imposed on all tonnage that is transported via third-party hauler from the Solid Waste Transfer Station to the landfill or recycling facility also increased 2.7% from \$17.08 per ton to \$17.54 per ton.

The volatility of the recycling market also plays a role in the proposed rates and fees increases. The market for recycled material remained mostly stable throughout much of FY 2024/25. Although supply chains have improved, inflationary impacts have resulted in less spending overall, thus translating to less demand for recycled material and lower revenues. Markets have declined in FY2025/26, which has translated to elevated costs to manage a ton of recyclable material, thus impacting the Solid Waste Fund accordingly.

Overall, the residential solid waste rate changes are forecasted to generate an annual revenue increase of approximately \$671,293, or 2%. The proposed commercial refuse solid waste rate changes are forecasted to generate an annual revenue increase of approximately \$121,194, or 4%. The proposed commercial front load recycle rate changes are forecasted to generate an annual revenue increase of approximately \$5,612, or 4%. The proposed commercial recycle carts rate changes are forecasted to generate an annual revenue increase of approximately \$4,647 or 4.0%. The proposed roll-off rate changes are forecasted to generate an annual revenue increase of approximately \$20,493, or 4.0%. Proposed rate increases for miscellaneous fees, such as the roll-off additional ton fee, are forecasted to generate an increase of approximately \$4,411. The roll-off additional ton fee has been increased from \$49.23 per ton to \$50.70 per ton to reflect the actual cost of landfill disposal with the most recent landfill rate increases. The roll-off compactor charge has increased from \$57.20 to \$59.49. All proposed rate increases, if approved, will take effect July 1, 2026.

The proposed monthly rates for FY 2026/27 are summarized in the following tables:

Residential Solid Waste

Residential Cart Rates- includes 1x week refuse collection and 1x week recycling collection		
Container Size	Current Residential Rates	Proposed Residential Rates
20 Gallons	\$31.78	\$32.42
90 Gallons	\$31.78	\$32.42
Additional Refuse Container	\$16.13	\$16.45
	Total rate of \$31.78 includes \$0.08 fee paid to the State of Arizona Section § 49.836	Total rate of \$32.42 includes \$0.08 fee paid to the State of Arizona Section § 49.836

Commercial Solid Waste: Front Load

Current Front Load Rates						
Container Size	Collection Frequency Per Week					
	1	2	3	4	5	6
2 Cubic Yard	\$117.52	\$235.05	\$352.57	\$470.09	\$587.62	\$705.14
3 Cubic Yard	\$126.42	\$252.85	\$379.27	\$505.69	\$632.12	\$758.54
4 Cubic Yard	\$135.74	\$271.47	\$407.21	\$542.94	\$678.68	\$814.41
5 Cubic Yard	\$144.29	\$288.59	\$432.88	\$577.17	\$721.46	\$865.76
6 Cubic Yard	\$153.19	\$306.39	\$459.58	\$612.77	\$765.97	\$919.16
8 Cubic Yard	\$166.31	\$332.63	\$498.94	\$665.26	\$831.57	\$997.89
Flat Multi-Container Discount	Additional refuse containers of two or more will be discounted a flat ten (10) percent; discount applied to least expensive container					

Proposed Front Load Rates						
Container Size	Collection Frequency Per Week					
	1	2	3	4	5	6
2 Cubic Yard	\$122.22	\$244.45	\$366.67	\$488.90	\$611.12	\$733.34
3 Cubic Yard	\$131.48	\$262.96	\$394.44	\$525.92	\$657.40	\$788.88
4 Cubic Yard	\$141.17	\$282.33	\$423.50	\$564.66	\$705.83	\$846.99
5 Cubic Yard	\$150.06	\$300.13	\$450.19	\$600.26	\$750.32	\$900.39
6 Cubic Yard	\$159.32	\$318.64	\$477.96	\$637.28	\$796.60	\$955.92
8 Cubic Yard	\$172.97	\$345.93	\$518.90	\$691.87	\$864.84	\$1,037.80
Flat Multi-Container Discount	Additional refuse containers of two or more will be discounted a flat ten (10) percent; discount applied to least expensive container					

Commercial Solid Waste: Roll Off

Current Roll Off Rates	
Container Size	
20 Cubic Yard	\$651.05
30 Cubic Yard	\$651.05
40 Cubic Yard	\$651.05

Proposed Roll Off Rates	
Container Size	
20 Cubic Yard	\$677.09
30 Cubic Yard	\$677.09
40 Cubic Yard	\$677.09

Commercial Solid Waste: Front Load Recycling

Current Front Load Recycling Rates		
Container Size	Collection Frequency Per Week	
	1	2
2 Cubic Yard	\$93.00	\$186.00
3 Cubic Yard	\$97.74	\$195.49
4 Cubic Yard	\$102.51	\$205.03
6 Cubic Yard	\$112.00	\$224.00
8 Cubic Yard	\$121.52	\$243.05

Proposed Front Load Recycling Rates		
Container Size	Collection Frequency Per Week	
	1	2
2 Cubic Yard	\$96.72	\$193.44
3 Cubic Yard	\$101.65	\$203.31
4 Cubic Yard	\$106.61	\$213.23
6 Cubic Yard	\$116.48	\$232.96
8 Cubic Yard	\$126.39	\$252.77

Commercial Solid Waste: Front Load Recycling

Current Recycling Carts Rates		
Container Size	Collection Frequency Per Week	
	1	2
90 Gallons	\$14.30	\$28.61
300 Gallons	\$46.77	\$93.54

Proposed Recycling Carts Rates		
Container Size	Collection Frequency Per Week	
	1	2
90 Gallons	\$14.87	\$29.75
300 Gallons	\$48.64	\$97.28

Miscellaneous Fees

Current Miscellaneous Charges	
Roll Off Additional Compactor Fee	\$57.20
Roll Off Additional Ton Fee	\$49.23

Proposed Miscellaneous Charges	
Roll Off Additional Compactor Fee	\$59.49
Roll Off Additional Ton Fee	\$50.70

All Other Rates and Fees

Below is a summary of the other FY 2026/27 rates and fee proposals submitted for consideration.

Planning and Development Services

The Planning and Development Services Department manages the development review process for the city. Through this process, it regulates development and improvement of property within Scottsdale. Prior to developing or improving properties, plans must be submitted for review. Upon plan approval, permits must be obtained prior to commencing construction. Throughout and upon completion of construction, development inspections occur to ensure the community's health, safety and welfare. Rates and fees are designed to recover the costs of providing these services related to the development process.

Per Scottsdale Revised Code Section 46-141, these fees shall be examined and may, by adoption of the City Council, be adjusted to recover direct and indirect costs of providing services. During the annual review of these rates and fees, it was determined that the following items need to be addressed for FY 2026/27.

Planning and Development Services – Base Rates and Fees

The Planning & Development Services Department has reviewed all departmental rates and fees and determined the vast majority should remain at existing levels without increase. The only proposed changes to the department rates and fees include new and modified fees associated with new land use and adjusted land division case types to meet newly adopted State law mandates. New fees are proposed for accessory dwelling units, middle housing and multi-family conversion (adaptive reuse) case types. Modified fees are associated with land division case types.

Program/Fee	Fee Assessed	Current Fee FY2025/26	Proposed Fee FY 2026/27	Increase per user	Revenue Change
P&D Services Rates & Fees	Per rate or fee	varies	varies	varies	\$85,038

Parks and Recreation

On July 18, 1988, the City Council passed Ordinance No. 2022 which established a process for setting fees and charges for city recreation facilities, equipment, and programs. The ordinance, codified as Scottsdale Revised Code Sections 20-51 and 20-52, establishes the authority of the City Council, from time to time, to set all such fees and charges by Resolution. Fees are reviewed periodically per the city's adopted financial policies.

The Parks and Recreation fee review process includes cost recovery analysis, benchmarking, ensuring fee consistency, and assessment of public and administrative impacts. During the annual review, it was determined that the following rates and fees need to be adjusted:

Program/Fee	Fee Assessed	FY 2025/26 Current Fee	FY 2026/27 Proposed Fee	Change in Fee	Revenue Change
YSFA Partner Daytime Field Rental Rate	Per hour	\$5	\$0	(\$5)	(\$113,670)
YSFA Partner Evening Field Rental Rate	Per hour	\$12.50	\$0	(\$12.50)	(\$284,175)
YSFA Partner Primary Season Daytime Field Rental Rate	Per hour	\$0	50% of resident rate (Current Resident rate: \$10)	\$5	\$68,200
YSFA Partner Primary Season Evening Field Rental Rate	Per hour	\$0	50% of resident rate (Current Resident rate: \$25)	\$12.50	\$170,500
YSFA Partner Non-primary season Daytime Field Rental Rate	Per hour	\$0	75% of resident rate (Current Resident rate: \$10)	\$7.50	\$68,205
YSFA Partner Non-primary season Evening Field Rental Rate	Per hour	\$0	75% of the resident rate (Current Resident rate: \$25)	\$18.75	\$170,513
McCormick-Stillman Railroad Park Roundhouse Entry (1 st Adult free with paid child entry - Ages 2 and under free)	Per Person / One Hour of Play	\$6 or two ride tickets	\$6 or two ride tickets	\$0	\$0

Updated Youth Sports Field Allocation (YSFA) Partner Team field rental rates are being introduced to include primary and non-primary season rates (formerly one rate year-round) to align with the recently updated YSFA Policy. Primary season rates will remain at 50% of the current resident rate while non-primary season rates will be 75 percent of the current resident rate. The Roundhouse Entry fee at McCormick-Stillman Railroad Park is also being formalized at the current pilot level of six dollars or two ride tickets per one-hour session per person, following strong public use and cost-recovery performance.

Preserve

Scottsdale Revised Code Section 21-22 establishes processes for issuing special use permits for certain activities in the McDowell Sonoran Preserve. Fees are reviewed periodically per the city’s adopted financial policies.

On March 3, 2026, the City Council voted to accept the city’s proposed FY 2026/27 Rates and Fees with amendments, with one amendment being removal of the proposed Annual Professional Photography

Permit Fee, which had been recommended at \$300 per day.

Program/Fee	Fee Assessed	FY 2025/26 Current Fee	FY 2026/27 Proposed Fee	Change in Fee	Revenue Change
Annual Professional Photography Permit	Daily	\$300	\$0	(\$300)	(\$3,900)

Enterprise Operations

Enterprise Operations Department is bringing forward two separate fee schedules for Scottsdale Stadium and Tourism and Events.

Scottsdale Stadium

Scottsdale Stadium has not raised its base rates since Summer 2023. The operating costs to rent the stadium have encountered inflationary pressures since 2023 (e.g. custodial costs have increased 10% in 2023 and 6.5% in 2024). To counter these inflationary pressures, the proposed fee increases for Scottsdale Stadium are 5%.

A pilot fee for the First Base Patio was introduced in 2024 as it was a newly constructed space. This pilot fee was successful at attracting reservations at the established price, which matches the Charro Lodge (a similar space). The First Base Patio pilot fees is being proposed to be made permanent.

Based on the success of the pilot First Base Patio fee, a new Left Field Berm Patio fee (a new space as of last Spring) is being proposed to continue to encourage clients to rent multiple outdoor spaces to create their ideal events. The initial proposal is that Left Field Patio fees match the same rate as the First Base Patio fee due to the similar size of the two spaces.

The proposed locker room fees are based on the City’s actual costs to prepare and maintain these spaces for events. Lower-level rates cover custodial expenses and staff time for setup. The upper-level rate reflects its higher-end finishes and capacity of about 85 people, and it is set proportionally to similar event spaces such as the Banyan Room.

Program/Fee	Fee Assessed	FY 2025/26 Current Fee	FY 2026/27 Proposed Fee	Change in Fee	Revenue Change
Scottsdale Stadium	Per day or half day	Varies	Varies	Varies	\$90,895

Tourism and Events – Event Directional Banner Fees

As adopted by City Council in January 2011, city staff established an Event Directional Banner Program that allowed special events to supply event banners to be hung on city owned street light poles in Old Town, North Scottsdale, and two horizontal banners across Scottsdale Road in Old Town. The city contracts with a third-party for banner placement.

Currently, the horizontal banner fee for rental clients is \$150 per banner and the vertical banner fee is \$25 per banner. The proposed banner fees will phase in a 3-year cost recovery approach to reach 100% cost recovery by FY 2028/29.

Program/Fee	Fee Assessed	FY 2025/26 Current Fee	FY 2026/27 Proposed Fee	Change in Fee	Revenue Change
Horizontal Banner Fee	per banner	\$150	\$200	\$50	\$1,100
Vertical Banner Fee	per banner	\$25	\$33	\$8	\$11,200

Library

The Library Department is dedicated to supporting Scottsdale’s educational, cultural, and community life through a broad array of public services and accessible learning environments. The department operates four public branches—Civic Center, Mustang, Appaloosa, and Arabian—which provide lifelong learning and literacy opportunities through physical and digital collections, early-literacy support, educational programming, meeting spaces, technology access, and community partnerships.

Each library branch plays a unique role in serving Scottsdale residents, offering everything from children’s storytimes and STEAM workshops to career support, digital literacy assistance, author talks, and meeting room access for community groups. Library facilities remain free for general public use, with fees applied only to certain reservable spaces, program-specific charges, or service-related fines that help recover direct costs.

As part of the annual review, the Library Department evaluated its Schedule of Program Charges, Rental Fees, and Fines. This review is conducted to maintain consistency with established cost-recovery policies, ensure clarity for users, and support maintenance of public facilities. Following the review, the Library determined that the following updates are necessary for FY 2026/27:

Program/Fee	Fee Assessed	FY 2025/26 Current Fee	FY 2026/27 Proposed Fee	Change in Fee	Revenue Change
Platinum Room booking fee	Per hour	\$0	\$10	\$10	\$5,000
Collaboration Room booking fee	Per hour	\$0	\$5	\$5	\$2,500
Collection Agency Fee	Per borrower with long overdue materials	\$0	\$15	\$15	\$9,000
3D-Printer Usage Fee	Per gram	\$0	\$0.10	\$0.10	\$500

Human Services

The Human Services Department enhances Scottsdale’s quality of life by providing a continuum of programs and support services for residents of all ages and income levels. Human Services operates the Granite Reef and Via Linda senior centers, the Paiute Neighborhood Center, Vista del Camino Community Center, the Family Resource Center, Youth & Family Services (a state-licensed behavioral health provider), and the Housing & Community Assistance Office, which administers federal, state, and local programs.

Human Services programs include aging-in-place supports, crisis assistance, short-term emergency services, youth and family counseling, housing navigation and rent assistance, enrichment classes, fitness and wellness opportunities at senior centers, and community engagement programming. Fees in this department are designed to recover only a portion of direct costs so programs remain broadly accessible to vulnerable and low-income residents.

As part of its annual review, the Human Services Department evaluated its Schedule of Program Charges, Rental Fees, and Fines to ensure fee structures remain transparent, equitable, and aligned with cost-recovery guidelines.

Police Department

Off-Duty Officer Rate Adjustment

As a service to the Community, the Scottsdale Police Department fulfills requests to hire off-duty sworn employees for police-related duties such as security and traffic control at events or in unique situations (e.g., construction zones) within the city. Current off-duty rates are \$75 per hour for Officers, \$85 per hour for Sergeants, and \$95 per hour for Lieutenants. Proposed off-duty rates are \$85 per hour for Officers, \$95 per hour for Sergeants, and \$105 per hour for Lieutenants. Holiday pay is set at 1.5x the rate.

The proposed increase to the off-duty rate will provide officers with a more competitive hourly wage compared to surrounding valley agencies. The off-duty fee for Police Department staff has not been updated since FY2024/2025. Since the last update of this fee, sworn officers have received pay increases in addition to the fixed step pay increments. Based on comparisons of other local peer agencies, Scottsdale's current off-duty rates place the city in the lower half of the regional market for sworn officer services. The Police Aide rate will remain unchanged; the proposed adjustment applies only to sworn officer pay.

Program/Fee	Fee Assessed	FY 2025/26 Current Fee	FY 2026/27 Proposed Fee	Change in Fee	Revenue Change
Off-Duty Officer	Per Hour	\$75	\$85	\$10	\$0
Off-Duty Sergeant	Per Hour	\$85	\$95	\$10	\$0
Off-Duty Lieutenant	Per Hour	\$95	\$105	\$10	\$0
Off-Duty Officer - Holiday	Per Hour	\$112.50	\$127.50	\$15.00	\$0
Off-Duty Sergeant - Holiday	Per Hour	\$127.50	\$142.50	\$15.00	\$0
Off-Duty Lieutenant - Holiday	Per Hour	\$142.50	\$157.50	\$15.00	\$0

Vehicle Use Fee

As a service to the community, the Scottsdale Police Department fulfills requests to hire off-duty sworn and professional staff employees for police-related duties within the city. In addition to personnel services, police vehicles are often required to ensure these duties are fulfilled effectively. The Vehicle Use Fee aids in recovering some of the costs associated with the use of city owned vehicles and the proposed increase would bring the rate into alignment with comparable valley agencies. The current rate is \$7 per hour, and the proposed rate is \$8 per hour.

Program/Fee	Fee Assessed	FY 2025/26 Current Fee	FY 2026/27 Proposed Fee	Change in Fee	Revenue Change
Vehicle Use Fee	Per Hour	\$7	\$8	\$1	\$3,571

RESOURCE IMPACTS

Water Resources

Estimated additional Water Funds revenue from adjusted rates/fees is \$8.4 million for FY 2026/27.

Solid Waste

Estimated additional Solid Waste Fund revenue from adjusted rates/fees is \$827,649 for FY 2026/27.

Planning and Development Services

Estimated additional General Fund revenue from the adjusted fees is \$85,038 for FY 2026/27.

Parks and Recreation

Estimated additional Special Programs Fund revenue from the adjusted fees is \$79,573 for FY 2026/27.

Preserve

Estimated reduction in General Fund revenue from the adjusted fees is \$3,900 for FY 2026/27.

Scottsdale Stadium

Estimated additional Stadium Facility Fund revenue from the adjusted fees is \$90,895 for FY 2026/27.

Tourism and Events

Estimated additional General Fund revenue from adjusted fees is \$12,300 for FY 2026/27.

Library

Estimated additional General Fund revenue from adjusted fees is \$17,000 for FY 2026/27.

Human Services

No fee changes are proposed for the Human Services Department for FY 2026/27, resulting in no revenue impact. A separate Human Services resolution is being presented to formally establish an independent fee schedule for the department following its organizational separation from the Library, as advised by the City Attorney's Office to ensure clearer governance and administration of fees going forward.

Police Department

Estimated additional General Fund revenue from the adjusted fees is \$3,571 for FY 2026/27.

OPTIONS & STAFF RECOMMENDATION

Water Resources

Option A (Staff Recommendation):

Adopt Resolution No. 13658 and Ordinance No. 4708, amending Scottsdale Revised Code, Chapter 49, Water, Sewer and Sewage Disposal sewer/water reclamation rates and miscellaneous rates and charges, effective July 1, 2026, and adjusting water rate (volumetric and base) charges, effective November 1, 2026.

Option B:

Do not adopt Resolution No. 13658 and Ordinance No. 4708.

Solid Waste

Option A (Staff Recommendation):

Adopt Ordinance No. 4709, amending Scottsdale Revised Code, Chapter 24, Solid Waste Management by adjusting solid waste rates and charges, effective July 1, 2026.

Option B:

Do not adopt Ordinance No. 4709.

Planning and Development Services

Option A (Staff Recommendation):

Adopt Resolution No. 13661, authorizing and approving adjustments to the Planning and Development services department's fees and charges, effective July 1, 2026.

Option B:

Do not adopt Resolution No. 13661.

Parks and Recreation

Option A (Staff Recommendation):

Adopt Resolution No.13655, authorizing and approving the Parks and Recreation and Preserve Department schedule of program charges, rental fees, and fines, effective July 1, 2026.

Option B:

Do not adopt Resolution No.13655.

Preserve

Option A (Staff Recommendation):

Adopt Resolution No.13656, authorizing and approving the Preserve Department schedule of program charges, rental fees, and fines, effective July 1, 2026.

Option B:

Do not adopt Resolution No.13656.

Scottsdale Stadium

Option A (Staff Recommendation):

Adopt Resolution No. 13667, authorizing and approving the Scottsdale Stadium and Indian School Park professional baseball facilities schedule of program changes, rentals, and event fees, effective July 1, 2025.

Option B:

Do not adopt Resolution No. 13667.

Tourism and Events

Option A (Staff Recommendation):

Adopt Resolution No. 13668, authorizing and approving adjustments to the Tourism and Events Department schedule of program charges, rental fees, and fines, effective July 1, 2026.

Option B:

Do not adopt Resolution No. 13668.

Human Services

Option A (Staff Recommendation):

Adopt Resolution No. 13665, formally establishing an independent Human Services Department fee schedule following its organizational separation from the Library, with no changes to existing fees and no revenue impact for FY 2026/27.

Option B:

Do not adopt Resolution No.13665.

Library

Option A (Staff Recommendation):

Adopt Resolution No. 13660, authorizing and approving adjustments to fees and charges in the Library Department, effective July 1, 2026.

Option B:

Do not adopt Resolution No.13660.

Police Department

Option A (Staff Recommendation):

Adopt Resolution No. 13666, authorizing and approving adjustments to fees and charges in the Police Department, effective July 1, 2026.

Option B:

Do not adopt Resolution No.13666.

RESPONSIBLE DEPARTMENT(S)

Water Resources, Solid Waste, Parks and Recreation, Preserve, Scottsdale Stadium, Tourism and Events, Library, Human Services, and Police Department

STAFF CONTACT(S)

David Walby, Interim Sr. Director Water Resources, DWalby@scottsdaleaz.gov

Dave Bennett, Solid Waste Department Director, DBennett@Scottsdaleaz.Gov

Erin Perreault, Sr Director Planning & Development Services, EPerreault@scottsdaleaz.gov

Nick Molinari, Sr. Director Parks and Recreation and Preserve, NMolinar@scottsdaleaz.gov

Kyle Urban, Sr Manager Stadium Operations, KUrban@scottsdaleaz.gov

Kevin Burke, Sr Director Economic Development & Tourism, KBurke@scottsdaleaz.gov

Mary Witkofski, Interim Human Services Director, MWitkofski@scottsdaleaz.gov

Mike Beck, Library Department Director, MBeck@scottsdaleaz.gov

Joseph LeDuc, Police Chief, JLeDuc@scottsdaleaz.gov

APPROVED BY

Sonia Andrews

Sonia Andrews, City Treasurer/Chief Financial Officer
(480) 312-2364, SAndrews@ScottsdaleAz.gov

5/5/26 10:01 MST

Date

Greg Caton

Greg Caton, City Manager
(480) 312-7759, GCaton@ScottsdaleAz.gov

5/5/26 09:09 MST

Date

ATTACHMENTS

1. Resolution No. 13658
2. Ordinance No. 4708
3. Ordinance No. 4709
4. Resolution No. 13661
5. Resolution No. 13655
6. Resolution No. 13656
7. Resolution No. 13667
8. Resolution No. 13668
9. Resolution No. 13665
10. Resolution No. 13660
11. Resolution No. 13666

RESOLUTION NO. 13658

A RESOLUTION OF THE COUNCIL OF THE CITY OF SCOTTSDALE, MARICOPA COUNTY, ARIZONA, DECLARING AS A PUBLIC RECORD THOSE CERTAIN DOCUMENTS FILED WITH THE CITY CLERK OF THE CITY OF SCOTTSDALE AND ENTITLED "CHAPTER 49, SCOTTSDALE REVISED CODE - 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;

WHEREAS, the City desires to adjust the current costs 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; and

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Scottsdale, Maricopa County, Arizona, as follows:

Section 1. Those certain documents entitled "Chapter 49, Scottsdale Revised Code - WATER, SEWERS AND SEWAGE DISPOSAL", attached as **Exhibit A**, a paper and electronic copy of which is on file in the office of the City Clerk are, by this Resolution, declared to be a public record, and an original copy and one electronic copy are ordered to remain on file with the City Clerk.

PASSED AND ADOPTED by the Council of the City of Scottsdale, Maricopa County, Arizona this ____ day of _____, 2026.

CITY OF SCOTTSDALE, an Arizona
municipal corporation

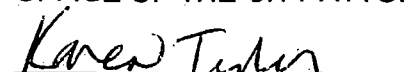
ATTEST:

Ben Lane, City Clerk

Lisa Borowsky, Mayor

APPROVED AS TO FORM:

OFFICE OF THE CITY ATTORNEY


Luis E Santaella, City Attorney

By: Karen Tyler, Principal Assistant City Attorney

Chapter 49 WATER, SEWERS AND SEWAGE DISPOSAL¹

ARTICLE I. IN GENERAL

Sec. 49-1. Taxes and fees.

Where applicable, privilege tax, other taxes, and fees will be applied on all services provided by the City in Chapter 49, Water, Sewers, and Sewage Disposal unless otherwise exempt.

Secs. 49-2—49-15. Reserved.

ARTICLE II. MUNICIPAL WATER SYSTEM

DIVISION 1. GENERALLY

Sec. 49-16. Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Account holder means the person, persons or entity in whose name a City water service account is established in accordance with the procedures set forth in this Chapter.

Advanced Water Purification (AWP) refers to the process of using advanced technologies to treat and purify treated wastewater into safe drinking water.

Advanced Water Purification Rule (AWPR) means ADEQ's rule establishing a permitting process for allowing advanced treated recycled water to be a source for drinking water.

Approved means accepted by the Water Resources Division as either meeting an applicable specification stated or cited in this chapter, or suitable for the proposed use.

¹Editor's note(s)—Ord. No. 4541, § 1 (Res. No. 12456, § 1, Exh. A), adopted May 17, 2022, effective July 1, 2022, amended ch. 49 in its entirety to read as herein set out. The former ch. 49, §§ 49-1, 49-16—49-40, 49-46—49-66, 49-68, 49-69, 49-71—49-103, 49-115—49-127, 49-141—49-150, 49-161—49-169, 49-181—49-186, 49-211—49-227, 49-231, 49-241—49-259, 49-263, 49-264, pertained to similar subject matter. See the Code Comparative Tables for complete derivation.

Amendments to the ordinance are indicated by parenthetical history notes following amended provisions. The absence of a history note indicates that the provision remains unchanged from the original ordinance. Obvious misspellings and punctuation errors have been corrected without notation. Additions made for clarity are indicated by brackets.

Cross reference(s)—Solid waste, Ch. 24; plumbing code, § 31-166 et seq.

Arizona Department of Environmental Quality (ADEQ) means the Arizona agency responsible for administering the state's environmental laws and delegated federal programs.

Assembly means a mechanical device located between two (2) tightly closing resilient-sealed shut-off valves with properly located resilient-sealed test cocks designed to prevent backflow.

Backflow means the reversal of the normal flow of water caused by either backpressure or backsiphonage.

Backpressure means any elevation of pressure in a user's water supply system, above the pressure of the potable water supply system, which could cause water or other liquids, mixtures or substances to flow from a user's water supply system into the distribution system of the potable water supply system.

Backsiphonage means a reversal of the normal flow of water caused by a reduction of pressure in the potable water supply system which causes the flow of water or other liquids, mixtures or substances from a user's water supply system into the distribution system of the public potable water supply system.

Backflow prevention assembly means an approved assembly, in accordance with 49-61, or means designed to prevent the reversal of the normal flow of water caused by either backpressure or back siphonage.

Building includes but is not limited to a walled and roofed structure built, constructed, or pre-manufactured above or below grade and is used or intended for supporting or sheltering any use or occupancy.

Certified tester means an individual certified and approved by an agency recognized by the Water Resources Division to conduct testing on backflow prevention assemblies.

Chemical Inventory means a list of chemicals that are used, stored or discharged by non-residential dischargers.

City means the City of Scottsdale, Arizona.

Code means the Scottsdale Revised Code.

Cooling water means any discharge from any heat transfer system such as condensation, air conditioning, cooling or refrigeration into the sewer system.

Commercial/Industrial and Non-Residential means all customer classifications serviced by a water meter, except Single-Family Residential and Multi-Family Residential and are connected to a sewer or septic system.

Construction meter means a water meter connected directly to the City's water distribution system and used for large scale projects. The meters are temporary and may not be utilized beyond one (1) year unless approved by the division director.

Contamination means an impairment in the quality of potable water, by sewage, industrial fluids, waste liquids, compounds or other material or fluids, to a degree which creates an actual hazard to the public health by poisoning or the spread of disease.

Contractor (synonymous with "builder") means a person or firm who undertakes to or offers to undertake to, or purports to have capacity to undertake to, or submits a bid to, or does himself or by or through others construct, alter, repair, add to, subtract from, improve, move, wreck or demolish any building, highway, road, railroad, excavation or other structure, project, development or improvement or to do any part thereof, including the erection of a scaffolding or other structures or works in connection therewith, and includes subcontractors, specialty contractors, developers and speculative builders.

Cross-connection means any unprotected actual or potential connection or other arrangement of piping or fixtures between a piping system containing potable water and a piping system containing nonpotable water, waste fluids, industrial fluids, or any other fluids or substances of questionable safety for human consumption, through which, or because of which, backflow can or may occur into the public potable water system. Cross-connections include any temporary connections such as swing connections, removable sections, four-way plug

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valves, spools, dummy sections of pipe, swivel or change-over devices, sliding multiport tubes, hose connections, or any other temporary or permanent devices, through which, or because of which, backflow can or may occur.

~~Customer means the Scottsdale utility account holder.~~

Customer supply line means the water line that extends from the meter to the user.

Customer water supply system means the water distribution facilities commencing at the discharge point of the customer supply line.

Department director of business services means the business services department director of the City revenue collection function or their duly authorized agent including, but not limited to, the revenue collector and utility billing office.

Developer shall include the individual, firm, corporation, partnership, association, syndication, trust or other legal entity which is responsible for facilitating the owner's demand on the City water or sewer facilities and creates structures on that land. The Developer and Owner may be the same.

Distribution system means the network of conduits used to deliver potable water from the source facilities to the user's water supply system.

Division means the City of Scottsdale Water Resources Division.

Division director means the division director of Water Resources or designee.

Domestic water means water supplied through the pipes of the water system of the City.

Enhanced Source Control POTW Operational Parameters means contaminants that indicate potential treatment interference, pass-through, a violation of an AWP action level or otherwise identified in the AWPR or found to be constituents of concern by the Division.

Facility means any land, building, installation, structure, equipment, device, conveyance, area, or source from which there is or, with reasonable probability, may be a discharge.

Fixtures. See "Plumbing fixture."

Frontage means the entire length of that portion of a parcel of property that abuts a public street, public easement, or public Right-of-Way.

Hazard, degree of means the potential risk to the public health and adverse effects of the hazard upon the public potable water distribution system.

Hydrant meter means a water meter connected to a designated City fire hydrant and is typically used for temporary projects. The meters are temporary and may not be utilized beyond one (1) year unless approved by the division director.

Industrial fluid system means any system containing a fluid or solution which is chemically, biologically or otherwise contaminated or polluted in a form or concentration such as would constitute a health, system, nonhealth or plumbing hazard if introduced into the public potable water system. This may include, but shall not be limited to, polluted or contaminated waters; all types of process waters, sewage and used waters originating from the public potable water system which may have deteriorated in sanitary quality; chemicals in fluid form; plating acids and alkalies; circulated cooling waters connected to an open cooling tower and/or cooling waters that are chemically or biologically treated or stabilized with toxic substances; contaminated natural waters such as from wells, springs, streams, drainage ways, irrigation canals or systems; oils, gases, glycerine, paraffins, caustic and acid solutions and other liquid and gaseous fluids used in industrial or other processes or for firefighting purposes.

Manifold meter means installation of more than one water meter onto a single water service line that is connected to the public main.

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Mixed use development means a real estate project with planned integration of some combination of retail, office, residential, hotel, recreation, industrial or other functions. A separate meter may be required for each of the user codes provided for in section 49-141(g).

Multi-Family Residential means more than one (1) dwelling unit is serviced by a single water meter and is connected to a sewer or septic system.

Multi-Family Residential, Commercial, Industrial and Non-Residential Landscape/Irrigation means any unoccupied open area which is not connected to a sewer or septic system and excludes Single-Family Residential Landscape/Irrigation.

Non-compliant means failing to satisfy the requirements of this article.

Nonpotable water means water which is not safe for human consumption or which is of questionable quality for human consumption.

Notice means a written instrument served by the City, as follows, with time commencing from date of mailing, serving, filing or recording:

- (1) By the use of ordinary mail to the last known address of the person to whom it is required to be given;
- (2) By personal service; or
- (3) By filing or recording with a clerk of the superior court or county recorder.

Owner or builder means a person who owns or leases real property within the City or their authorized representative, acting as a contractor in constructing any improvement upon the real property, which real property as improved is held by such person for their use or for rental, lease or sale purposes.

Period or Period Covered means the date displayed on the utility statement. These dates indicate the dates covered by that bill. This reflects the end date of the prior bill to the date of the current meter read.

Permit means any required written authorization.

Plumbing Fixture means any receptacle, device, or appliance which is supplied with water (excluding hose bibbs and fire protection systems) or receives liquid borne waste for discharge into the on-site septic or Publicly Owned Treatment Works.

Pollution means the presence of any foreign substance (organic, inorganic or biological) in water which tends to degrade its quality or impair its usefulness to a degree which does not create an actual hazard to the public health, but which does adversely and unreasonably affect such water for domestic use.

Potable water means any water which is safe for human consumption pursuant to the standards set by the Arizona Department of Environmental Quality.

Public potable water supply system means the source facilities and the distribution system under control of the Water Resources Division to the point where a user's water supply system commences. A user's water supply system commences at the discharge point of the service connection.

Right-of-Way means land which by deed, conveyance, agreement, easement, dedication, usage or process of law is reserved for or dedicated to the general public for street, highway, alley, public utility, or pedestrian walkway purposes.

Service area shall have the same meaning as defined in Section 49-73.

Shall is to be construed as mandatory.

Single-Family Residential means one (1) dwelling unit is serviced by a single water meter in which a single family typically resides and may be connected to a sewer or septic system.

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Single-Family Residential Landscape/Irrigation means any unoccupied open area which is not connected to a sewer or septic system and provides service to a Single-Family Residential landscape area.

Source facilities means all components and facilities utilized in the production, treatment, storage and delivery of potable water to the distribution system.

Stand-by meters means water meters that are not used on a regular basis and available for intermittent use or for emergency back-up occasions. Regular and intermittent use is determined by the division director.

Structure means including, but is not limited to each separate occupancy, residence, house, store, building, or any construction or production or piece of work artificially built up or comprised of parts joined together in some definite manner and served by a separate water meter.

Unit of service means each structure, group of structures, portion of a structure or real property which is served by a separate water meter.

Used water means any water supplied by the Water Resources Division, from the public potable water system to a user's water system, after it has passed through the customer supply line and is no longer under the sanitary control of the division.

User means any person, corporation, firm, municipality, owner, tenant, trustee, mortgagee, receiver or occupier of property which uses water that is supplied through the public water system.

Water main line means public line owned and maintained by the City.

Water service line means the pipe extending between the main line of the public potable water system and the water meter.

Sec. 49-17. City division director; rules and regulations; assignment of duties.

- (a) The division director shall have full charge over and direction of the waterworks system of the City and all improvements, extensions and equipment pertaining thereto, and shall have charge and supervision over all employees assigned to the work thereon.
- (b) The City may make rules and regulations not in conflict with the provisions of any ordinance governing the use of the connections to the domestic water distribution system of the City. Such rules and regulations do not become effective until approved by the City Council.
- (c) The City may assign collection of rates, charges and fees prescribed under the terms of this article to the department director of business services.
- (d) The division director shall have the authority to establish special rates or credits for unusual or unique situations not expressly covered in this code. Such rates or credits shall be based upon the cost of the service provided or incurred.
- (e) Payment in excess of amount due shall not accrue interest earnings.

Sec. 49-18. Interruption of service; ~~street work~~ water infrastructure work.

- (a) Domestic water may at any time be shut off from the City mains ~~and/or water service lines~~ due to emergencies or for the purpose of making ~~emergency repairs, routine maintenance~~, extensions or any other necessary work. Notice will be given where reasonably possible. The City shall not be liable for any damages that may occur on account of the domestic water being cut off for any purpose or on account of the breaking of any pipe or fixture. Domestic water users who have any machinery, material, process or plant which requires a constant supply of domestic water shall install upon their premises such water storage facilities as will prevent any damage in case the City's domestic water supply may, for any reason, be interrupted or discontinued.

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- (b) All persons engaged in street work, including but not limited to grading, regrading, filling and trenching, paving, or repaving shall give the City written notice if it is necessary during the progress of such work to remove, displace or change any domestic water mains, pipes, fittings, meters, gates or other appurtenances to the domestic water system of the City that may interfere with the prosecution of such work. The notice shall be delivered to the offices of the City not less than three (3) days before the services of the City are required and failure to furnish such notice shall make such person liable to the City for all damages resulting to the domestic water system of the City from the prosecution of such work.
 - (c) Unless otherwise indicated on the dedicating document, all easements including public utility, water, and sewer easements shall be maintained by the private property owner in the same manner as rights-of-way as set forth in Chapter 47, Section 46 of this Code.

Sec. 49-19. Conditions of service; appeals.

- (a) The City is authorized to supply domestic water to users as prescribed by this article. The City shall determine whether any structure falls within the intent of this article in such a manner as to require a separate water service line. No group of structures may be serviced by one (1) meter unless situated on the same lot, under one (1) ownership, unless the conditions of subparagraph (d) of this section have been met and unless approved by the City.
- (b) The user(s) of the structure may appeal from any decision of the City made under the terms of subsection (a) of this section. The appeal shall be made in writing to the City Manager or designee for consideration and the decision of the City Manager or designee shall be final.
- (c) Whenever a water service line or any other service is connected to the water supply system of the City, the water will be supplied to such property or equipment through a meter only, except as provided in section 49-49 and for sprinkler-type fire prevention systems.
- (d) Two (2) or more buildings located on the same parcel or on contiguous lots under different ownership may be supplied through one (1) or more water meters provided:
 - (1) There is an established, incorporated association or management firm which is responsible for the payment for the water service charge; and
 - (2) Each parcel or lot has a City-owned water line with frontage on at least one (1) side of each parcel or lot; and
 - (3) The association or management firm does not charge a fee to connect individual parcels to a water line.
- (e) Individual parcels of land where water service is desired must have an adequately sized, City-owned water main with frontage along at least one (1) side of the parcel before it is eligible for service, unless otherwise approved by the City. Extension of the public water line across all frontages of the parcel may be required as a condition of service per section 49-219.
- (f) For mixed use developments a separate water meter may be required for each of the user codes, 11 through 50, as provided in section 49-141(g). If the mixed use development selects only one (1) meter, then the development will be charged the highest wastewater rate as defined in section 49-141 and the Multi-Family residential/Commercial/Industrial/Non-Residential water rates described in section 49-48.

Sec. 49-20. Request for new unit of service.

Prior to the furnishing of domestic water to a new unit of service, the contractor, Owner, or Builder shall make payment in advance of the issuance of the building or encroachment permit for the water meter and/or service line, pursuant to the fees provided in section 49-21. If no permit is to be issued, payment shall be made

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prior to request for installation of the water meter and/or service line. The contractor, Owner, or Builder shall provide the following information at the time of payment:

- (1) Name, address, telephone number of account holder, water user or property owner.
- (2) Name, address, telephone number of person responsible for water billing, if other than user.
- (3) Description of lot, block, and subdivision to be serviced, including lot size.
- (4) Official street address assigned to the property, including zip code.
- (5) Such other information as the City may deem necessary.

Sec. 49-21. Connection and meter installation fees.

(a) The City shall tap the water main, install water service line to the property line, water meter boxes, or meter vaults, within the City and charge the contractor or owner at the rates noted below. In the event that a contractor licensed by the state to perform such work taps water lines, installs water service lines and water meter boxes or vaults in compliance with the inspection standards of the City, the City shall provide the water meters in sizes five-eighths-inch, three-quarter-inch, one-inch, one and one-half-inch, and two-inch, and shall furnish the meter with strainer in sizes three-inch, four-inch, six-inch, and eight-inch to the contractor, Owner or Builder for installation within the City limits and charge the contractor, Owner or Builder at the following rates:

Meter Size	Meter (1)	Service Line	Meter and Service Line	Turbine Meter
5/8"	\$340	\$2,4002,790	\$2,6903,080	N/A
3/4"	\$370	\$2,4102,800	\$2,7303,120	N/A
1"	\$490	\$2,4402,830	\$2,8803,270	N/A
1.5"	\$710	\$3,750	\$4,400	N/A
2"	\$930	\$3,9204,090	\$4,7904,960	N/A
* 3"				
* 4"				
* 6"				
* 8"				

*** Cost Recovery Required**

* Installation and relocation of meters will be billed to Developer/contractor at the City's cost. Concrete water vaults are required for all 3", 4", 6" and 8" meters to be installed by Developer/contractor after Water Services Department coordinates installation of services.

- (1) Includes delivery and connection to existing service line For Developer/contractor or owners with an existing residential meter, increasing residential meters to a larger size due to fire suppression requirements, may be eligible for a refund of the Meter Only Charge up to a prorated value.
- (b) The City shall tap the water main lines, install a water service line to the property line, and install the meter boxes for commercial fire sprinkler applications in sizes one and one-half-inch and two-inch only. Contractors licensed by the state and approved by the City shall perform the work for the installation of fire lines in sizes three-inches and larger. The use of manifolds or tees to tie several service lines in sizes two-inches and smaller together shall be prohibited unless specifically approved by the Water Resources Division. The contractor, Owner or Builder will be charged the rates in Sec. 49-21. Connection and meter installation fees.

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- (c) The charges for installing water connections, water meters, and water meter boxes in areas outside the City limits and or in a county island shall be at a rate equal to one hundred twenty-five (125) percent of the charges specified in the applicable subsection (a) or (b) of this section. At the sole discretion of the division director, when the Owner/builder is in the County the Owner/builder must contract with a private contractor to install water connections or service line upgrades. If city contracts for the install of line upgrades the Owner/builder shall be billed for the cost before the service is performed.
 - (d) Meter upgrade/downgrades will be completed only on accounts in good standing. All past due fees must be paid in full before a meter change out will be processed.

Sec. 49-22. Application for domestic water service for an existing unit of service.

- (a) Before turning on domestic water to an existing unit of service, the user thereof shall make an application for service to the City. The application shall be in the form approved by the Business Services Director and provide: User's name, street address, telephone number, birth date and any other items or information deemed necessary by the Business Services Director.
- (b) The Business Services Director may establish policies and procedures for verification of identity, property ownership, tenancy, or such other requirements as may be necessary to establish the applicant's eligibility or authority to open or update an account for the subject property.
- (c) Domestic water service shall not be furnished to any property unless the application is completed and all charges against the property of any nature whatsoever due and payable to the City under any City ordinance have been paid. This includes any deposits that may apply.
- (d) Any delinquent amounts owing on existing or prior accounts must be paid when a property owner or tenant applies to open another service account. Failure to pay the delinquent amount owing on a prior account or accounts constitutes grounds for the City to refuse new service.
- (e) In the event that service at a new location is initiated prior to the preparation of a current billing statement for another City account held by the same person or persons, or becomes delinquent after the initiation of service at the new location, the amount due or delinquent shall be added to the amount due on the new account. In the event that the account holder or holders fail(s) to pay in full both the transferred amount and the present charges by the delinquent date of the statement on which the transferred amount appears, service on the new account shall be subject to termination in accordance with section 49-54, below.
- (f) Domestic water account holders shall notify the City of any change in mailing address, occupancy, or ownership within fifteen (15) days after such change occurs. Failure to contact the City may result in penalties or late charges which shall be the responsibility of the account holders.
- (g) Failure to contact the City within fifteen (15) business days to update the mailing address on a utility account will result in a one dollar (\$1.00) per item returned mail fee.
- (h) Notwithstanding any of the fees specified in this section, nothing shall prohibit the City from charging the property owner, account holder, or potential account holder, the actual cost to perform the account updates. In all such cases the person requesting service shall receive itemized billing for any amounts due above any service charge paid pursuant to this section.
- (i) Under normal conditions, domestic water service shall be provided no earlier than one business day after a properly completed application is submitted and all required fees are paid.
- (j) If domestic water service is requested to be provided on the same day that the application is completed, a fifty dollar (\$50.00) fee will apply. This fee shall be charged on the first statement for service. The fee shall be due and payable in accordance with section 49-52.

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- (k) If a customer needs domestic water service turned on and off within 24 hours, a one hundred ten dollar (\$110.00) fee shall apply and shall be paid prior to the service being turned on.
 - (l) The charges for same day service in areas outside of City limits and or in a county island, shall be at a rate equal to one hundred twenty-five (125) percent of the charges specified in the applicable subsection (i) or (k) of this section

Sec. 49-22.1. Administrative account establishment fee.

- (a) Each water account shall be assessed an administrative account establishment fee of thirty dollars (\$30.00) at the time of application for water service or reactivation (49-23). This fee shall be charged on the first statement for service following establishment or reactivation. The fee shall be due and payable in accordance with section 49-52.
- (b) In the event that it is known or reasonable to believe that an account holder other than an owner is no longer receiving service at the property, the City may terminate the existing account and establish an account for the property in the name of the owner(s) or new tenant.

Sec. 49-22.2. Installation of automatic meter reading devices.

In an effort to increase meter reading efficiencies, the City is installing automatic meter reading devices (AMI/AMR) throughout the City. Should a customer, contact the City in writing or through electronic mail to decline the activation of an automatic meter reading device, the City will impose an additional fee of Ten dollars (\$10.00) per month on the customer's water bill to help cover the cost of manual meter reading.

- (a) A trip charge of forty-five dollars (\$45.00) shall be levied against the account holder to turn the automatic meter reading devices off.
- (b) The charges for turning off automatic meter reading devices in areas outside the City limits and or in a county island, shall be at a rate equal to one hundred twenty-five (125) percent of the charges specified in the applicable subsection (a) of this section.

Sec. 49-23. Requesting temporary service suspension; resuming service.

- (a) Property owners with City water service may request that the City suspend water, sewer and residential refuse service, and related charges, including base fees. This option is only available for service suspension of six (6) consecutive months or more, either for a meter connected to a structure that will be vacant, or for a meter not connected to any structure. This option is not available for hydrant meters.
- (b) Suspension of water service is temporary and may not be for longer than twelve (12) consecutive months from the date of request approval unless further extended at the discretion of the division director. Provided, however, the aggregate number of months of suspension of service to any one property may not exceed twenty-four (24) months during any consecutive thirty-six (36) month period.
- (c) Property owners may suspend water, sewer and residential refuse service for longer periods, and the City may make the suspension retroactive, in the event of fire and the property is uninhabitable. Documentation of a fire report and authorization may be subject to approval by the department director of business services.
- (d) Owners electing to take advantage of this option shall submit an acknowledgement form to the City utility billing office. If granted, the suspension will be effective from the date the request is received by the City and will not be back dated. Suspension applies to all City utility services provided. Owners bear responsibility for any and all damages arising directly or indirectly from service suspension. These include bodily harm, damage to adjacent properties, landscaping damage and any other damages caused by the owner's decision to stop the water supply to the fire suppression system.

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- (e) As a condition of service suspension, the owner shall pay any outstanding charges before the City will turn the meter off. The City shall have at least one (1) business day following the request to suspend service to complete the read and turn off procedure. The City will then bill the owner for any remaining consumption.
 - (f) Property owners may suspend service for periods less than six (6) consecutive months, provided, however, the owner shall be responsible for base fees as if service is not suspended.
 - (g) To resume service, the owner shall pay any past-due fees and an administrative account re-establishment fee. The City shall have at least one (1) business day to reestablish service after receiving a written request to resume service and payment of all applicable fees.
 - (h) Due to extenuating circumstances such as broken or leaking pipes or other causes that in the opinion of the City pose a threat to the health, safety or welfare of the property or other members of the public or result in unreasonable wasting of water, the City may refuse to resume any unit of service until such time as it is appropriate to do so.
 - (i) Notwithstanding the foregoing, account holders remain responsible for payment for any base fees and any water used, even if water service was turned off or locked.

Sec. 49-23.1. Removal of water meter.

When deemed appropriate by the City, a water meter may be removed and the service locked in the off position, or the meter sealed in the off position. There will be no charge to reinstall a water meter which has been removed by City initiation, when the property owner can furnish evidence satisfactory to the City that the property previously had metered service installed. If satisfactory evidence is not furnished, or if the meter is removed at the owner's request, the City shall charge the property owner, account holder, or potential account holder, the actual cost to perform the services. In all such cases the account holder, or potential account holder, shall receive an itemized billing for any amounts due. The account holder, or potential account holder, may appeal the amount billed for such services, via written request to the department director of business services.

Sec. 49-23.2. Denial of service to uninhabitable and unsafe properties.

- (a) Upon receipt of written notice from the owner that a structure has been permanently abandoned, or notice from a City or county health officer that a structure has been condemned as uninhabitable or unsanitary and dangerous to human life, domestic water service shall be immediately discontinued, the water meter removed and the service locked in the off position.
- (b) Due to extenuating circumstances such as broken or leaking pipes or other causes that in the opinion of the City pose a threat to the health, safety or welfare of the property or other members of the public or results in unreasonable wasting of water, the City may refuse to resume any unit of service until such time as it is appropriate to do so.
- (c) A water meter may be reinstalled to the same unit of service and water service may be provided upon the authorization of the City or county health officer that the structure is habitable and upon compliance with the conditions for service initiation. In such event, service will be restored in accordance with the procedures set forth in section 49-22 et seq.

Sec. 49-24. Maintenance and testing of water meters.

- (a) Except as otherwise provided by ordinance, the domestic water account holder and/or property owner shall maintain all customer supply lines and connections within their property. It is the customer's responsibility that consumer lines maintain their structural integrity and functionality during any meter replacement or maintenance activities. Consumer side meter connection should only be connected to City supplied meter.

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coupling. The water meter shall remain the property of the City. All City meters, except meters which are damaged as a result of actions of the account holder, property owner or someone acting on their behalf, shall be maintained and repaired by the City at its expense.

- (b) A domestic water account holder may request that the meter be removed and subjected to a shop test. If the shop test indicates that the meter is registering correctly, a charge of one hundred sixty dollars (\$160.00) shall be levied against the user requesting the test. If the shop test reveals that the meter is not registering correctly the removal and re-installation shall be at City expense.
- (c) Fire line water account holders and/or owners shall be responsible for maintenance and repair of that line up to the main line including the tapping sleeve and valve.
- (d) If a residential account holder is concerned about their water usage, the account holder may request the services of the water resource division's water audit program representative. The representative will assist in the assessment of the user's water use and help user check for leaks on the property. A charge of seventy-five dollars (\$75.00) per meter shall be levied against the account holder or their agent requesting this service.
- (e) If a residential account holder is concerned about their water usage, the account holder may request the services of the water resources division's water technician program representative. The representative will visit their property to inspect the meter. A per visit trip charge of fifty dollars (\$50.00) shall be levied against the account holder requesting this service. If the meter is found to be faulty, the charge will not be assessed, and the meter will be replaced.
- (f) The charges for meter testing in areas outside the City limits and or in a county island, shall be at a rate equal to one hundred twenty-five (125) percent of the charges specified in the applicable subsection (b), (d) or (e) of this section.

Sec. 49-25. Water main shutdown.

- (a) Approval of the City is required prior to the shutdown of a City water main. Any contractor desiring the shutdown of a City water main shall apply to the City and pay the charge required in this section. The contractor shall notify the public when a shutdown will cause any City water users to be without water in accordance with policies established by the division director. A charge of two hundred eighty-five dollars (\$285.00) shall be levied against the contractor requesting this service.
- (b) Notwithstanding any of the fees specified in this section, nothing shall prohibit the City from charging the property owner, account holder, or potential account holder, the actual cost to perform the services requested. In all such cases the person requesting service shall receive itemized billing for any amounts due above any service charge paid pursuant to this section.
- (c) The charges for water main shutdown in areas outside the City limits and or in a county island, shall be at a rate equal to one hundred twenty-five (125) percent of the charges specified in the applicable subsection (a) of this section.

Sec. 49-26. Down-sizing of meter.

- (a) Approval of the City is required prior to reducing the size of a water meter serving an existing unit of service. The owner of the premises where the reduced water meter is desired shall submit a request in a form acceptable to the City.
- (b) After approval of the request and payment of a fee for the appropriate size meter pursuant to the provisions of subsection (b) of section 49-21, the reduced size meter shall be installed.

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- (c) In the event that a property owner subsequently desires to install a meter of the size which served the property prior to down-sizing, they shall be required to pay a fee for the appropriate size meter pursuant to the provisions of section 49-21, prior to making a request to the water operations office for the installation.
 - (d) Notwithstanding any of the fees specified in this section, nothing shall prohibit the City from charging the user or potential user, the actual cost to perform the services requested. In all such cases the person requesting service shall receive itemized billing for any amounts due above any service charge paid pursuant to this section.

Sec. 49-27. Number and size of water meters per parcel and manifold meters.

A water meter shall be sized so that it does not exceed the anticipated maximum normal daily operating flow as determined by the current version of the City's design standards and policy manual (DS&PM). Single-Family residences shall be limited to one water meter and one Account Holder per parcel. Separate metering to provide a second/redundant source shall require approval from the division director for all developments. Two (2) or more meters in a manifold configuration are prohibited (see Sec. 49-16 for definition of Manifold Meter).

Sec. 49-28. Relocation of service.

- (a) In the event the following services are required, the following minimum fees shall apply:
 - (1) Move water service line and meter up to fifteen (15) feet, one thousand six hundred forty dollars (\$1,640.00)
 - (2) Raise or lower water service line and meter to grade, four hundred forty dollars (\$440.00)
- (b) Notwithstanding any of the fees specified in this section, nothing shall prohibit the City from charging the user or potential user, the actual cost to perform the services requested. In all such cases the person requesting service shall receive itemized billing for any amounts due above any service charge paid pursuant to this section.
- (c) No meter or water service line shall be relocated without the approval of the City. The owner of the premises where the relocation is desired shall submit a request in a form acceptable to the City.
- (d) The charges for relocation of services in areas outside the City limits and or in a county island, shall be at a rate equal to one hundred twenty-five (125) percent of the charges specified in the applicable subsection (a) or (b) of this section.

Sec. 49-29. Curb cock keys, etc.

It is unlawful for a person to apply any curb cock key, valve key or hydrant wrench to the City domestic water supply system without authorization from the City. It is also unlawful for a person to make, construct, buy, sell or in any way dispose of any curb cock key, valve key or hydrant wrench for use on the City domestic water supply system without authorization from the City.

Sec. 49-30. Tampering with meters.

No user or person acting on behalf of a user shall break or remove a lock (seal), or willfully injure damage or destroy a water meter. No user or person acting on behalf of a user, in order to gain water service or whose water service has been discontinued and rendered inoperable by the City, shall by-pass, divert, turn on, break or remove a lock, or otherwise tamper with a water meter in an effort to establish or reinstate water service. Any user or person acting on behalf of a user who willfully breaks, injures damages or destroys a water meter or who tampers with a water meter to establish service or reinstate water service after disconnection by the City shall pay up to one thousand dollars (\$1,000.00) in tampering charges in addition to any other penalties provided by laws. Each

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violation shall be deemed a separate violation and shall be subject up to one thousand dollars (\$1,000.00) in tampering charges for each occurrence. All tampering charges shall be billed to the account holder on the next water statement and shall become due and payable on that statement's due date.

Sec. 49-31. Users responsibility; obstructing access to system.

- (a) No person shall place upon or about any water service line, water main line or related appurtenances any object, material, debris or structure of any kind that shall prevent free access to the same at all times or in any manner tamper with or injure such appurtenances. Branches of shrubs and trees shall be trimmed by the property owner and/or account holder to allow free access for reading and maintenance of the water meter. No person shall fill up or cover over any valve or meter box.
- (b) If any valve, valve box, curb cock, water meter box or water gate connection has been determined to be inaccessible, the account holder will be notified in writing of the violation. The account holder will be required to correct the violation within thirty (30) days to avoid further penalties.

Sec. 49-32. Separate metering.

All water deliveries made for the following purposes shall be separately metered:

- (a) The watering of any landscaped area or areas of a development which, in total, are over five (5) acres in size, and which were not included in construction plans submitted to the City for review prior to February 1, 1991.
- (b) The filling or refilling of any body of water, as defined in section 49-71, which was not filled as of February 1, 1991.
- (c) The supplying of a fountain or other ornamental water feature using more than one thousand (1,000) gallons of water per day which was not included in a set of construction plans submitted to the City for review prior to February 1, 1991.

Sec. 49-33. Classification of penalty.

- (a) Any person, firm, corporation, partnership, or association, whether as principal, owner, agent, tenant, or otherwise, who violates, disobeys, omits or refuses to comply with, or who resists the enforcement of any of the provisions of this chapter is subject to a civil sanction (by issuance of a civil citation or long form complaint) or administrative remedy, including an administrative consent order.
- (b) Notwithstanding subsection A or this section, if a violation is enforced by issuance of a civil citation or long form complaint, a second or subsequent violation of this chapter within two (2) years of the date of the first civil citation or long form complaint shall be deemed a misdemeanor.

Sec. 49-34. Penalties.

- (a) Upon a finding of responsible to a civil violation, the court shall impose a civil sanction not greater than two thousand five hundred dollars (\$2,500.00).
- (b) Upon a conviction of a misdemeanor, the court may impose a sentence in accordance with section 1-8(a) of the Scottsdale Revised Code and state law for class one misdemeanors. Probation may be imposed in accordance with the provisions of Title 12, Chapter 9, Arizona Revised Statutes.

Sec. 49-35. Commencement of civil action.

- (a) An action for a civil violation may be commenced in Scottsdale City Court by issuance of a citation or by long form complaint.
- (b) The citation will be substantially in the same form as the Arizona Traffic Ticket and Complaint and shall direct the defendant to appear in Scottsdale City Court at a date specified in the citation.
- (c) Service of the citation may be accomplished and will be deemed proper and complete by any of the following methods:
 - (1) By having the defendant sign the citation with a promise to appear in court.
 - (2) If the defendant refused to sign the citation, by hand delivering a copy of the citation to the defendant.
 - (3) By mailing a copy of the citation to the person charged by certified or registered mail, return receipt requested, to the person's last known address.
 - (4) In the event service cannot be accomplished as set forth in subsection (c)(1), (c)(2) or (c)(3), by any means allowed by the Arizona Rules of Civil Procedure for the Superior Court may be used.

Sec. 49-36. Authority to issue civil complaint.

The Director of Water Resources, Scottsdale Police Officer, City Attorney, or the City Manager or designee, may issue a civil citation pursuant to this chapter.

Sec. 49-37. Default Judgment.

- (a) If the defendant fails to appear as directed on the citation, the court shall enter a default judgment and shall impose a civil sanction for the violation.
- (b) If the defendant fails to appear for a pretrial conference or trial, the defendant's failure to appear shall be deemed an admission of the offense and the court shall enter judgment against the defendant and shall impose a civil sanction for the violation.

Sec. 49-38. Rules of procedure.

- (a) The Arizona Rules of Court in Civil Traffic Violation Cases shall be followed for civil violations of this chapter except as modified or where inconsistent with the provisions of this Article.
- (b) The Arizona Rules of Criminal Procedure shall be followed for criminal violations of this chapter except as modified or where inconsistent with the provisions of this Article.

Sec. 49-39. Violations not exclusive.

Violations of this chapter are in addition to any other violations enumerated with the Scottsdale ordinances and Code and in no way limits the penalties, actions, or abatement procedures which may be taken by the City of Scottsdale for any violation of this chapter which is also a violation of any other ordinance or Code provision of the City of Scottsdale, or statutes of the State of Arizona.

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Sec. 49-40. Each day a separate violation.

Each day any violation of any provision of this chapter or the failure to perform any act or duty required by this ordinance continues shall constitute a separate violation.

Secs. 49-41—49-45. Reserved.

DIVISION 2. USER RATES AND CHARGES

Sec. 49-46. Adjustments for defective meters, leaks, etc.

- (a) If at any time a water meter is found to be underreporting or over reporting actual usage, the amount of water consumed by the user shall be estimated by the Water Resources Division or designee for all usage periods for which the meter is determined to be defective. The Water Resource Division Director or designee may make an adjustment to the amount billed and may recover, credit or refund the difference between the original billing and the corrected billing, when an error, omission, usage discrepancy or other extraordinary circumstance has occurred. The Water Resources Division shall use historical records or other reasonable bases to calculate an amount of water usage. Such amounts shall be billed or credited to the account holder. If billed, the account holder shall at least have an equal amount of time to pay for past usage charges as the meter was determined to be defective. If credited, the account holder shall receive a credit or refund within sixty (60) days. In no case will the City seek to credit or bill for water usage prior to thirty-six (36) months from the date the defective meter and/or excess usage was discovered. The fact that an account holder may have received and paid a billing for base fees, taxes and/or some usage shall not preclude the application of this section.
- (b) Account holders and/or property owners are responsible for all leaks or damages on account of leaks from the service pipes leading from the user's side of the meter to the unit of service, including all water consumed.
- (c) The City may charge users for water consumed billed due to leaks or unexplained usage at the lower tier of water usage fee in accordance with section 49-48. A user is eligible to be charged for service at a lower tier if the following criteria ~~is~~ ^{are} met:
- (1) Usage must be at least three (3) times the usage of the same period in the previous year for the ~~property address~~.
 - (2) A similar lower tier usage fee has not been charged within sixty (60) months of the period currently being considered.
 - (3) The account holder contacts the City's Utility Billing Department within six (6) months of the time that the customer knew or should have known of the ~~leak~~ ^{leak} ~~unexplained usage~~.
 - (4) Limited to one (1) month of unexplained usage within said sixty (60) month period.
 - (5) Customer is enrolled in the City's WaterSmart program if property address is automatic meter reading device (AMR) active. If customer does not have an electronic mail address, as needed for the program's communication, a written notice must be submitted to the Business Services Director to ask for an exemption.
 - (6) Adjustments for leaks are approved on a per account basis.
 - (7) Adjustment credits for defective meters or leaks fall into a monetary range of \$25 minimum up to \$1500 maximum.

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- (8) Credit adjustments are eligible for residential customers only.
 - (9) Proof of repair (paid invoice(s), receipt of parts purchased if self-repaired) must be presented prior to adjustment approval.

Sec. 49-47. Deposits.

- (a) Deposits shall be required of all water account holders, except as otherwise provided in this section. The required deposit shall be billed and paid as a part of the first monthly bill for water service. The deposit shall be in accordance with either subsection (b) or (c) of this section, as applicable. Failure to pay the required deposit on or before the delinquency date for the first monthly water bill may result in the immediate termination of service as provided in section 49-54.
- (b) If a one-year billing history is available, the deposit shall be equal to a two-month average billing for the prior twelve (12) consecutive months or equal to the annual average two-month charge by meter size based on user classification by the standard Industrial codes (SIC) whose users are same or similar.
- (c) If a one-year billing history is unavailable, the deposit will be equal to the annual average two-month charge by meter size based on account classification by the standard industrial codes (SIC) as established by the City for the same or similar property uses.
- (d) Deposits shall not be required of tenant account holders, who have: (1) previously had service accounts with the City of Scottsdale for a period of at least twelve (12) months, within the twenty-four (24) month period immediately preceding the application for new service, and (2) had no more than two (2) payment delinquencies within the most recent twelve-month period of service. "Payment delinquency" means that the City has not received a required payment in a timely manner, resulting in an outstanding balance being shown on the next billing. Prior service under this subsection may be established either by records maintained by the City or provided by the applicant.
- (e) Deposits shall not be required at the time of application for a service account, from Single-Family residential property owners who provide adequate proof of ownership as determined by the department director of business services. However, upon default of payment by the property owner for any water or other City utility services received, a deposit pursuant to the applicable schedule shall be required for all premises owned by the property owner and served by City utilities where the property owner is being billed for the services.
- (f) Required deposits bearing no interest shall be held by the City. If the account holder's utility bills remain current for twelve (12) consecutive months, the amount of the deposit shall be credited to the first billing following the twelve-month period, or the deposit shall be credited to the account holder's final bill, whichever comes sooner.

Sec. 49-48. Metered domestic rates.

- (a) Charges for domestic water supplied are imposed on all domestic water account holders. Charges for first and final bills with billing periods more or less than one (1) month shall be prorated. Charges shall be paid for each meter connected to the City water line commencing with the first request for service at the following rates, whether or not any domestic water is used.
- (b) The division director shall have the authority to address proration of billing days across tiers.
- (c) The division director may authorize credits for paperless or other automated billing methods as an incentive to reduce the Division's billing costs.
- (d) The division director may authorize estimated charges, using the commercial volumetric structure, up to and including the top tier, for unmetered water connection leaks.

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Effective November 1, 2025 2026 the rates are:

(1) Base fee charge for all customer classes.

Meter Size in Inches	Fee
¾	\$15,7516.46
1	\$21,8522.83
1 ¼	\$31,4532.87
1 ½	\$62,9065.73
2	\$78,7082.24
3	\$173,05180.84
4	\$275,35287.74
6	\$550,50575.27
8	\$943,65986.11
All Sizes	Stand-by Meters: fifty (50) percent of the applicable fee as shown above

Commercial	Fee
Private Fire-line Suppression	\$2.00

(2) Volumetric charges.

Single-Family Residential and Single-Family Residential Landscape/Irrigation

Tier	Gallons of Usage		Rate Per 1,000 Gallons
	From	To	
1	0	5,000	\$1,721.80
2	5,001	12,000	\$2,243.39
3	12,001	20,000	\$4,754.96
4	20,001	30,000	\$6,276.55
5	Over	30,000	\$8,058.41
Non Compliant: see below			

Multi-Family Residential and Commercial/Industrial and Non-Residential

Tier	Gallons of Usage		Rate Per 1,000 Gallons
	From	To	
1	0	5,000	\$1,721.80
2	5,001	12,000	\$2,243.39
3	12,001	20,000	\$4,754.96
4	Over	20,000	\$6,276.55
Non Compliant: See below			

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Multi-Family Residential, Commercial, Industrial and Non-Residential Landscape/Irrigation

Tier	Gallons of Usage		Rate Per 1,000 Gallons
	From	To	
1	0	5,000	\$1,721.80
2	5,001	12,000	\$2,243.39
3	12,001	20,000	\$4,754.96
4	Over	20,000	\$6,276.55
Non Compliant: See below			

Non-Compliant: Once a customer is designated as non-compliant, the then current water rate per 1,000 gallons will be adjusted by one hundred fifty (150) percent for a minimum of a full billing cycle.

- (de) In addition to the rates charged pursuant to Section 49-48 through 49-50, a State of Arizona water quality assurance fee of \$0.0065 per one thousand (1,000) gallons will be added to the total of all water charges calculated in accordance with section 49-48 through 49-50. Additionally, applicable privilege tax and other taxes will be added.
- (ef) In the event of a water main shutdown, the water user is still subject to base fee charges for that period.

Sec. 49-48.1. Stormwater fee.

In addition to the rates charged pursuant to Section 49-48, a stormwater account charge of eight dollars and ten cents (\$8.10) per month will be added to the total of all charges calculated in accordance with Section 49-48. Additionally, applicable privilege and other taxes will be added.

Sec. 49-48.2. Out of city customers.

All account holders located outside the City limits who are provided water service by the City shall pay at a rate determined by the Water Resources Division and approved by the City Council. The out of City surcharge shall be payable monthly and shall be computed as provided below.

- (1) If the outside City account holder's water delivery system is more expensive to maintain than In City customers, due to factors such as longer travel distances or other delivery system characteristics, the extra cost, as determined by the City, shall be recovered by the City adding up to an extra fifteen (15) percent delivery surcharge to the base and commodity rates described above, unless otherwise prohibited by law.

Additionally, applicable privilege and other taxes will be added.

Sec. 49-49. Unauthorized use.

- (a) Unauthorized use of, or connection to, the City water system is unlawful and is subject to charges for estimated consumption based on similar account use, the applicable consumption rate schedule and the following fines:

Unauthorized water service line connection: Each violation up to one thousand dollars (\$1,000.00).

Unauthorized fire hydrant connection: Each violation up to one thousand dollars (\$1,000.00).

Unauthorized use of, or connection to, the City water system shall mean the taking of water from any part of the City water system, including any City water main or fire line:

- (1) Without first receiving express City authorization and paying all applicable charges;
- (2) By connecting, directly or indirectly, to the City water system without a meter;
- (3) By willfully modifying the meter or service apparatus so as to cause a loss or reduction in consumption registration; or
- (4) By indirectly connecting to the City water system by connecting to another user's water supply system without City authorization.

During construction of a residential or commercial structure, the permit holder will be responsible for paying the fines and charges when assessed. Each day that the unauthorized connection or use is made will be treated as a separate violation and will be subject to the above fines and charges. Imposition of these fines and charges shall be in addition to any other penalties provided in this Code and any rights or remedies which the City has available to it under this chapter.

- (b) Any charge imposed pursuant to the provisions of this section may be adjusted when in the opinion of the City there are unique circumstances which warrant special consideration.

Sec. 49-50. Hydrant and construction meters and water hauling.

- (a) All temporary bulk water required by a contractor, Owner or Builder for construction, serviced by a fire hydrant or construction meter, is subject to approval by the division director. Approval does not guarantee authorization. Upon approval of the temporary use by Water Resources and payment of the following fees, a hydrant or construction meter may be installed:
 - (1) Meter deposit, nine hundred thirty dollars (\$930.00) for a one-inch meter and two thousand five hundred and seventy dollars (\$2,570.00) for a three-inch meter.
 - (2) Installation and removal fee, one hundred eighty dollars (\$180.00).
 - (3) Account establishment fee of thirty dollars (\$30.00).
 - (4) At the City's discretion, larger meters may be made available for additional fees on a case by case basis for a reasonable fee as established by the division director.
- (b) Relocation of hydrant or construction meters require approval of water operations prior to relocation. Any hydrant or construction meter which is relocated will be assessed a relocation fee of one hundred twenty dollars (\$120.00).
- (c) If damaged, the applicant will be charged for the cost of repair of a hydrant or construction meter, and in all such cases shall receive itemized billing for any amount due.
- (d) Base fees shall be consistent with Section 49-48 for the appropriate meter size for domestic water service by a hydrant or construction meter, whether or not any domestic water is used. Additionally, volumetric charges shall be equal to the Single-Family Residential and Landscape/Irrigation by Single Family fifth tier rate. Charges for first and final bills with billing periods more or less than one (1) month shall be prorated.

Hydrant and construction meters are temporary and may not be utilized beyond one (1) year from the date of application approval unless further extended at the discretion of the division director.
- (e) Whenever bulk water (load count) is required by the contractor, Owner or Builder for construction, and it is not feasible to use a meter, the Water Resources Division may authorize service under this section at the rates set forth in subsections (a) through (d). A one hundred dollar (\$100.00) deposit will be required in order to obtain bulk water without a meter. Applicable privilege tax and other taxes will be added.

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- (f) Base fees shall be consistent with Section 49-48 for all water hauling users. In addition water hauling volumetric charges shall be equal to the Single-Family Residential and Landscape/Irrigation by Single Family fifth tier rate. Charges for first and final bills with billing periods more or less than one (1) month shall be prorated. Charges shall be paid for each customer hauling water from the City with the first request for service whether or not any domestic water is used.

If a fire hydrant or construction meter is used for water hauling water from the City, the capital recovery charges can be retroactively billed for all applicable periods regardless of the number of months of use.

- (g) Bulk water may be provided by the City through an unpressured system. Effective July 1, 2025~~2026~~, bulk water so delivered shall be charged to the user at a rate of two dollars and ~~forty-two~~^{forty-two} and ~~thirty-three~~^{thirty-three} cents (\$2.42~~53~~) per one thousand (1,000) gallons delivered.

Sec. 49-50.1. Reserved.

Sec. 49-51. Limitation on adjustments.

Adjustment of amounts owed or credits due under this article shall be limited to the three-year period immediately preceding the date of the most recent billing by the City. However, the division director may extend the period when necessary to ensure that charges for water service are just and reasonable in conformity with state statutes.

Sec. 49-52. Due date; person responsible.

- (a) Every charge levied pursuant to the provisions of this article and article IV division 3 shall become due and payable when a utility bill is prepared by the City and shall become a personal debt of the account holder.
- (b) It is the responsibility of the person or persons in whose name or names an account has been established to pay all charges in full and on a timely basis. Failure to receive a utility bill will not excuse the account holder or holders from full and timely payment for the services.
- (c) Except when specific payment arrangements have been made in advance of the delinquent date, all charges levied pursuant to the provisions of this article and article IV division 3 shall become delinquent if unpaid twenty (20) days after the utility bill is prepared.

Sec. 49-53. Pay stations.

The department director of business services may designate certain private establishments as authorized City domestic water payment stations, in the capacity of limited agents, for the purpose of collecting any such charges. Payment stations so designated shall be required to perform pay station functions in accordance with rules and regulations issued by the department director of business services and may be paid a collection fee, to be established by mutual agreement, for the faithful performance of these functions.

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 of five dollars (\$5.00) or one and one-half (1.5) percent, whichever is greater, per month shall be assessed on any combined unpaid balance greater than ten dollars (\$10.00) 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; medical or financial hardships; hearing.

- (a) If the charge levied is not paid by the date of delinquency as stated in subsection (b) of section 49-52, the City shall give written notice to the account holder that the water service may be discontinued from the property serviced and, unless other arrangements are authorized pursuant to subsection (e) of this section, that service shall not be resumed until all charges due, including the fee specified in subsection (b) of this section, have been paid together with any charges against the premises of any nature whatsoever then due and payable to the City under any City ordinance pursuant to the provisions of subsection (b) of section 49-22.
- (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 one hundred ten dollars (\$110.00) whether or not the employee is physically able to turn off the service.
- (c) To resume service, the City will require a minimum of one business day to reestablish service. Requests for resumption of water service will be handled during regular business hours (Monday through Friday excluding observed holidays). Requests made after regular business hours will be handled the next business day after the request for resumption of service.
- (d) Due to extenuating circumstances such as broken or leaking pipes or other causes that in the opinion of the City pose a threat to the health, safety or welfare of the property or other members of the public or result in unreasonable wasting of water, the City may refuse to resume any unit of service until such time as it is appropriate to do so. The City may charge the actual cost of resuming service and bill the account holder for these itemized charges.
- (e) The City Treasurer or designee shall have the authority to establish rules and regulations for handling medical and financial hardship accounts. Such rules and regulations may provide for a waiver of fees pursuant to this section or alternate payment arrangements as determined by the City Treasurer or designee.
- (f) Any account holder disputing any charges levied pursuant to the provisions of this chapter may request a hearing. The request for a hearing must be made to the department director of business services or designee and must be received no later than forty-five (45) days after the initial delinquent date of the disputed statement. Once the dispute has been acknowledged payment of the disputed charge is not required until a final determination is made.
- (g) Any amount determined to be due and owing following a hearing must be paid in full, unless other payment arrangements are made, within ten (10) days of the determination. In the event that the payment required by this subsection is not timely made, services may be terminated without further notice to the account holder or holders.

Sec. 49-55. Lien for unpaid charges.

- (a) When a property owner is established as the account holder pursuant to this article, regardless of whether or not the property is owner occupied, any charges imposed by this article, if not paid by the delinquent date specified in this article, shall constitute a lien on the property, lot or tract of land to which service was rendered.
- (b) Upon delinquency, the utility billing office shall give notice to the owner of record of the property, which shall indicate that the City will file a lien on the subject property unless all past due charges are paid.

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(c) If delinquent charges due are not paid, the utility billing office shall prepare a notice and claim of lien and shall file the lien with the county recorder. The notice and claim of lien shall contain the following:

- (1) A description of the property sufficient for identification.
- (2) The name of the owner of record of the property.
- (3) The amount owed.

At such time as the lien is filed, the cost of preparing, processing and releasing the lien shall be added to the amount due.

(d) From and after the date of recording in the office of the county recorder, the lien shall attach to the property until paid. A sale of the property to satisfy the lien shall be made upon judgment of foreclosure and order of sale. The City shall have the right to bring an action to enforce the lien in the superior court of the county at any time after its recording, but failure to enforce the lien by such action shall not affect its validity. The recorded notice and claim of lien shall be prima facie evidence of the truth of all matters recited therein and the regularity of all proceedings prior to the recording therein.

(e) A prior recording for the purposes provided in this section shall not be a bar to the subsequent recording of a lien for such purposes, and any number of such liens on the same property may be enforced in the same action.

Sec. 49-56. Collection by civil suit.

- (a) Any charges imposed pursuant to the provisions of this article, if not paid by the due date specified in section 49-52, may also be collected by a civil suit, instituted in the name of the City by the City Attorney at the request of the City at any time after the charges become delinquent notwithstanding any other provisions to the contrary.
- (b) In addition to delinquent charges specified in section 49-53.1, the City may recover all costs of litigation and collection including a reasonable attorney's fee.
- (c) The remedies provided by this section shall be cumulative and supplemental to other remedies provided under this article.

Sec. 49-57. Use of collection agency.

The department director of business services may assign delinquent charges to a bona fide collection agency for collection.

- (a) The City shall have a lien upon and right to offset any amount due from a Customer or other User to the City under this Chapter against any income tax refund or other monies that may be owed by the State of Arizona to such Customer or other User. The Business Services Service Manager may take such actions and provide such notice to the State as may be necessary to assert such rights in accordance with Arizona Revised Statutes, Title 42 or any other applicable State law allowing for liens or offsets of debts due to political subdivisions of the State.

Sec. 49.1 Additional Legal Remedies for the City

- (a) The City shall have a lien upon and right to offset any amount due from a Customer or other User to the City under this Chapter against any income tax refund or other monies that may be owed by the State of Arizona to such Customer or other User. The Business Service Manager may take such actions and provide such notice to the State as may be necessary to assert such rights in accordance with Arizona Revised Statutes,

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VOLUME II -
Chapter 49 - WATER, SEWERS AND SEWAGE DISPOSAL
ARTICLE II. - MUNICIPAL WATER SYSTEM
DIVISION 3, BACKFLOW PREVENTION AND CROSS-CONNECTION CONTROL

Title 42 or any other applicable State law allowing for liens or offsets of debts due to political subdivisions of the State.

DIVISION 3. BACKFLOW PREVENTION AND CROSS-CONNECTION CONTROL

Sec. 49-58. Purpose.

The purposes of this division are as follows:

- (1) To protect the public potable water supply of the City from the possibility of contamination or pollution by preventing the backflow of contaminants and pollution into the public potable water supply system;
- (2) To promote the elimination or control of existing cross-connections, actual or potential, within a user's customer's internal potable water system, plumbing fixtures and industrial piping systems;
- (3) To provide for a continuing program of cross-connection control which will prevent the contamination or pollution of the public potable water supply system; and
- (4) To comply with Arizona Department of Environmental Quality Regulations including A.A.C. 5R18-4-215.

Sec. 49-59. Backflow prevention required.

- (a) Backflow prevention shall be required at every customer supply line of a user's customer's water system when the Water Resources Division determines that the potable water supplied by the public potable water system may be subject to contamination, pollution or other deterioration of quality by conditions or potential conditions within the user's customer's water system. The customer and the property owner are responsible for meeting the requirements of this division.
- (b) Backflow prevention required by the Water Resources Division shall be sufficient to protect against the potential degree of hazard to the public potable water supply from the user's customer's water system.

Sec. 49-60. Hazard potential.

The potential degree of hazard to the public potable water supply and system from a user's customer's water supply system shall be determined using the following hazard factors:

- (1) *Health*: Any actual or potential condition, device or practice which, in the judgment of the Water Resources Division, may create a threat of contamination to a potable water supply or may create a danger to the health and well-being of the potable water consumers.
- (2) *Plumbing*: An actual or potential plumbing cross-connection in a user's customer's water supply system that has not been protected by an approved backflow prevention assembly. A plumbing hazard may be either a pollution or contamination hazard.
- (3) *Nonhealth*: Any actual or potential condition, device or practice which, in the judgment of the Water Resources Division, may create a threat of pollution to a potable water supply system that is either a nuisance or aesthetically objectionable but is not toxic and does not pose a health hazard.

- (4) *System*: Any actual or potential condition, device or practice which, in the judgment of the Water Resources Division may create a threat of severe damage to the physical properties of a potable water supply system or that would have a protracted effect on the quality of the potable water in the system.

Sec. 49-61. Backflow prevention assemblies; approved list.

- (a) All backflow devices, independent of design and application, must be "lead free" as defined in 40 Code of Federal Regulations (CFR) 143, Subpart B and the Safe Drinking Water Act Section 1417. The following are the recognized types of backflow prevention assemblies which the Water Resources Division may require, subject to the degree of hazard, under section 49-59 or section 49-62.
- (1) *Air gap*: The unobstructed vertical distance through free atmosphere between the lowest point of a water supply outlet, pipe or faucet supplying potable water to a tank, plumbing fixture or other device and the flood level rim of the tank, plumbing fixture or other device. An approved air gap shall be at least twice the diameter of the supply pipe or faucet and in no case less than one (1) inch.
 - (2) *Reduced pressure principle assembly (hereinafter "RP")*: A backflow prevention assembly containing two independently acting approved check valves together with a hydraulically operating, mechanically independent pressure differential relief valve located between the check valves, and at the same time below the first check valve. The assembly shall include properly located test cocks and tightly closing shut-off valves at each end of the assembly.
 - (3) *Double check valve assembly (hereinafter "DC")*: A backflow prevention assembly composed of two independently acting, approved check valves, including tightly closing shut-off valves located at each end of the assembly and fitted with properly located test cocks.
 - (4) ~~*Pressure vacuum breaker assembly (hereinafter "PVB")*: A backflow prevention assembly containing an independently operating, loaded check valve and an independently operating, loaded air inlet valve located on the discharge side of the check valve. The assembly shall be equipped with properly located test cocks and tightly closing shut-off valves located at each end of the assembly.~~
- (b) A user customer may use a backflow prevention assembly if it has received the approval of the Foundation for Cross-Connection Control and Hydraulic Research of the University of Southern California, the American Society of Sanitary Engineering or other recognized testing agency approved by the Water Resources Division, and its use is approved by the division. Approved assemblies must have a local manufacturer's parts and service center.

Sec. 49-62. Backflow prevention assemblies required.

- (a) When any of the following items or activities are present or conducted on premises served by the public potable water supply system, a potential hazard to the public potable water supply system shall be presumed and a backflow prevention assembly, of the type specified for that item or activity herein, must be in place at each service connection for that premises. The Water Resources Division reserves the right to require a higher level of protection based on site-specific hazard evaluations.
- (1) Aircraft and missile plants: RP.
 - (2) Animal clinics and animal grooming shops: RP.
 - (3) Any premises where a cross-connection is maintained: RP.
 - (4) Automotive repair with steam cleaner, acid cleaning equipment, or solvent facilities: RP.
 - (5) Auxiliary water systems: RP.
 - (6) Beauty shops: RP.

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- (7) Bottling plants, beverage or chemical: RP.
 - (8) Breweries: RP.
 - (9) Buildings that have plumbing or fixtures connected to plumbing that are greater than thirty-four (34) feet in height maximum from service connection: RP.
 - (10) Buildings with house pumps and/or potable water storage tank: RP.
 - (11) Buildings with landscape fountains, ponds, or baptismal tanks: RP.
 - (12) Buildings with sewage ejectors: RP.
 - (13) Buildings used for commercial mini-warehouses or industrial uses where one (1) service connection supplies more than one (1) tenant or occupant of the building: RP.
 - ~~(14) Buildings with potable water service lines that are greater than or equal to one hundred (100) feet in length: RP.~~
 - ~~(1415) Canneries, packing houses, and reduction plants: RP.~~
 - ~~(1516) Car wash facilities: RP.~~
 - ~~(1617) Cooling towers, boilers, chillers and other heating and cooling systems utilizing potable water: RP.~~
 - ~~(1718) Chemical plants: RP.~~
 - ~~(1819) Chemically treated potable or nonpotable water systems: RP.~~
 - ~~(1920) Civil works (government-owned or -operated facilities not open for inspection by the Water Resources Division): RP.~~
 - ~~(2021) Commercial laundries: RP.~~
 - ~~(2122) Dairies and cold storage plants: RP.~~
 - ~~(2223) Dye works: RP.~~
 - ~~(2324) Film processing laboratories, facilities, or equipment: RP.~~
 - ~~(2425) Fire systems, as classified by the American Water Works Association (AWWA) Manual M14, 2nd edition:

 - a. In accordance with section 49-64(a), Class 1, Class 2: DC.
 - b. Class 3, all systems: DC
 - c. Classes 4, 5 and 6, all systems: RP.~~
 - ~~(2526) Fire systems. Where backflow protection is required on the industrial/domestic service connection that is located on the same premises, both service connections will have adequate backflow protection for the highest degree of hazard affecting either system.~~
 - ~~(2627) Food processing plants: RP.~~
 - ~~(2728) Educational Institutions, Public and Private: RP.~~
 - ~~(2829) Holding tank disposal stations: RP.~~
 - ~~(2930) Hospitals and mortuaries: RP.~~
 - ~~(3031) Hydrant meters connecting to the public potable water supply system to be used for irrigation or construction water: RP or air gap.~~

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- (3132) Irrigation system:
 - a. Premises where nonpotable water is used for irrigation: RP.
 - b. Premises using potable water with nonpotable water piping: RP.
 - c. Premises having a system served by more than one (1) service connection (looped system): RP.
 - d. Landscape irrigation systems: PVB or RP.
 - (3233) Laboratories using toxic materials: RP.
 - (3334) Manufacturing, processing, and fabricating plants using toxic or nontoxic materials: RP.
 - (3435) Master metered apartments, condos and townhouses with more than two units per meter: RP.
 - (3536) Medical and dental buildings, sanitariums, rest and convalescent homes engaged in the diagnosis, care or treatment of human illness: RP.
 - (3637) Mobile home parks served by master meter: RP.
 - (3738) Motion picture studios: RP.
 - (3839) Multiple services-interconnected: RP.
 - (3940) Oil and gas production facilities: RP.
 - (4041) Paper and paper product production facilities: RP.
 - (4142) Plating plants: RP.
 - (4243) Portable insecticide and herbicide spray tanks: RP or air gap.
 - (4344) Post mix drink machines: RP.
 - (4445) Power plants: RP.
 - (4546) Public swimming pools with self-levelers or automatic fillers: PVB or RP.
 - (4647) Radioactive materials processing facilities: RP.
 - (4748) Restaurants: RP.
 - (4849) Restricted, classified, or other closed facilities: RP.
 - (4950) Rubber plants: RP.
 - (5051) Sand and gravel plants: RP.
 - (5152) Sewage and storm drainage facilities: RP.
 - (5253) Shopping centers served by master meters: RP.
 - (5354) Waterfront facilities, piers, docks, dockside facilities and boat marinas: RP.
 - (5455) Water trucks, water tanks or hydraulic sewer cleaning equipment: RP or air gap.
- (b) When two (2) or more of the items or activities listed above are present or conducted on the same premises and served by the same service connection, the most restrictive backflow preventer required for any of the items or activities present or conducted on the premises shall be required to be utilized or installed at the service connection. The order of most restrictive to least restrictive backflow preventers shall be as follows:
- (1) Air gap (most restrictive);
 - (2) Reduced pressure principle assembly (RP);

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- (3) Double check valve assembly (DC);
- ~~(4) Pressure vacuum breaker assembly (PVB) (least restrictive).~~
- (c) If any property owner or ~~account holder~~ customer falls to install a device or perform any action required by this section within ~~ninety-fourty-five (945)~~ calendar days ~~for install of a device or thirty (30) days to perform a necessary action~~ of receiving written notice from the Water Resources Division of the need to do so, the Division may either:
- (1) If feasible, install the required device or perform any necessary action on behalf of the property owner or ~~account holder~~ customer and include the cost of such installation plus a one hundred (100) percent surcharge on the next regularly scheduled invoice to the account holder, or
 - (2) Discontinue water service as outlined in Section 49-66 to the property until the required device is installed.
 - (3) Once a customer is designated as non-compliant, the then current water rate per 1,000 gallons will be adjusted by one hundred fifty (150) percent for one full billing cycle or until the customer is deemed compliant, whichever comes later.
- (d) The notice sent to the ~~property owner or account holder~~ customer in accordance with subsection (c) shall include an advisory from the Division that the Division may ~~install an appropriate device at the owner or account holder's expense or that the service may be discontinued if the required device is not installed~~ assess additional fees, discontinue service, or perform actions at the responsible party's expense if required actions are not completed or if a required device is not installed.

Sec. 49-63. Backflow assembly installation—Requirements; location.

- (a) Backflow prevention assemblies shall be installed at the customer supply line connection by the ~~user~~customer, by obtaining a permit for the appropriate backflow prevention assembly and completing the installation within 45 calendar days. This installation shall be at the ~~user's~~ customer's expense and the standards and specifications adopted by the Division. The assembly shall have a diameter at least equal to the diameter of the service connection.
- (b) The backflow prevention assembly shall be installed in an accessible location as close as possible to the service connection with proper clearances above the ground in accordance with the current set of standard details approved by the Division for backflow prevention assemblies.
- (c) When a ~~user~~ customer requires a continuous water supply, two (2) or more backflow prevention assemblies shall be installed parallel to one another at the customer supply line to allow a continuous water supply during testing or maintenance of the backflow prevention assemblies. When backflow prevention assemblies are installed parallel to one another, ~~the sum of the cross-sectional area of the assemblies shall be at least equal to the cross-sectional area of the customer supply line~~ the diameter of each assembly shall be at least equal to the diameter of the service connection.

Sec. 49-64. Installation for fire sprinkler systems.

- (a) A backflow prevention assembly is required for a customer water supply system connection supplying water only to a fire sprinkler system shall be installed in compliance with the current set of standard details adopted by the Division. A dedicated water supply main for the fire sprinkler system shall be provided with backflow protection. The supply shall not be a common domestic/fire sprinkler main. A double check valve backflow prevention assembly must be installed on a fire sprinkler system when any of the following conditions occur:
- (1) During the course of new construction on commercial buildings;

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- (2) The existing class 1 or 2 fire sprinkler system is modified from its present condition requiring new hydraulic calculations;
 - (3) The existing single check valve shows signs of deterioration/defects and/or lacks inspection records required by 49-64(C);
 - (4) The existing system or condition of the system constitutes a hazard to the health, safety or welfare of the public.
- (b) If the chief of the fire department, or their designee, determines that a fire sprinkler system shall have a continuous water supply which may not be interrupted during testing of the backflow prevention assembly, the user/customer shall install, at their expense, two (2) backflow prevention assemblies parallel to one another at the service connection. The diameter of each assembly shall be at least equal to the diameter of the service connection.
 - (c) Owners of existing Class 1 and 2 fire sprinkler prevention systems that do not have a double check backflow prevention assembly shall annually have the internal components of the required single check valve assembly inspected and maintained according to procedures identified in the National Fire Protection Association Publication 25 or Division guidelines. Inspection tag must be prominently displayed or easily accessible at all times. If the single check is defective, it shall be reported within twenty-four (24) hours to the fire department and Water Resources Division and the Owner must obtain a permit and complete installation to replace the defective single check valve with a double check backflow prevention assembly within 45 calendar days.
 - (d) Prior to installing or replacing a backflow prevention assembly on an existing sprinkler system, the sprinkler system must be tested and determined able to meet National Fire Protection Association Standard 13 minimum flow calculations with the addition of a backflow prevention assembly on the existing system. The fire department must approve the plans and hydraulic calculations prior to the installation of a backflow prevention assembly. The approved plans and calculations shall be available on-site at the time of the fire department underground inspection and flow test. Immediate retrofit of the appropriate backflow prevention assembly shall be required if the existing system or condition of the system constitutes a hazard to the health, safety or welfare of the public.
 - (e) Any person, firm, corporation, partnership, enterprise or association, whether as principal, owner, agent, tenant, or otherwise who violates, disobeys, omits or refuses to comply with, or who resists the enforcement of any of the provisions of this section is subject to a civil penalty. Upon a finding of a civil violation, the court shall impose a fine not to exceed one thousand dollars (\$1,000.00). Each day a violation of any provision of this section continues to exist shall constitute a separate offense.
 - (f) Notwithstanding subparagraph (e) of this section, a second or subsequent violation of any of the provisions of this section within a two-year period shall be deemed a misdemeanor. Upon conviction of a misdemeanor, the defendant shall be sentenced pursuant to the provisions of Section 1-8 of this Code.

Sec. 49-65. Inspections; maintenance; records.

- (a) An inspection shall be conducted to determine whether any cross-connections or other hazard potentials exist and to determine compliance with this article. The user's/customer's water system shall be available at all times during normal business hours for inspection by authorized personnel of the Water Resources Division.
- (b) Backflow prevention assemblies shall be tested at least once a year during the designated testing month determined by the Division. A notice shall be issued by the Division to the user/customer when a backflow prevention assembly is due for testing. If the testing reveals the assembly to be defective or in unsatisfactory operating condition, repairs shall be performed and a passing test of operation provided to the Division,

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including replacement of the assembly if necessary, which will return the assembly to satisfactory operating condition within forty-five (45) calendar days after the date of the notice issued by the Division. The testing and maintenance of each assembly shall be performed at the expense of the user customer.

- (c) If the Division or user customer learns or discovers, during the period between tests, that an assembly is defective or is in unsatisfactory operating condition, the user customer shall perform any necessary repairs, including replacement of the assembly, if necessary, which will return the assembly to satisfactory operating condition.
- (d) The installation, testing, maintenance, repair, and replacement of backflow prevention assemblies shall only be performed by an individual certified and approved by an agency recognized by the Division. A tester may be suspended from testing in Scottsdale for improper testing, maintenance, reporting or other improper practices as determined by the Division.
- (e) The user customer or property owner shall maintain records, of the results of all installation, testing, maintenance, repairs, and replacements of the backflow prevention assemblies on forms approved by the Division for a minimum of three years and must provide them upon request. The user customer or property owner shall submit to the Division a copy of the records within seven ten (710) calendar days after completion of the activity for which the records are made.
- (f) Existing Class 1 and 2 fire systems that are not equipped with a double check backflow prevention assembly shall have the internal components of the required single check valve assembly inspected and maintained according to procedures identified in the National Fire Protection Association Publication 25, as contained in the Water Based Fire Protection Systems, 1992 edition. Inspections of fire protection systems shall be performed on an annual basis with records of the inspections provided to the fire department and the Division. Any malfunction or abnormality with the check valve shall be reported within twenty-four (24) hours to the local fire department and Water Resources Division and replaced immediately with a double check backflow prevention assembly.

Sec. 49-66. Discontinuance of water service; notice.

- (a) The Division may disconnect water service to any user customer who refuses entry or access to Division inspectors for inspection pursuant to Section 49-65.
- (b) If the Division discovers that a user property owner or customer has not installed a required backflow prevention assembly or that a backflow prevention assembly has been improperly tested or maintained, bypassed or removed, or that an unprotected cross-connection exists in the user's customer's water system, the customer supply line from the meter shall be disconnected if the situation is not remedied within the time specified in the notice sent to the user property owner or customer as described in subsection (d) below. The {customer supply line} shall not be restored until the condition is remedied.
- (c) A {customer supply line} to a fire sprinkler system shall not be subject to disconnection under this section, but may be subject to penalties pursuant to Section 49-64 of this Code.
- (d) Prior to disconnecting any customer supply line because a condition set forth in subsection (a) or (b) above exists, the Division shall send a notice to the customer, and property owner if different than the customer, describing the condition and notifying the user customer and property owner that the condition must be remedied within thirty (30) calendar days after notice is sent by the Division ~~mailing of the notice by the division~~. If such condition is not remedied within the thirty (30) calendar-day period, the Division shall send a second notice, by certified mail, to the user property owner and customer ~~notifying the customer~~ that water service will be disconnected in ten (10) calendar days if the condition is not remedied within such time period.

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- (e) The Division may disconnect, without notice, water service to any user customer when the division discovers that the user's customer's water system is contaminating the public potable water supply.
 - (f) If water service is terminated for non-compliance with the provisions in this Division section, a fee to reimburse the city will be added to the user's customer's monthly water billing statement upon compliance with the required backflow testing as outlined in Section 49-65. The fee shall be a minimum charge equal to ~~two (2) hours of labor at the prevailing~~ the current disconnect rate as established by the City in Section 49-54(b). The property owner may be charged such additional amounts as may be necessary and in all such cases, the user customer shall receive an itemized bill. The fee shall be assessed for each additional water turn-on trip required after each non-compliance with this Division section resulting in termination of water service.

Sec. 49-67. Reserved.

Sec. 49-68. Plan review.

- (a) All backflow prevention assemblies which will be installed shall be shown and specified on all required building and engineering plans. City approval of the intended installation is required prior to issuance of any building or encroachment permit.
- (b) Installation permits for the installation or replacement of all backflow prevention assemblies required by the City shall be obtained from the City prior to installation. A separate permit shall be obtained for each required backflow prevention assembly to be installed or replaced, including replacement. All newly installed, including replacement, assemblies are to be tested by a certified tester and shown to be operating correctly.
- (c) Backflow prevention assemblies must be installed as to meet the current set of standard details and specifications of the Water Resources Division and be tested by a certified tester and shown to be operating correctly before a temporary certificate of occupancy is issued by the City.
- (d) The Water Resources Division may, in writing, suspend or revoke a permit issued under the provisions of this article, whenever the permit is issued in error, or on the basis of incorrect information supplied, or in violation of any ordinance or regulation of any provision of the Uniform Plumbing Code or this article. Installation permits expire one (1) year from issuance.
- (e) The Water Resources Division retains independent enforcement authority under Scottsdale Revised Code Chapter 49 to require the installation of backflow prevention assemblies at any stage of development or occupancy, regardless of prior plan approval. Failure to include or install required assemblies may result in enforcement actions, including withholding of water service or occupancy approvals, until compliance is achieved.

Sec. 49-69. Fees.

A fee may be established by City Council resolution to recover the cost of the cross-connection control program.

Sec. 49-70. Reserved Variances.

A variance is an approval by the Division Director that authorizes a deviation from one or more requirements of Sections 49-58 through 49-70 if in the opinion of the Division Director a health hazard, safety or nuisance will not result from the deviation.

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- (a) Variances may be required when an unusual or unreasonable barrier exists to comply with a provision of this Division.
 - (b) A separate variance must be obtained for each deviation from the requirements of this Division.
 - (c) A variance may be granted provided that the proposed alternate method or work conforms to the general intent of the rules and regulations. A variance granted by the Division may include stipulations or additional requirements.
 - (d) Request must be submitted through the formal variance process established by the Division.
 - (e) The Division will notify the applicant upon determination.
 - (f) Any subsequent replacement or location change of an assembly will require a new variance request.

ARTICLE III. WATER AND WASTEWATER DEVELOPMENT FEES

Sec. 49-71. Title.

This Article shall be known as the "Water and Wastewater Development Fees Ordinance of the City of Scottsdale," and may be cited as such.

Sec. 49-72. Legislative Intent and purpose.

This Article is adopted for the purpose of promoting the health, safety and general welfare of the residents of the City by:

- (a) Requiring new development to pay its proportionate share of the costs incurred by the City that are associated with providing Necessary Public Services to new development.
- (b) Setting forth standards and procedures for creating and assessing Development Fees consistent with the requirements of Arizona Revised Statutes ("A.R.S.") § 9-463.05, including requirements pursuant to A.R.S. § 9-463.05(K) that, on or before August 1, 2014, the City must replace its Development Fees that were adopted prior to January 1, 2012 with Development Fees adopted pursuant to the requirements of A.R.S. § 9-463.05 as amended by the state legislature in SB 1525, Fiftieth Legislature, First Regular Session.
- (c) Providing for the temporary continuation of certain Development Fees adopted prior to January 1, 2012 until otherwise replaced pursuant to this Article, or longer where such Development Fees were pledged to support Financing or Debt for a Grandfathered Facility as permitted by A.R.S. § 9-463.05(K), (R), and (S).
- (d) Setting forth procedures for administering the Development Fee program, including mandatory Offsets, Credits, and refunds of Development Fees. All Development Fee assessments, Offsets, Credits, or refunds must be administered in accordance with the provisions of this Article.

This Article shall not affect the City's zoning authority or its authority to adopt or amend its General Plan, provided that planning and zoning activities by the City may require amendments to Development Fees as provided in Section 49-77 of this Article.

Sec. 49-73. Definitions.

When used in this Article, the terms listed below shall have the following meanings unless the context requires otherwise. Singular terms shall include their plural.

Acre-foot of water: That quantity of water required to cover one (1) acre of land one (1) foot deep, three hundred twenty-five thousand eight hundred fifty-one (325,851) gallons.

Applicant: A person who applies to the City for a Building Permit or submits a site plan or subdivision plat.

Appurtenance: Any fixed machinery or equipment, structure or other fixture, including integrated hardware, software or other components, associated with a Capital Facility that are necessary or convenient to the operation, use, or maintenance of a Capital Facility, excluding replacement of the same after initial development of the Capital Facility, but only as to those appurtenances, or portions of those appurtenances, which provide service to existing EDUs.

Building Permit: Any permit issued by the City that authorizes vertical construction, increases square footage, authorizes changes to land use, or provides for the addition of a residential or non-residential point of demand to the water, water supply, or wastewater system.

Capital Facility: An asset having a Useful Life of three (3) or more years that is a component of Water or Wastewater Service provided by the City. A Capital Facility may include any associated purchase of real property, architectural and engineering services leading to the design and construction of buildings and facilities, improvements to existing facilities, improvements to or expansions of existing facilities, and associated financing and professional services. Wherever used herein, "Infrastructure" shall have the same meaning as "Capital Facilities."

Category of Development: A specific category of development within a Residential, Commercial, Industrial, Mixed-Use, or Supplemental land use district against which a Development Fee is calculated and assessed based on a recommended water meter type where a Detached Single-Family Dwelling Unit is one (1) EDU, while the EDU factor for a unit of development within another Category of Development is represented by the ratio of the demand for Water and Wastewater Services typically generated by that unit as compared to the demand for such services typically generated by a Detached Single-Family Dwelling Unit. The City assesses Development Fees against the various recommended types of water meters for various Categories of Development within the Residential, Commercial, Industrial, Mixed-Use, or Supplemental land use districts as defined in this Section.

City: The City of Scottsdale, Arizona.

Commercial Land Use: Those commercial land uses identified in the Zoning Ordinance for the City of Scottsdale as S-R, Service-Residential; C-S, Regional Shopping Center; C-1, Neighborhood Commercial; C-2, Central Business; C-3, Highway Commercial; C-4, General Commercial; SS, Support Services; C-O, Commercial Office; PCoC, Planned Convenience Center; PNC, Planned Neighborhood Center; PCC, Planned Community Center; PRC, Planned Regional Center.

Commercial/Industrial and Non-Residential means all customer classifications serviced by a water meter, except Single-Family Residential and Multi-Family Residential, and are connected to a sewer or septic system.

Credit: A reduction in an assessed Development Fee resulting from developer contributions to, payments for, construction of, or dedications for capital facilities included in an Infrastructure Improvements Plan pursuant to Section 49-83 of this Article (or as otherwise permitted by this Article).

Credit Agreement: A written agreement between the City and the developer(s) of a Subject Development that allocates Credits to the Subject Development pursuant to Section 49-83 of this Article. A Credit Agreement may be included as part of a Development Agreement pursuant to Section 49-84 of this Article.

Credit Allocation: A term used to describe when Credits are distributed to a particular development or parcel of land after execution of a Credit Agreement, but are not yet issued.

Credit Issuance: A term used to describe when the amount of an assessed Development Fee attributable to a particular development or parcel of land is reduced by applying a Credit allocation.

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Development: Any property which is proposed to be improved in a manner that creates a demand for City water or wastewater service.

Developer: shall include the individual, firm, corporation, partnership, association, syndication, trust or other legal entity which is responsible for facilitating the owner's demand on the City water or sewer facilities and creates structures on that land. The Developer and Owner may be the same.

Development Agreement: An agreement prepared in accordance with the requirements of A.R.S. § 9-500.05, and any applicable requirements of the City Code.

Direct Benefit: A benefit to an EDU resulting from a Capital Facility that: (a) addresses the need for water and/or wastewater services created in whole or in part by the EDU; and that (b) meets either of the following criteria: (i) the Capital Facility is located in the service area of the EDU and is needed in the service area of the EDU to maintain the Level of Service; or (ii) the Capital Facility substitutes for, or eliminates the need for a Capital Facility that otherwise would have been needed in the service area of the EDU to maintain the City's Level of Service.

Division: The City of Scottsdale Water Resources Division.

Division Director: The division director of Water Resources or designee.

Dwelling Unit: A house, apartment, mobile home, or trailer, group of rooms, or single room occupied as separate living quarters or, if vacant, intended for occupancy as separate living quarters.

DS+PM: The Design Standards and Policies Manual for the City of Scottsdale.

Equipment: Machinery, tools, materials, and other supplies, not including vehicles, that are needed by a Capital Facility to provide the Level of Service specified by the Infrastructure Improvements Plan, excluding replacement of the same after initial development of the Capital Facility, but only as to that equipment, or portion of that equipment, which provides service to existing EDUs.

Equivalent Demand Unit (EDU): A unit of development within a particular Category of Development, defined in terms of a standardized measure of the demand that a unit of development in that Category of Development generates for Water and Wastewater Services. The EDU, or number of EDUs, in the City for Water and Wastewater Services is based on the type of applicable water meter required for a particular category of development in relation to the demand generated by a Detached Single-Family Dwelling Unit. For all Water and Wastewater Services, the EDU factor for a Detached Single-Family Dwelling Unit is one (1), while the EDU factor for a unit of development within another Category of Development is represented as a ratio of the demand for Water and Wastewater Services typically generated by that unit as compared to the demand for such services typically generated by a Detached Single-Family Dwelling Unit. An EDU shall be a "service unit" for purposes of A.R.S. § 9-463.05(T)(10). The 1" meter is the minimum type of meter for a Single-Family Dwelling Unit with a base flow often (10) gpm.

Existing Capacity: Recognizing that portions of the existing capacity of the water or wastewater systems have capacity available to provide service to new development, the Development Fees shall recover the cost per EDU for that existing capacity. Service provided to new development shall be at the same level of service provided to existing development. The cost of existing capacity providing service to new development may include any of the costs defined herein for a Capital Facility or for Facility Expansion, as the circumstances may dictate. The City may include as a component of the water and wastewater Development Fees, a cost measured by the current replacement cost less depreciation of existing water and wastewater system Capital Facilities that have capacity available for new development.

Facility Expansion: The expansion of the capacity of an existing facility that serves the same function as an otherwise new water or wastewater service facility in order that the existing facility may serve new development. Facility expansion does not include the repair, maintenance, modernization, or expansion of an existing facility to better serve existing development.

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Fee Report: A written report developed pursuant to Section 49-75 of this Article that identifies the methodology for calculating the amount of each Development Fee, explains the relationship between the Development Fee to be assessed and the System Average Cost per EDU calculated in the Infrastructure Improvements Plan, and which meets other requirements set forth in A.R.S. § 9-463.05.

Financing or Debt: Any debt, bond, note, loan, Interfund loan, fund transfer or other debt service obligation used to finance the development or expansion of a Capital Facility.

Final Approval: means (a) for Commercial, Industrial, or Multi-Family development, the date of approval of a site plan, or, if no site plan is submitted for the development, the date of approval of a final subdivision plat, or the date of approval of final plans wherein a building permit is issued or a water meter is purchased, and development fees are paid; or (b) for a Single-Family residential development, the approval of a final subdivision plat.

Grandfathered Facilities: Capital Facilities provided through Financing or Debt incurred before June 1, 2011 for which a Development Fee has been Pledged towards repayment as described in Section 49-75 of this Article.

Grandfathered Credit Agreement: A Credit Agreement entered into by the City and a Developer for Capital Facilities provided by the Developer and accepted by the City before June 1, 2011.

General Plan: Refers to the comprehensive plan, or part thereof, and all amendments, providing for the future growth and development of the City, the overall land-use plan for the City establishing areas of the City for different purposes, zones and activities adopted by the City Council and any subsequent amendments to the General Plan, including but not limited to the updated Land Use Map.

Gpm: Means gallons per minute.

Gross Development Fee: The total Development Fee to be assessed against a Subject Development on a per EDU basis, before subtraction of any Credits.

Industrial Land Use: Those industrial land uses identified in the Zoning Ordinance for the City of Scottsdale as Light Employment, I-G; and Industrial Park, I-1.

Infrastructure Improvements Plan: A written plan that identifies each water or wastewater service or facility expansion that is proposed to be the subject of a Development Fee and otherwise complies with the requirements of Section 49-79, and may be the City's capital improvement plan.

Interim Fee Schedule: Any Development Fee schedule established before January 1, 2012 in accordance with then-applicable law, and which expired not later than August 1, 2014 pursuant to Section 49-82 of this Article.

Land Use Assumptions: Projections of changes in land uses, densities, intensities and population for a Service Area over a period of at least ten (10) years and pursuant to the City's general plan as specified in Section 49-78 of this Article.

Level of Service: A quantitative and/or qualitative measure of Water and Wastewater Services that is to be provided by the City to development in the Service Area, defined in terms of the relationship between service capacity and service demand and accessibility, comfort and convenience, or other similar measures or combinations of measures. Level of Service may be measured differently for different Categories of Water and Wastewater Services, as identified in the Infrastructure Improvements Plan.

Local Collection System: Water and/or Wastewater collection facilities which are not included in the Water and Wastewater Infrastructure Improvement Plan as may be amended from time to time and are strictly internal to the development itself.

Local Distribution System: Water and/or wastewater distribution facilities which are not included in the Water and Wastewater Infrastructure Improvement Plan as may be amended from time to time and are strictly internal to the development itself.

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Mixed-Use Districts: D, Downtown; P-C, Planned Community; PCP, Planned Commercial Park; PUD, Planned Unit Development.

Multi-Family Residential means more than one (1) dwelling unit is serviced by a single water meter and is connected to a sewer or septic system.

Multi-Family Residential, Commercial/Industrial and Non-Residential Landscape/Irrigation means any unoccupied open area which is not connected to a sewer or septic system and excludes Single-Family Residential Landscape/Irrigation.

Necessary Public Services: "Necessary Public Services" shall have the meaning prescribed in A.R.S. § 9-463.05(T)(5), but includes within the City of Scottsdale only Water and Wastewater Service. Water and Wastewater Services are authorized to assess Development Fees, as further defined in Section 49-79(a)(1) of this Article.

Offset: An amount which is subtracted from the overall capital costs of providing Water and Wastewater Services to account for those capital components of infrastructure or associated debt that have been or will be paid for by a development through taxes, fees (except for Development Fees), and other revenue sources, as determined by the City pursuant to Section 49-79(a)(13) of this Article.

Pledged: Where used with reference to a Development Fee, a Development Fee shall be considered "pledged" where it was identified by the City as a source of payment or repayment for financing or debt that was identified as the source of financing for Water and Wastewater Services for which a Development Fee was assessed pursuant to the then-applicable provisions of A.R.S. § 9-463.05.

Qualified Professional: Any one (1) of the following: (a) a professional engineer, surveyor, financial analyst or planner, or other licensed professional providing services within the scope of that person's education or experience related to City planning, zoning, or Development Fees and holding a license issued by an agency or political subdivision of the State of Arizona; (b) a financial analyst, planner, or other non-licensed professional that is providing services within the scope of the person's education or experience related to City planning, zoning, or Development Fees; or (c) any other person operating under the supervision of one (1) or more of the above.

Residential Land Use: Those land uses identified in the Zoning Code of the City of Scottsdale as Single-Family Residential and classified as R1-190, R1-130, R1-70, R1-43, R1-35, R1-18, R1-10, R1-7, R1-5; R-2, Two-Family Residential; R-3, Medium Density Residential; R-4, Townhouse Residential; R-4R, Resort/Townhouse Residential; R-5, Multiple-family Residential; and M-1, Manufactured Home.

Right-of-Way: Land which by deed, conveyance, agreement, easement, dedication, usage, or process of law is reserved for or dedicated to the general public for street, highway, alley, public utility, or pedestrian walkway purposes.

Service Area: The area within the boundaries of the City within which the City provides a Category of Water or Wastewater Services to development at a planned Level of Service; and within which a Substantial Nexus exists between the Capital Facilities to be provided and the development to be served. Some or all of the Capital Facilities providing service to a Service Area may be physically located outside of the Service Area provided that the required Substantial Nexus or Direct Benefit is demonstrated to exist.

Service Unit: A standardized measure of consumption, use, generation, or discharge attributable to an individual unit of development calculated pursuant to generally accepted engineering or planning standards for Water or Wastewater Services or facility expansion. As used herein, a service unit is the same as an Equivalent Demand Unit (EDU).

Single-Family Residential means one (1) dwelling unit is serviced by a single water meter in which a single family typically resides and is connected to a sewer or septic system.

Single-Family Residential Landscape/Irrigation means any unoccupied open area which is not connected to a sewer or septic system and provides service to a Single-Family Residential landscape area.

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Subject Development: A land area linked by a unified plan of development, which must be contiguous unless the land area is part of a development agreement executed in accordance with A.R.S. § 9-500.05.

Substantial Nexus: A substantial nexus exists where the demand for Water or Wastewater Services that will be generated by an EDU can be reasonably quantified in terms of the burden it will impose on the available capacity of existing Capital Facilities, the need it will create for new or expanded Capital Facilities, and/or the benefit to the development from those Capital Facilities.

Supplemental Districts: P-1, Parking P-1; P-2, Parking P-2; P-3, Parking P-3; P-4, Parking P-4; W-P, Western Theme Park; SC, Special Campus; H-P, Historic Property; OS, Open Space; COS, Conservation Open Space; ESL, Environmentally Sensitive Lands; F-O, Foothills Overlay; DO, Downtown Overlay; PBD, Planned Block Development; PRD, Planned Residential Development.

System Average Cost Per EDU: The total current value of existing facilities plus the future capital costs listed in the Infrastructure Improvements Plan for Water or Wastewater Services divided by the total service capacity projected in the Service Area for Water or Wastewater Services over the same time period.

Useful Life: The period of time in which an asset can reasonably be expected to be used under normal conditions, whether or not the asset will continue to be owned and operated by the City over the entirety of such period.

Wastewater Service: Includes, but is not limited to sewers, lift stations, reclamation plants, wastewater treatment plants, and all other facilities for the collection, interception, transportation, treatment and disposal of wastewater, and any appurtenances for those facilities.

Water Service: Includes, but is not limited to those facilities necessary to provide for water services to development, including the acquisition, supply, transportation, treatment, purification, and distribution of water, and any appurtenances for those facilities.

Water Supply: Is an essential part of Water Service, and funds from the Water Supply fund account may only be used for acquiring, transporting, treating, and managing through recharge to and recovery from underground aquifers, new and renewable supplies of water.

Sec. 49-74. Applicability; repeal of previous ordinances.

- (a) Except as otherwise provided herein, from and after 12:00 a.m. on July 1, 2014, this Article shall apply to all new development within the City's Water and Wastewater Service Areas.
- (b) The provisions of this Article shall apply to all of the territory within the corporate limits of the City which define the City's water and wastewater service areas. Section 49-84.1 shall apply only to Water and Wastewater Services provided outside the boundaries of the City.
- (c) The division director is authorized to make determinations regarding the application, administration and enforcement of the provisions of this Article.
- (d) The existing Article III of Chapter 49 of the Scottsdale Revised Code is hereby repealed in its entirety, effective at 11:59 p.m. on June 30, 2014, and is replaced by the provisions of this new Article III, Chapter 49.

Sec. 49-75. Authority for development fees.

- (a) *Fee Report and Implementation.* The City may assess and collect a Development Fee for costs of Water and Wastewater Services, including all professional services required for the preparation or revision of an Infrastructure Improvements Plan, Fee Report, Development Fee, and required reports or audits conducted pursuant to this Article. As a part of Water Services, there is hereby established a Water Supply fund account to be used as defined above. The Water Development Fee will be charged as one

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(1) fee, but will be accounted for as two (2) separate fund accounts, one (1) to be used for Water Service and one (1) to be used for Water Supply, both as defined above. Water Service will receive ninety-four and eight tenths percent (94.8%) of the Water Development Fee and Water Supply will receive five and two and two tenths percent (5.2%) of the Fee. For new golf course development and where considered appropriate, the division director may enter into an Agreement with the golf course Developer, as provided in Section 49-90, and agree to

- (b) charge the Developer only that portion of the Water Development Fee attributable to the Water Supply Fee. Development Fees shall be subject to the following requirements:
- (1) The City shall develop and adopt a Fee Report that analyzes and defines the Development Fees to be charged in the Service Area for each Water and Wastewater Capital Facility, based on the Infrastructure Improvements Plan and the System Average Cost per EDU calculated pursuant to Section 49-79 of this Article.
 - (2) Development Fees shall be assessed against the recommended types of water meters for all new Commercial, Mixed-Use, Residential, Industrial, and Supplemental land use developments, provided that the City may assess different amounts of Development Fees against the recommended types of water meters for specific Categories of Development within each Land-Use based on the number of EDUs that are associated with providing Water and Wastewater Services for the recommended water meter types within that Category of Development. No Development Fee shall exceed the System Average Cost per EDU for any water meter type. Water meters shall be typed to the flow corresponding to those shown in the DS+PM, Figure 6.1-4 which are based on the flow determination method provided therein and a targeted acceptable range of the cited AWWA M22 high normal flow rate. In the event of a disagreement between the Developer and the City as to the appropriate type of meter, the City's decision shall be final. The Development Fees will provide funds for costs of new or expanded facilities for Water and Wastewater services as required by new development within the City's Service Area.
 - (3) No Development Fees shall be charged or Credits issued, for any Capital Facility that is not a Water or Wastewater Service.
 - (4) Costs for Water and Wastewater Services made necessary by new development shall be based on the same Level of Service provided to existing development in the Service Area. Development Fees may not be used to provide a higher Level of Service to existing development to update, improve, expand, connect, or replace existing water and wastewater services to meet stricter safety, efficiency, environmental, or other regulatory standards to the extent that these are applied to existing Water and Wastewater Capital Facilities that are serving existing development.
 - (5) Development Fees may not be used to pay the City's administrative, maintenance, or other operating costs.
 - (6) Projected interest charges and financing costs can only be included in Development Fees to the extent they represent principal and/or interest on the portion of any financing or debt used to finance the construction or expansion of a Capital Facility identified in the Infrastructure Improvements Plan.
 - (7) Except for any fees included on Interim Fee Schedules, all Development Fees charged by the City must be included in a "Fee Schedule" prepared pursuant to this Article and included in the Fee Report.
 - (8) All Development Fees shall meet the requirements of A.R.S. § 9-463.05.
- (b) *Costs per EDU.* The Fee Report shall summarize the costs of Capital Facilities necessary to serve new development on a per EDU basis as defined and calculated in the Infrastructure Improvements Plan, including all required Offsets, and shall recommend a Development Fee structure for Water and Wastewater Services for adoption by the City.

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- (c) *Carry-Over of Previously-Established Development Fees and Grandfathered Facilities.* Notwithstanding the requirements of this Article, certain Development Fees adopted by the City before the effective date of this Article shall continue in effect as follows:
- (1) Until July 1, 2014, Water and Wastewater Development Fees established before January 1, 2012 shall continue in full force and effect. Water and Wastewater Development Fees collected before January 1, 2012, shall only be expended on Capital Facilities within Water and Wastewater Services.
 - (2) The City may continue to collect and use any Development Fee established before January 1, 2012, even if the Development Fee would not otherwise be permitted to be collected and spent pursuant to A.R.S. § 9-463.05, as amended by the state legislature in SB 1525, Fiftieth Legislature, First Regular Session, if either of the following apply:
 - a. Both of the following conditions are met:
 - i. Before June 1, 2011, the Development Fee was pledged towards the repayment of Financing or Debt Incurred by the City to provide a Capital Facility; and
 - ii. The applicable Capital Facility was included in the City's Infrastructure Improvements Plan, or other City planning document prepared pursuant to applicable law, before June 1, 2011.
 - b. Before July 1, 2014, the City uses the Development Fee to finance a Capital Facility in accordance with A.R.S. § 9-463.05(S).
 - (3) Defined terms in any previously established fee schedule shall be interpreted according to the ordinance in effect at the time of their adoption.

Sec. 49-76. Installation of local improvements by developers.

The developer shall install, at their expense, all local water and wastewater distribution improvements necessary for a development. The developer shall pay all Development Fees required by this Article to provide service to their local distribution improvements. The developer shall install or pay for system improvements which shall be included and identified in a development master plan which has been approved by the City. The City may elect to participate in the cost of oversizing of any pipeline or other facilities. Any water meter installed for irrigation or fire protection purposes only shall not be included in the calculation of Wastewater Development Fees.

Sec. 49-77. Administration of development fees.

- (a) *Separate Accounts.* Development Fees collected pursuant to this Article shall be placed in separate, interest-bearing accounts for Water and Wastewater Services.
- (b) *Limitations on Use of Fees.* Development Fees and any interest thereon collected pursuant to this Article shall be spent to provide Capital Facilities associated with Water and Wastewater Services in the Service Area, including costs of Financing or Debt used by the City to finance such Capital Facilities and other costs authorized by this Article that are included in the Infrastructure Improvements Plan.
- (c) *Time Limit.* Development Fees collected on or after July 1, 2014 for Water and Wastewater Facilities shall be spent within fifteen (15) years after the date upon which they were collected.

Sec. 49-78. Land use assumptions.

The Infrastructure Improvements Plan shall be consistent with the City's current Land Use Assumptions for the Service Area and Water and Wastewater Services adopted by the City pursuant to A.R.S. § 9-463.05.

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- (a) *Reviewing the Land Use Assumptions.* Before the adoption or amendment of an Infrastructure Improvements Plan, the City shall review and evaluate the Land Use Assumptions on which the Infrastructure Improvements Plan is to be based to ensure that the Land Use Assumptions within the Service Area conform to the General Plan.
 - (b) *Evaluating Necessary Charges.* If the Land Use Assumptions upon which an Infrastructure Improvements Plan is based have not been updated within the last five (5) years, the City shall evaluate the Land Use Assumptions to determine whether changes are necessary. If, after an evaluation, the City determines that the Land Use Assumptions are still valid, the City shall issue the report required in Section 49-81 of this Article.
 - (c) *Required Modifications to Land Use Assumptions.* If the City determines that changes to the Land Use Assumptions are necessary in order to adopt or amend an Infrastructure Improvements Plan, it shall make such changes as necessary to the Land Use Assumptions before or in conjunction with the review and approval of the Infrastructure Improvements Plan pursuant to Section 49-81 of this Article.

Sec. 49-79. Infrastructure improvements plan.

- (a) *Infrastructure Improvements Plan Contents.* The Infrastructure Improvements Plan shall be developed by Qualified Professionals and may be based upon or incorporated within the City's Capital Improvements Plan. The Infrastructure Improvements Plan shall:
 - (1) Specify that the City will impose a Development Fee for Water and Wastewater Services.
 - (2) Define and provide a map of the Service Area within which the City Water and Wastewater Development Fees will be charged. The Service Area must be defined in a manner that demonstrates a Substantial Nexus between the Capital Facilities to be provided in the Service Area and the EDUs to be served by those Capital Facilities.
 - (3) Identify and describe the Land Use Assumptions upon which the Infrastructure Improvements Plan is based in the Service Area.
 - (4) Identify and analyze the existing Level of Service provided by the City to existing EDUs for Water and Wastewater Services in the Service Area.
 - (5) Identify the Level of Service to be provided by the City for Water and Wastewater Services within the Service Area based on the relevant Land Use Assumptions and any established City standards or policies related to required Levels of Service.
 - (6) Identify and analyze the capacity of the existing Capital Facilities in the Service Area, the utilization of those Capital Facilities by existing EDUs, and the available excess capacity of those Capital Facilities to serve new EDUs, including any existing or planned commitments or agreements for the usage of such capacity. The Infrastructure Improvements Plan shall additionally identify any changes to existing Capital Facilities that will be needed to achieve or maintain the planned Level of Service to existing EDUs, and the cost of those changes to upgrade, update, expand, correct or replace existing Capital Facilities to meet stricter safety, efficiency, environmental, or other regulatory standards to provide water and wastewater services to existing EDUs.
 - (7) Identify any Grandfathered Facilities and the impact thereof on the need for Water and Wastewater Services in the Service Area.
 - (8) Estimate the total number of existing and future EDUs within the Service Area based on the City's Land Use Assumptions.

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- (9) Based on the analysis in paragraphs (3)—(6) above, provide a summary table or tables describing the Level of Service for Water and Wastewater Services by relating the required Capital Facilities to EDUs in the Service Area, and identifying the applicable EDU factor.
- (10) Identify and analyze the projected utilization of any available excess capacity in existing Capital Facilities, and all new or expanded Capital Facilities that will be required to provide and maintain the planned Level of Service in the Service Area as a result of the new projected EDUs in the Service Area, for a period not to exceed ten (10) years. Nothing in this Subsection shall prohibit the City from additionally including in its Infrastructure Improvements Plan projected utilization of, or needs for, Capital Facilities for a period longer than ten (10) years, provided that the costs of such Capital Facilities are excluded from the calculation of the System Average Cost per EDU.
- (11) Estimate the total cost of any available excess capacity in existing Capital Facilities, and/or new or expanded Capital Facilities that will be required to serve new EDUs, including costs of land acquisition, improvements, engineering and architectural services, studies leading to design, construction, financing, and administrative costs, as well as projected costs of inflation. Such total costs shall not include costs for ongoing operation, repair, and maintenance of Capital Facilities. If the Infrastructure Improvement Plan includes changes to existing Capital Facilities to provide services to existing EDUs in order to upgrade, update, expand, correct, or replace existing Capital Facilities to meet stricter safety, efficiency, environmental, or regulatory standards, the costs of such changes shall be identified and distinguished in the Infrastructure Improvement Plan from necessary costs for such changes required to provide services to new EDUs, provided, however, that any such changes for new EDUs shall be based on the same Level of Service provided to existing EDUs.
- (12) Forecast the revenues from taxes, fees, assessments or other sources, if any, that will be available to fund the new or expanded Capital Facilities identified in the Infrastructure Improvements Plan, which shall include estimated state-shared revenue, highway users revenue, federal revenue, ad valorem property taxes, construction contracting or similar excise taxes and the capital recovery portion of utility fees attributable to development based on the approved land use assumptions. The Infrastructure Improvements Plan shall additionally estimate the time required to finance, construct and implement the new or expanded Capital Facilities.
- (13) Calculate required Offsets as follows:
- a. From the forecasted revenues in Subsection (12) of this Section, identify those sources of revenue that: (i) are attributable to new development, and (ii) will contribute to paying for the capital costs of Water and Wastewater Services.
 - b. For each source and amount of revenue identified pursuant to paragraph a. of this Subsection, calculate the relative contribution of each Category of Development and water meter type(s) to paying for the capital costs of Water and Wastewater Services in the Service Area.
 - c. Based on the relative contributions identified pursuant to paragraph b. of this subsection, calculate the total Offset to be provided to each Category of Development and water meter type(s) in the Service Area.
 - d. Convert the total Offset to be provided to each Category of Development and water meter type(s) in the Service Area into an Offset amount per EDU by dividing the total Offset for each Category of Development and water meter type(s) by the number of EDUs associated with that Category of Development.
 - e. Beginning July 1, 2014, for purposes of calculating the required Offset, if the City imposes a construction, contracting, or similar excise tax rate in excess of the percentage amount of the transaction privilege tax rate that is imposed on the majority of other transaction privilege tax classifications in the City, the entire excess portion of the construction, contracting, or similar

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excise tax shall be treated as a contribution to the capital costs of water and wastewater services provided to new development unless the excess portion is already utilized for such purpose pursuant to this Section.

- (14) Calculate the System Average Cost per EDU by:
- a. Dividing the total projected costs to provide Capital Facilities to new EDUs for each Water and Wastewater Service in the Service Area as determined pursuant to Subsection (9) of this Section into the total service capacity projected for Water and Wastewater Services for the Service Area over a period not to exceed ten (10) years, considering the specific EDU factor(s) associated with such EDUs for both Water and Wastewater Services.
 - b. Subtracting the required Offset per EDU calculated pursuant to Subsection (13) of this Section.
- (b) *Reserved Capacity.* The City may reserve capacity in an Infrastructure Improvements Plan to serve one (1) or more planned future developments, including capacity reserved through a Development Agreement pursuant to Section 49-83 of this Article. All reservations of existing capacity must be disclosed in the Infrastructure Improvements Plan at the time it is adopted.

Sec. 49-80. Adoption and modification procedures.

- (a) *Adopting or Amending the Land Use Assumptions and Infrastructure Improvements Plan.* The Infrastructure Improvements Plan shall be adopted or amended subject to the following procedures:
- (1) *Major Amendments to the Infrastructure Improvements Plan.* Except as provided in paragraph (2) of this Subsection (a), the adoption or amendment of an Infrastructure Improvements Plan shall occur at one (1) or more public hearings according to the following schedule, and may occur concurrently with the adoption of an update of the City's Land Use Assumptions as provided in Section 49-78 of this Article:
 - a. At least sixty (60) days before the first public hearing regarding a new or updated Infrastructure Improvements Plan, the City shall provide public notice of the hearing and post the Infrastructure Improvements Plan and the underlying Land Use Assumptions on its website. At the same time as the notice of hearing is posted, the City shall publish notice of the hearing in a newspaper of general circulation for one (1) week on four (4) consecutive days. The City shall additionally make available to the public the documents used to prepare the Infrastructure Improvements Plan and underlying Land Use Assumptions and the amount of any proposed changes to the System Average Cost per EDU.
 - b. The City shall conduct a public hearing on the Infrastructure Improvements Plan and underlying Land Use Assumptions at least thirty (30) days, but no more than sixty (60) days, before approving or disapproving the Infrastructure Improvements Plan.
 - (2) *Minor Amendments to the Land Use Assumptions and Infrastructure Improvements Plan.* Notwithstanding the other requirements of this Section, the City may update the Infrastructure Improvements Plan and/or its underlying Land Use Assumptions without a public hearing if all of the following apply:
 - a. The changes in the Infrastructure Improvements Plan and/or the underlying Land Use Assumptions will not add any new Water and wastewater Service facilities to the Service Area;
 - b. The changes in the Infrastructure Improvements Plan and/or the underlying Land Use Assumptions will not increase the Level of Service to be provided in any Service Area.
 - c. Based on an analysis of the Fee Report and the City's adopted Development Fee schedules, the changes in the Infrastructure Improvements Plan and/or the underlying Land Use Assumptions

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would not, individually or cumulatively with other amendments undertaken pursuant to this Subsection, have caused a Development Fee in the Service Area to have been increased by more than five percent (5%) above the Development Fee that is provided in the current Development Fee schedule.

- d. At least thirty (30) days before the date that any amendment pursuant to this Section is adopted, the City shall post the proposed amendments on the City's Website.
- (b) *Amendments to the Fee Report.* Any adoption or amendment of a Fee Report and fee schedule shall occur at one (1) or more public hearings according to the following schedule:
- (1) The first public hearing on the Fee Report must be held at least thirty (30) days after the adoption or approval of any Land Use Assumptions and Infrastructure Improvements Plan as provided in Subsection (a) of this Section. The City must give at least thirty (30) days notice before the hearing, provided that this notice may be given on the same day as the approval or disapproval of the Infrastructure Improvements Plan. At the same time as the notice of hearing is posted, the City shall publish notice of the hearing in a newspaper of general circulation for one (1) week on four (4) consecutive days.
 - (2) The City shall make the Infrastructure Improvements Plan and underlying Land Use Assumptions available to the public on the City's website thirty (30) days before the public hearing described in Paragraph (b)(1) of this Subsection.
 - (3) The Fee Report may be adopted by the City no sooner than thirty (30) days, and no later than sixty (60) days, after the hearing described in Paragraph (b)(1) of this Subsection.
 - (4) The Development Fee schedules in the Fee Report adopted pursuant to this Subsection shall become effective not less than seventy-five (75) days after adoption of the Fee Report by the City.

Sec. 49-81. Five-year validity of the infrastructure improvements plan and the land use assumptions.

- (a) *Renewing the Land Use Assumptions and Infrastructure Improvements Plan.* Except as provided in Subsection (b) of this Section, not later than every five (5) years, the City shall update the applicable Infrastructure Improvements Plan and Land Use Assumptions related to Water and Wastewater Services pursuant to Sections 49-78 and 49-79 of this Article. Such five (5) year period shall be calculated from the date of the adoption of the Infrastructure Improvements Plan.
- (b) *Determination of No Changes.* Notwithstanding Subsection (a) of this Section, if the City determines that no changes to an Infrastructure Improvements Plan, underlying Land Use Assumptions, or Fee Report are needed, the City may elect to continue the existing Land Use Assumptions, Infrastructure Improvements Plan, and Fee Report without amendment by providing notice as follows:
- (1) Notice of the determination shall be published in a newspaper of general circulation at least one hundred eighty (180) days before the end of the five (5) year period described in Subsection (a) of this Section.
 - (2) The notice shall identify the Land Use Assumptions, Infrastructure Improvements Plan, and Fee Report that shall continue in force without amendment.
 - (3) The notice shall provide a map and description of the Service Area(s) covered by such Infrastructure Improvements Plan and Fee Report.
 - (4) The notice shall identify an address to which any resident of the City may submit, within sixty (60) days, a written request that the City update the Infrastructure Improvements Plan, underlying Land Use Assumptions, and/or Fee Report and the reasons and basis for the request.

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- (c) *Response to Comments.* The City shall consider and respond within thirty (30) days to any timely requests submitted pursuant to Paragraph (4) of Subsection (b) of this Section.

Sec. 49-82. Collection of Development Fees.

- (a) *Collection.* Development Fees for Water Services, as provided in Table A-1, and Wastewater Services, as provided in Table A-2, together with administrative charges assessed pursuant to Subsection (a)(5) and (d) of this Section, shall be calculated and collected before issuance of permission to begin development; specifically:
- (1) Unless otherwise specified pursuant to a Development Agreement adopted pursuant to Section 49-84 of this Article, Development Fees shall be paid before issuance of the first building permit for residential development. For Commercial, Industrial or Multi-Family development, Development Fees shall be paid at the time the first building permit is issued; or, alternatively, the Division may require that the Development Fees be paid when a water meter is purchased.
 - (2) If a building permit is not required for the development, but water or wastewater connections are required, any and all Development Fees due shall be paid at the time the water service connection is purchased. If only a wastewater connection is required, the Development Fees shall be paid before approval of a connection to the sewer system. Wastewater Development Fees shall be assessed if a development connects to the public sewer, or as determined by the division director, is capable of discharging sewage to a City public sewer.
 - (3) No building permit, water or sewer connection, or certificate of occupancy shall be issued if a Development Fee is not paid as directed in paragraphs (a)(1) and (a)(2).
 - (4) If the building permit is for a change in the type of building use, an increase in square footage, a change of land use, or an addition to a residential or non-residential point of demand to the water or wastewater system requiring a change in the water meter type or a change in the number of water meters, a Development Fee shall be assessed on the additional EDUs, changes in water meter type(s) or number of meters resulting from the expansion or change, using the current Development Fee Schedule. If Development Fees were previously paid under a Development Fee Schedule no longer in effect or under the current Development Fee Schedule, the development may be eligible for a Credit equal to the number of EDUs previously purchased against the number of EDUs needed as a result of the changes in the development. The number of EDUs required for both the Credit and for the change in the development will be determined in accordance with the provisions of Table A-1 and/or Table A-2, of this Chapter 49, Article III. (Example: If the development paid for a one (1) inch meter under a previously adopted Development Fee Schedule that did not use EDUs, and the development now wishes to increase the size of that water meter to a 1½ inch water meter by purchasing five (5) EDUs under the current Development Fee Schedule, the Credit given against the five (5) EDUs will be for one (1) EDU, which under Tables A-1 and/or A-2, is equivalent to the one (1) inch water meter previously purchased.) If the Development Fee Schedule no longer in effect did not equate water meter type to EDUs, the division director will make the determination of the number of EDUs that would have been equivalent to the water meter type previously purchased. Credits are based on the Development Fee Schedule in effect at the time the new EDUs are purchased. To receive a Credit, the Developer must provide to the City the receipt given for any Development Fees previously paid. There will be no refunds to the development under any circumstances, whether the Credit given is more or less than the development fee previously paid by the development.
 - (5) For Issued building permits that expire or are voided, Development Fees and administrative charges shall be as follows:

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- a. If the original permittee is seeking to renew an expired or voided building permit, and the Development Fees paid for such development have not been refunded, then the permittee shall pay the difference between any Development Fees paid at the time the permit was issued and those in the applicable fee schedule at the time the permit is reissued or renewed.
 - b. If a new or renewed permit for the same development is being sought by someone other than the original permittee, the new permit Applicant shall pay the full Development Fees specified in the fee schedule in effect at the time that the permits are reissued or renewed. If the original permittee has assigned its rights under the permits to the new permit Applicant, the new permit Applicant shall pay Development Fees as if it were the original permittee as provided in Subsection (5)a.
 - c. The division director may require the Applicant to pay an administrative fee to cover the actual costs of reviewing the new or renewed permitting for the development.
- (b) *Exceptions.* Development Fees shall not be owed under either of the following conditions:
- (1) Development Fees have been paid for the development and the events which triggered the collection of the Development Fees have not expired or been voided.
 - (2) The approval(s) that triggers the collection of Development Fees involve modifications to existing residential or non-residential development that do not: (a) add new EDUs, (b) increase the impact of existing EDUs on existing or future Capital Facilities, or (c) change the land-use type of the existing EDUs to a different category of development requiring a different type water meter(s) for which a higher Development Fee would have been due. To the extent that any modification does not meet the requirements of this paragraph, the Development Fee due shall be the difference between the Development Fee that was or would have been due on the existing EDUs and the Development Fee that is due on the EDUs as modified.
- (c) *Temporary Freeze of Development Fee Schedules.* The Development Fee Schedule applicable to new developments in the City shall be temporarily frozen from increases in Development Fees that result from the adoption of new or modified Development Fee schedules as follows:
- (1) Residential Land Uses, or a Single-Family Residential Development the applicable Development Fee schedule shall be frozen for a period of twenty-four (24) months beginning on the day that the first building permit is issued for the development. During the effective period of the applicable Development Fee schedule, any building permit issued for the same Single-Family Residential Development shall not be subject to any new or modified Development Fee schedule. The City shall issue, on request, a written statement of the Development Fee Schedule applicable to the development.
 - (2) Non-Residential and Multi-Family Land Uses. For Non-Residential and Multi-Family land uses, the applicable Development Fee schedule shall be frozen for a period of twenty-four (24) months beginning on the date of approval of the applicable site plan or, if no site plan is submitted for the development, the approval of the final subdivision plat. If the development has neither a site plan nor a subdivision plat, the commencement date shall be the date that the City has issued all approvals necessary for the first building permit to be issued for the development. During the effective period of the applicable Development Fee schedule, any building permit issued for the same development shall not be subject to any new or modified Development Fee schedule. The City shall issue, on request, a written statement of the Development Fee Schedule applicable to the development.
 - (3) Other Development. Any Mixed-Use or Supplemental Land Use not covered under paragraphs (c)(1) and (c)(2) of this Subsection shall pay Development Fees according to the fee schedule that is current at the time of collection as specified in Subsection (a) of this Section. The division director will make the determination of the recommended type(s) of water meter for Categories of Development within

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the Mixed-Use or Supplemental Land Uses. Golf Courses shall pay that portion of the Water Development Fee attributable to the Water Supply Fee imposed in accordance with the provisions of Section 49-90 of this Article. The provisions of Subsection (c)(1) and (2) shall apply in accordance with the determination as to the applicable category of development.

- (4) Changes to Site Plans and Subdivision Plats. Notwithstanding the other requirements of this Subsection, if changes are made to a development's final site plan or subdivision plat that will increase the number of EDUs or change in water meter type(s) after the issuance of a Development Fee schedule, the City may assess any new or modified Development Fees against the additional EDUs or change in water meter type(s). The development will receive a Credit for any Development Fees paid at the time the final site plan or subdivision plat was approved for that development against any new or modified Development Fees required to be paid. If the City reduces the amount of an applicable Development Fee during the period that a grandfathered Development Fee schedule is in force, the City shall assess the lower Development Fee.
- (d) *Option to Pursue Special Fee Determination.* Where a development is of a type that does not closely fit within a particular Category of Development or recommended water meter type(s) appearing on an adopted Development Fee schedule, or where a development has unique characteristics such that the actual burdens and costs associated with providing Water or Wastewater Services to that development will differ substantially from that associated with other developments in a specified Category of Development or recommended water meter type(s), the City may require the Applicant to provide the division director with an alternative Development Fee analysis. Based on a projection of the actual burdens and costs that will be associated with the development, the alternative Development Fee analysis may propose a unique fee for the development based on the application of an appropriate EDU factor to the applicable System Average Cost per EDU, or may propose that the development be covered under the Development Fee schedule governing a different and more analogous Category of Development or recommended water meter type(s). The division director shall review the alternative Development Fee analysis and shall make a determination as to the Development Fee to be charged. Such decision shall be appealable pursuant to Section 49-85 of this Article. The division director may require the Applicant to pay an administrative fee to cover the actual costs of reviewing the special fee determination application.

Sec. 49-83. Development Fee Credits and Credit Agreements.

- (a) *Eligibility of Capital Facility.* All Development Fee Credits must meet the following requirements:
- (1) One (1) of the following must be true:
- a. The Capital Facility, or the financial contribution toward a Water or Wastewater Capital Facility that will be provided by the developer and for which a Credit will be issued, must be identified in an adopted Infrastructure Improvements Plan and Fee Report as a Water or Wastewater Capital Facility for which a Development Fee was assessed; or
 - b. The Applicant must demonstrate to the satisfaction of the City that, given the class and type of improvement, the subject Capital Facility should have been included in the Infrastructure Improvements Plan in lieu of a different Capital Facility that was included in the Infrastructure Improvements Plan and for which a Development Fee was assessed. If the subject Capital Facility is determined to be eligible for a Credit in this manner, the City shall amend the Infrastructure Improvements Plan to (i) include the subject replacement facility and (ii) delete the Capital Facility that will be replaced.
- (2) Credits shall not be available for any Infrastructure provided by a developer if the cost of such Infrastructure will be repaid to the developer by the City through another agreement or mechanism. To the extent that the developer will be paid or reimbursed by the City for any contribution, payment,

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construction, or dedication from any City funding source including an agreement to reimburse the developer with future collected Development Fees pursuant to Article V of this Chapter entitled Water and Sewer Extension Agreements, any Credits claimed by the developer shall be: (a) deducted from any amounts to be paid or reimbursed by the City; or (b) reduced by the amount of such payment or reimbursement.

- (3) If the developer is not obligated to pay Development Fees, the developer is not entitled to receive any Credits.
- (b) *Eligibility of Subject Development.* To be eligible for a Credit, the Subject Development must be located within the Service Area.
- (1) A Golf course developer who has executed a separate agreement with the City may receive Credit against the Water Supply portion of the Water Development Fee applicable to Water Supply only, in accordance with the terms of the agreement.
- (c) *Calculation of Credits.* Credits will be based on that portion of the costs for a Water or Wastewater Capital Facility identified in the adopted Infrastructure Improvements Plan for which a Development Fee was assessed pursuant to the Fee Report. If the Gross Development Fee for Water or Wastewater service is adopted at an amount lower than the System Average Cost per EDU, the amount of any Credit shall be reduced in proportion to the difference between the System Average Cost per EDU and the Gross Development Fee adopted. A Credit shall not exceed the actual costs the Applicant incurred in providing the Water or Wastewater Capital Facility or water supply acquisition. Credit for land deeded to the City for Water or Wastewater Capital Facilities shall be based on a fair market value established by private appraisers acceptable to the City. The valuation date for the appraisal will be the date the land is deeded to the City. Credit shall be applied to the Credit Agreement only when the land has been conveyed at no charge to, and accepted by the City in a manner satisfactory to the City Asset Manager.
- (d) *Allocation of Credits.* Before any Credit can be issued to a Subject Development (or portion thereof), the Credit must be allocated to that development as follows:
- (1) The Developer and the City must execute a Credit Agreement stating all of the following:
- The total amount of the Credits resulting from provision of a water or wastewater Capital Facility or water supply acquisition.
 - The estimated number of EDUs to be served within the Subject Development.
 - The method by which the Credit values will be distributed within the Subject Development.
- (2) It is the responsibility of the developer to request allocation of Development Fee Credits through an application for a Credit Agreement (which may be part of a Development Agreement entered into pursuant to Section 49-84 of this Article).
- (3) If a building permit is issued or a water/sewer connection is purchased, and a Development Fee is paid before execution of a Credit Agreement for the Subject Development, no Credits will be allocated retroactively to that permit or connection. Credits may be allocated to any remaining permits for the Subject Development in accordance with this Article.
- (4) If the entity that provides a water or wastewater Capital Facility or water supply acquisition sells or relinquishes a development (or portion thereof) that it owns or controls before execution of a Credit Agreement or Development Agreement, Credits resulting from the water or wastewater Capital Facility will only be allocated to the development if the entity legally assigns such rights and responsibilities to its successor(s) in interest for the Subject Development.

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- (5) If multiple entities jointly provide an eligible Capital Facility, all entities must enter into a single Credit Agreement with the City, and any request for the allocation of Credit within the Subject Development(s) must be made jointly by the entities that provided the eligible Capital Facility.
- (6) Credits may only be reallocated from or within a Subject Development with the City's approval of an amendment to an executed Credit Agreement, subject to the following conditions:
- a. The entity that executed the original Credit agreement with the City, or its legal successor in interest and the entity that currently controls the Subject Development are both parties to the request for reallocation.
 - b. The reallocation proposal does not change the value of any Credits already issued for the Subject Development.
- (7) A Credit Agreement may authorize the allocation of Credits to a non-contiguous parcel only if all of the following conditions are met:
- a. The entity that executed the original agreement with the City or its legal successor in interest, the entity that currently controls the Subject Development, and the entity that controls the non-contiguous parcel are all parties to the request for reallocation.
 - b. The reallocation proposal does not change the value of any Credits already issued for the Subject Development.
 - c. The non-contiguous parcel is in the same Service Area as that served by the eligible Capital Facility.
 - d. The non-contiguous parcel receives water or wastewater service from the Water or Wastewater Capital Facility.
 - e. The Credit Agreement specifically states the value of the Credits to be allocated to each parcel and/or EDU, or establishes a mechanism for future determination of the Credit values.
 - f. The Credit Agreement does not involve the transfer of Credits to or from any property subject to a Development Agreement.
- (e) *Credit Agreement.* Credits shall only be issued pursuant to a Credit Agreement executed in accordance with Subsection (d) of this Section. The division director is authorized by this Article to review, approve and sign a Credit Agreement with the controlling entity of a Subject Development, subject to the following:
- (1) The Developer requesting the Credit Agreement shall provide all information requested by the City to allow it to determine the value of the Credit to be applied.
 - (2) An application for a Credit Agreement shall be submitted to the City by the Developer within one (1) year after the date on which ownership or control of the Capital Facility passes to the City.
 - (3) The Developer shall submit a draft Credit Agreement to the division director for review in the form provided to the Applicant by the City. The draft Credit Agreement shall include, at a minimum, all of the following information and supporting documentation:
 - a. A legal description and map depicting the location of the Subject Development for which Credit is being applied. The map shall depict the location of the Capital Facilities that have been or will be provided.
 - b. An estimate of the total EDUs that will be developed within the Subject Development depicted on the map and described in the legal description.
 - c. A list of the Capital Facilities, associated physical attributes, and the related costs as stated in the Infrastructure Improvements Plan.

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- d. Documentation showing the date(s) of acceptance by the City, if the Capital Facilities have already been provided.
 - e. The total amount of Credit to be applied within the Subject Development and the calculations leading to the total amount of Credit.
 - f. The Credit amount to be applied to each EDU within the Subject Development for Water and Wastewater Services.
- (4) The City's determination of the Credit to be allocated is final.
 - (5) Upon execution of the Credit Agreement by the City and the Applicant, Credits shall be considered allocated to the Subject Development.
 - (6) Any amendment to a previously approved Credit Agreement must be initiated within two (2) years after the date of the City's final acceptance of the eligible Capital Facility for which the amendment is requested.
 - (7) Any Credit Agreement approved as part of a Development Agreement shall be amended in accordance with the terms of the Development Agreement and Section 49-84 of this Article.
 - (8) Credits shall be payable for a period of up to twenty (20) years from the date the City issues its final acceptance of the Capital Facility or system improvements. After twenty (20) years, no Credits shall be payable.
 - (9) Credits payable for Water Capital Facilities shall not be transferable to those payable for Wastewater Capital Facilities. Credits payable for Wastewater Capital Facilities shall not be transferable to those for Water Capital Facilities.
 - (10) The Credit Agreement shall be maintained permanently in the City Clerk's office.
- (f) *Issuance of Credits*, Credits allocated pursuant to Subsection (d) of this Section may be issued and applied toward the Gross Development Fees due from a development, subject to the following conditions:
- (1) Credits issued for a Water or Wastewater Capital Facility may only be applied to the Development Fee due for Water and Wastewater Services.
 - (2) Credits shall only be issued when the Water or Wastewater Capital Facility from which the Credits were derived has been accepted by the City or when adequate security for the completion of the Water or Wastewater Capital Facility has been provided in accordance with all terms of an executed Development Agreement.
 - (3) Credits shall be payable within thirty (30) days after the end of the quarter in which the building permit or other authorization to provide water or wastewater service to a parcel or lot identified in the Agreement has occurred and connection to the water and wastewater services has occurred as provided in Section 49-82(a)(1) and (2) of this Article. Credit amounts will not accrue interest.
 - (4) Where Credits have been issued pursuant to Subsection (f)(2) of this Section, a development fee due at the time a building permit is issued shall be reduced by the Credit amount stated in or calculated from the executed Credit Agreement. Where Credits have not yet been issued, the Gross Development Fee shall be paid in full, and a refund of the Credit amount shall be due when the Developer demonstrates compliance with Subsection (f)(2) in a written request to the City.
 - (5) Credits, once issued, may not be rescinded or reallocated to another permit or parcel, except that Credits may be released for reuse on the same Subject Development if a building permit for which the Credits were issued has expired or been voided and connection to the water or wastewater services has not occurred and is otherwise eligible for a refund under Section 49-85(a)(2)a. of this Article.

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- (6) Notwithstanding the other provisions of this Section 49-83, Credits issued before January 1, 2012 may only be used for the Subject Development for which they were issued. Such Credits may be transferred to a new owner of all or part of the Subject Development in proportion to the percentage of ownership in the Subject Development to be held by the new owner.
 - (7) Credits will not be issued for dedicated easements, tracts, or rights-of-way, nor local water distribution or local sewer collection improvements within a development and related appurtenances.
 - (g) A Credit Agreement entered into by the City and a Developer for a Capital Facility provided by the Developer and accepted by the City before June 1, 2011 is considered a grandfathered Credit Agreement and is fully enforceable in accordance with its terms and conditions.

Sec. 49-84. Development agreements.

Development Agreements containing provisions regarding Development Fees, Development Fee Credits, and/or disbursement of revenues from Development Fee accounts shall comply with the following:

- (a) *Development Agreement Required.* A Development Agreement is required to authorize any of the following:
 - (1) To issue Credits before the City's acceptance of a Water or Wastewater Capital Facility.
 - (2) To allocate Credits to a parcel that is not contiguous with the Subject Development and that does not meet the requirements of Section 49-83(d)(7) of this Article.
 - (3) To reimburse the developer of a Water or Wastewater Capital Facility using funds from Development Fee accounts.
 - (4) To allocate different Credit amounts per EDU to different parcels within a Subject Development.
 - (5) For a Single-Family Residential Dwelling Unit, to allow Development Fees to be paid at a later time than the issuance of a building permit as provided in this Section.
- (b) *General Requirements.* All Development Agreements shall be prepared and executed in accordance with A.R.S. § 9-500.05 and any applicable requirements of the City Code. Except where specifically modified by this Section, all provisions of Section 49-83 of this Article shall apply to any Credit Agreement that is authorized as part of a Development Agreement.
- (c) *Early Credit Issuance.* A Development Agreement may authorize the issuance of Credits before acceptance of a Water or Wastewater Capital Facility by the City when the Development Agreement specifically states the form and value of the security (i.e. bond, Letter of Credit, etc.) to be provided to the City before issuance of any Credits. The City shall determine the acceptable form and value of the security to be provided.
- (d) *Non-Contiguous Credit Allocation.* A Development Agreement may authorize the allocation of Credits to a non-contiguous parcel only if all of the following conditions are met:
 - (1) The non-contiguous parcel is in the City Service Area.
 - (2) The non-contiguous parcel receives Water or Wastewater Services from the eligible Capital Facility.
 - (3) The Development Agreement specifically states the value of the Credits to be allocated to each parcel and/or EDU, or establishes a mechanism for future determination of the Credit values.
- (e) *Uneven Credit Allocation.* The Development Agreement must specify how Credits will be allocated amongst different parcels on a per-EDU basis, if the Credits are not to be allocated evenly. If the

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Development Agreement is silent on this topic, all Credits will be allocated evenly amongst all parcels on a per-EDU basis.

- (f) *Use of Reimbursements.* Funds reimbursed to developers from development fee accounts for construction of a Water or Wastewater Capital Facility or Water Supply acquisition must be utilized in accordance with applicable law for the use of City funds in construction or acquisition of Capital Facilities, including any procurement requirements in A.R.S. § 34-201 et seq.
- (g) *Deferral of Fees.* A Development Agreement may provide for the deferral of payment of Development Fees for a residential development beyond the issuance of a building permit; provided that a Development Fee may not be paid later than fifteen (15) days after the issuance of the certificate of occupancy for that Dwelling Unit. The Development Agreement shall provide for the value of any deferred Development Fees to be supported by appropriate security, including a surety bond, letter of credit, or cash bond.
- (h) *Waiver of Fees.* If the City agrees to waive any Development Fees assessed on development in a Development Agreement, the City shall reimburse the appropriate Development Fee account for the amount that was waived. Reimbursement funds will be drawn from the City's General Fund.
- (i) *No Obligation.* Nothing in this Section obligates the City to enter into any Development Agreement or to authorize any type of Credit Agreement permitted by this Section.

Sec. 49-84.1. Connection fees for water/wastewater services outside City boundaries.

- (a) *Prior Agreements.* Any Agreement to provide Water or Wastewater Services outside the boundaries of the City that required the payment of Development Fees will be honored in accordance with the terms of that Agreement if the fees were paid before July 1, 2014; provided, however, that the Development Fees for the development and the events which triggered the collection of the Development Fees have not expired or been voided. Any such Agreements must be based on Development Fees adopted before January 1, 2012. If Development Fees were not paid for the new connections for Water or Wastewater services before July 1, 2014, the City will impose a Water or Wastewater Connection Fee in lieu of any Development Fees for any new construction within that development in accordance with the applicable water meter type(s) as set forth in Tables A-1 and A-2 of this Article III, as amended from time to time.
- (b) *Changes to Site Plans and Subdivision Plats.* Notwithstanding any other requirements of this Subsection, if changes are made to a development's final site plan or subdivision plat that will increase the number of service units, the City may assess new or modified Connection Fees against the additional service units in accordance with the applicable water meter type(s) as set forth in Tables A-1 and A-2. If the City reduces the amount of an applicable fee, the City shall assess the lower amount as a Connection Fee.
- (c) *Future Development.* After July 1, 2014, in areas outside the boundaries of the City where the City has elected to provide Water or Wastewater Services, and a Developer is requesting that the City provide new Water or Wastewater Services to new development, the City will impose a Connection Fee for such services based on the recommended type(s) of water meters. The division director will make the determination of the recommended type(s) of water meter(s).
- (d) The amount of the Connection Fees for water and wastewater services shall be based on the provisions of Tables A-1 and A-2 of this Article III, and shall be paid at the time the water service connection is purchased. If only a wastewater connection is required, the Connection Fee shall be paid before approval of a connection to the City's sewer system. The City will deny any connection to water or wastewater services if the Developer fails to pay the applicable Water or Wastewater Connection Fee when due. If the development is capable of discharging sewage to a City public sewer, a Wastewater Connection Fee shall be assessed if a development connects to the public sewer, or as determined by the division director.

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- (e) *Appeals of Connection Fee.* The Developer may appeal the decision of the division director in accordance with the provisions of Sec. 49-85. An appeal shall be limited to disputes regarding the calculation of the Connection Fee and calculation of the number of service units for a specific development. The Applicant may connect to Water Services or Wastewater Services if, during the pendency of an appeal, the Applicant (1) pays the Connection Fee calculated by the City at the time the appeal is filed, or (2) provides the City with appropriate security, including surety bond, letter of credit, or cash bond in a form acceptable to the division director equal to the full amount of the Connection Fee. Upon final disposition of an appeal, the fee shall be adjusted in accordance with the decision rendered, and a refund paid if warranted. If a second appeal is taken to the City Manager and the appeal is denied by the City Manager or authorized designee, and the Applicant has provided the City with financial assurances as set forth in clause (2) above, the Applicant shall deliver the full amount of the Connection Fee to the City within ten (10) days after the City Manager or authorized designee's final decision on the appeal. If the Applicant fails to deliver the full amount of the Connection Fee when required by this Subsection, the City may draw upon such financial assurance instrument(s) as necessary to recover the full amount of the Connection Fee due from the Applicant.
- (f) The provisions of Section 49-82(c) regarding the temporary freeze of Development Fee Schedules shall also apply to water and wastewater services outside City boundaries.

Sec. 49-85. Appeals.

A Development Fee determination by City staff may be appealed in accordance with the following procedures:

- (a) *Limited Scope.* An appeal shall be limited to disputes regarding the calculation of the Development Fees for a specific development and/or permit and calculation of the number of EDU's for the development.
- (b) *Form of Appeal.* An appeal shall be initiated on such written form as the City may prescribe, and submitted to the division director. Any hearing on the appeal to the division director or the City Manager will be informal and will not be subject to the Rules of Evidence. Testimony will not be taken under oath and subpoenas for the production of evidence or witnesses may not be issued.
- (c) *Department Action.* The division director shall hold any hearing and act upon the appeal within thirty (30) calendar days after the filing of the appeal with the Water Resources Division, and the Applicant shall be notified of the Director's decision in writing within fourteen (14) calendar days after the date of the hearing.
- (d) *Appeal to City Manager.* The Applicant may further appeal the decision of the division director to the City Manager or authorized designee, within fourteen (14) calendar days of the decision.
- (e) *Action by City Manager.* The City Manager or authorized designee shall act upon the appeal within fourteen (14) calendar days of receipt of the appeal, and the Applicant shall be notified of the City Manager or authorized designee's decision in writing.
- (f) *Final Decision.* The City Manager or authorized designee's decision regarding the appeal is final.
- (g) *Fees During Pendency.* Building permits may be issued during the pendency of an appeal if the Applicant (1) pays the full development fee calculated by the City at the time the appeal is filed or (2) provides the City with appropriate security, including surety bond, letter of credit, or cash bond in a form acceptable to the division director equal to the full amount of the development fee. Upon final disposition of an appeal, the fee shall be adjusted in accordance with the decision rendered, and a refund paid if warranted. If the appeal is denied by the City Manager or authorized designee, and the Applicant has provided the City with financial assurances as set forth in clause (2) above, the Applicant shall deliver the full amount of the development fee to the City within ten (10) days of the City

Manager or authorized designee's final decision on the appeal. If the Applicant fails to deliver the full amount of the development fees when required by this Subsection, the City may draw upon such financial assurance instrument(s) as necessary to recover the full amount of the development fees due from the Applicant.

Sec. 49-86. Refunds of development fees.

- (a) *Refunds.* A refund (or partial refund) will be paid to any current owner of property within the City who submits a written request to the City and demonstrates that:
- (1) The building permit(s) that triggered the collection of the Development Fee has expired or been voided before the commencement of the development for which the permits were issued, connection to water or wastewater services has not occurred, and the Development Fees collected have not been expended, encumbered, or Pledged for the repayment of Financing or Debt; or
 - (2) The owner of the subject real property or its predecessor in interest paid a Development Fee for the applicable Capital Facility on or after July 1, 2014, and one (1) of the following conditions exists:
 - a. The Capital Facility designed to serve the subject real property has been constructed, has the capacity to serve the subject real property and any development for which there is reserved capacity, and the service which was to be provided by that Capital Facility has not been provided to the subject real property from that Capital Facility or from any other Infrastructure.
 - b. After collecting the fee to construct a Capital Facility the City fails to complete construction of the Capital Facility within the time period identified in the Infrastructure Improvements Plan, as it may be amended, and the corresponding service is otherwise unavailable to the subject real property from that Capital Facility or any other Infrastructure.
 - c. Any part of a Development Fee for Water or Wastewater Facilities that is not spent within fifteen (15) years after the City's receipt of the Development Fee. Such Development Fee is refundable upon application. Development Fees shall be considered expended or encumbered in the order received by the City on a first-in, first-out basis. Development Fees are expended or encumbered when actually paid by the City or when a lease, purchase, construction option or other contract or agreement creating an absolute or continuing obligation to pay and relating to the purposes stated in section 49-82 has been approved by the City Council. Written application for a refund shall be made within one (1) year after the date the Development Fee becomes refundable and shall include documentation sufficient to establish the date and amount of the Development Fee payment. Development Fees for which no timely application is made will be applied to the applicable water or wastewater development fund into which the Development Fee was paid.
 - d. The Development Fee was calculated and collected for the construction cost to provide Capital Facilities serving the subject real property and the actual construction costs for the Capital Facilities are less than the construction costs projected in the Infrastructure Improvements Plan by a factor of ten percent (10%) or more. In such event, the current owner of the subject real property shall, upon request as set forth in Subsection a., be entitled to a refund for the difference between the amounts of the Development Fee charged for and attributable to such construction cost and the amount the Development Fee would have been calculated to be if the actual construction cost had been included in the Infrastructure Improvements Plan. The refund contemplated by this Subsection shall relate only to the costs specific to the construction of the applicable Capital Facilities and shall not include any related design, administrative, or other costs not directly incurred for construction of the Capital Facilities that are included in the Development Fee as permitted by A.R.S. § 9-463.05.

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- (b) *Earned Interest.* A refund of a Development Fee shall include any interest actually earned on the refunded portion of the Development Fee by the City from the date of collection to the date of refund. All refunds shall be made to the record owner of the property at the time the refund is paid.
 - (c) *Refund to Government.* If a Development Fee was paid by a governmental entity, any refund shall be paid to that governmental entity.
 - (d) *Refund of Water Development Fee attributable to Water Supply:* The portion of the Water Development Fee attributable to the Water Supply will not be refunded if the funds have been expended, encumbered, or pledged for the repayment of financing or debt for the acquisition of a new water supply. In all other circumstances, the Water Supply portion of the Water Development Fee will be refunded in accordance with the provisions of this Section.

Sec. 49-87. Oversight of development fee program.

- (a) *Annual Report.* Within ninety (90) days of the end of each fiscal year, the City shall file with the City Clerk an unaudited annual report accounting for the collection and use of the fees for the service area and shall post the report on its website in accordance with A.R.S. § 9-463.05(N) and (O), as amended.
- (b) *Biennial Audit.* In addition to the annual report described in Subsection (a) of this Section, the City shall provide for a biennial, certified audit of the City's Land Use Assumptions, Infrastructure Improvements Plan and Development Fees.
 - (1) An audit pursuant to this subsection shall be conducted by one (1) or more qualified professionals who are not employees or officials of the City and who did not prepare the Infrastructure Improvements plan.
 - (2) The audit shall review the collection and expenditures of Development Fees for each project in the plan and provide written comments describing the amount of Development Fees assessed, collected, and spent on capital facilities.
 - (3) The audit shall describe the level of service in each service area, and evaluate any inequities in implementing the Infrastructure Improvements plan or imposing the Development Fee.
 - (4) The City shall post the findings of the audit on the City's website and shall conduct a public hearing on the audit within sixty (60) days of the release of the audit to the public.
 - (5) For purposes of this section, a certified audit shall mean any audit authenticated by one (1) or more of the qualified professionals conducting the audit pursuant to subsection (b)(1) of this section.

Sec. 49-88. Exception for individual property owner with private water system.

Individual property owners may develop their property with no more than one (1) residential dwelling unit without an approved water system by hauling water or by a private well with the following restrictions:

- (1) The nearest corner of the property must be further than six hundred sixty (660) feet from an existing approved and available water system.
- (2) Residential sprinkler systems with a minimum of three hundred (300) gallons of storage, independent of domestic storage, will be required and must be approved by the fire department.
- (3) The sizing of booster pumps, piping and domestic storage will be subject to the plumbing code.
- (4) Individual parcel owners who provide their own water system as provided by this section are not required to pay the Development Fees assessed by this article until such time as the property is served by City water.

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Sec. 49-89. Approval of water and wastewater system construction.

The City must approve the design, engineering, and construction of all connections to the water and wastewater systems provided for under this article.

Sec. 49-90. Golf course water supply fee.

A golf course shall pay the portion of the Water Development Fee attributable to Water Supply in accordance with the terms of an agreement between the City and the golf course developer. Such fee shall not be less than the water meter type for a Single-Family Dwelling Unit, i.e., one (1) EDU times the Arizona Department of Water Resources maximum annual water allotment for golf course turf, or if such allotment does not exist, the reasonably expected maximum annual demand for water.

Table A-1: Water Development Fee Schedule

Meter Type	EDU Factor	Development Fee
½, ¾ and 1 inch	1.0	\$8,836.00
1½ inch	5.0	\$44,180.00
2 inch	8.0	\$70,688.00
3 inch compound	17.5	\$154,603.00
3 inch turbine	21.8	\$192,625.00
4 inch compound	30.0	\$265,080.00
4 inch turbine	37.5	\$331,350.00
6 inch compound	67.5	\$596,430.00
6 inch turbine	80.0	\$706,880.00

For meters larger than 6 inches, the development fees will be based on the number of EDUs associated with the peak daily water demands for the proposed development as determined by the division director.

Table A-2: Wastewater Development Fee Schedule

Meter Type	EDU Factor	Development Fee
½, ¾ and 1 inch	1.0	\$6,028.00
1½ inch	5.0	\$30,140.00
2 inch	8.0	\$48,224.00
3 inch compound	17.5	\$105,490.00
3 inch turbine	21.8	\$131,410.00
4 inch compound	30.0	\$180,840.00
4 inch turbine	37.5	\$226,050.00
6 inch compound	67.5	\$406,890.00
6 inch turbine	80.0	\$482,240.00

For nonresidential meters larger than 6 inches, the development fees will be based on the number of EDUs associated with the average daily wastewater demands for the proposed development, as determined by the division director.

ARTICLE IV. SEWAGE COLLECTION, PRETREATMENT AND TREATMENT

DIVISION 1. GENERAL

Sec. 49-91. Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Account holder means the person, persons or entity in whose name a City sewer service account is established in accordance with the procedures set forth in this Chapter.

Act or the Act means the Federal Water Pollution Control Act, also known as the Clean Water Act, as amended, 33 U.S.C. § 1251, et seq.

Addition means any extension or increase in floor area or height of a building or structure.

Alteration means any construction or renovation to an existing structure other than an addition.

Approval authority means the Arizona Department of Environmental Quality or Regional Administrator for Region IX of the U.S. EPA.

Approved means accepted by the Water Resources Division as either meeting an applicable specification stated or cited in this chapter, or suitable for the proposed use.

Approved laboratory procedures means the measurements, tests and analyses of the characteristics of water and sewage in accordance with analytical procedures as established in Title 40, Code of Federal Regulations, Part 136, as revised, that are performed by an environmental laboratory licensee by the state pursuant to A.R.S. §§ 36-495, et seq. Alternative procedures may be approved by the division director in accordance with applicable federal regulations.

Authorized representative of an industrial user means:

- (a) If the user is a corporation:
 - (1) The president, secretary, treasurer, or vice president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision-making functions for the corporation; or
 - (2) The manager of one or more manufacturing, production, or operating facilities, provided the manager is authorized to make management decisions that govern the operation of the regulated facility including having the explicit or implicit duty of making major capital investment recommendations, and initiate and direct other comprehensive measures to assure long-term compliance with environmental laws and regulations; can ensure that the necessary systems are established or actions taken to gather complete and accurate information for wastewater discharge permit requirements; and where authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures.
- (b) If the user is a partnership or sole proprietorship: a general partner or proprietor, respectively.

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- (c) If the user is a federal, state, or local governmental facility: a director or highest official appointed or designated to oversee the operation and performance of the activities of the government facility.
 - (d) The individuals described in subsections (a) through (c) above may designate another authorized representative. If the authorization is made in writing, the authorization specifies the individual or a position responsible for the overall operation of the facility from which the discharge originates or having overall responsibility for environmental matters for the company or facility, and the written authorization is submitted to the City.

Available means a public sewer line is located within five hundred (500) feet of a property's boundary line, has sufficient capacity for the requested connection, an extension of the line can be engineered to meet the City's standards, and the physical circumstances of the Right-of-Way and the surrounding property will reasonably permit the extension as used in Section 49-117. This includes establishing sewer gravity flow from the subject parcel to an existing public sewer line located within five hundred (500) feet of a property's boundary line. What is "reasonable" shall be determined in the sole judgment of the City.

Best Management Practices or BMPs means schedules of activities, prohibitions of practices, maintenance procedures, and other management practices to implement the prohibitions listed in section 49-161 and 40 CFR § 403.5 (a)(1) and (b). BMPs are pretreatment requirements and include, but are not limited to, operating procedures and practices to control plant site runoff, spillage or leaks, sludge or waste disposal, or drainage from raw materials storage. BMPs also include alternative means (i.e., management plans) of complying with, or in place of, certain established categorical pretreatment standards and effluent limits.

Biochemical oxygen demand (BOD) means the quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory conditions for five (5) days at a temperature of twenty (20) degrees centigrade, expressed as a concentration (e.g., milligrams per liter (mg/l)).

Building includes but is not limited to a walled and roofed structure built, constructed, or pre-manufactured above or below grade and is used or intended for supporting or sheltering any use or occupancy.

Building sewer means a private conveyance for transporting wastewater from a person's premises to a private sewer or to the POTW. The building sewer includes the sewer tap.

Bypass means the intentional diversion of wastestreams from any portion of an industrial user's treatment facility.

CFR means the Code of Federal Regulations.

Categorical industrial user means an industrial user subject to a categorical pretreatment standard or categorical standard.

Categorical pretreatment standard or categorical standard means any regulation containing pollutant discharge limitations and promulgated by the EPA under the authority of Section 307(b) and (c) of the Act which apply to a specific category of users and which are published in 40 CFR chapter I, subchapter N Parts 405-471.

Chemical oxygen demand (COD) means a measure of the oxygen required to oxidize all compounds, both organic and inorganic in water, expressed in terms of weight and concentration (mg/l).

City means the City of Scottsdale, Arizona.

Composite sample means a combination of individual samples obtained at regular intervals over a specified time period. The volume of each individual sample shall be either proportional to the flow rate during the sample period (flow composite) or constant and collected at equal time intervals during the composite period (time composite) as defined in a permit.

Code means the Scottsdale Revised Code.

Concentration means strength of the wastewater as measured by BOD or COD in units of mg/l.

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Contractor (synonymous with "builder") means a person who undertakes to or offers to undertake to, or purports to have capacity to undertake to, or submits a bid to, or does himself or by or through others construct, alter, repair, add to, subtract from, improve, move, wreck or demolish any building, highway, road, railroad, excavation or other structure, project, development or improvement or to do any part thereof, including the erection of a scaffolding or other structures or works in connection therewith, and includes subcontractors, specialty contractors, developers and speculative builders.

Cooling water means any discharge from any heat transfer system such as condensation, air conditioning, cooling or refrigeration into the sewer system.

Cross-connection means any unprotected actual or potential connection or other arrangement of piping or fixtures between a piping system containing potable water and a piping system containing nonpotable water, waste fluids, industrial fluids, or any other fluids or substances of questionable safety for human consumption, through which, or because of which, backflow can or may occur into the public potable water system. Cross-connections include any temporary connections such as swing connections, removable sections, four-way plug valves, spools, dummy sections of pipe, swivel or change-over devices, sliding multipoint tubes, hose connections, or any other temporary or permanent devices, through which, or because of which, backflow can or may occur.

Daily maximum limit means the maximum allowable discharge limit of a pollutant during a calendar day. Where daily maximum limits are expressed in units of mass, the daily discharge is the total mass discharged over the course of the day. Where daily maximum limits are expressed in terms of a concentration, the daily discharge is the arithmetic average measurement of the pollutant concentration derived from all measurements taken that calendar day.

Department director of business services means the business services department director of the City revenue collection function or their duly authorized agent including, but not limited to, the revenue collector and utility billing office.

Developer shall include the individual, firm, corporation, partnership, association, syndication, trust or other legal entity which is responsible for facilitating the owner's demand on the City sewer facilities and creates structures on that land.

Dilution means the addition of some quantity of liquid (water) that results in a decrease in the original concentration.

Division means the City of Scottsdale Water Resources Division.

Division director means the division director of Water Resources or designee.

Domestic wastewater or sanitary wastewater means liquid wastes containing sewage and similar matter from the sanitary facilities of residences, commercial buildings, and industrial facilities.

Domestic user means any user who discharges only domestic sewage.

Dump Station means a facility intended to receive the discharge of wastewater from a holding tank installed on a recreational vehicle.

Effluent limitation means a limitation imposed on discharges to the POTW.

Enforcement response plan (ERP) means a plan developed by the City to enforce the pretreatment regulations contained in the Scottsdale Revised Code.

Environmental Protection Agency or EPA means the United States Environmental Protection Agency or a duly authorized official of said agency.

Existing source means an industrial user which: 1) is in operation at the time of promulgation of categorical pretreatment standards; or 2) any source of discharge that is not a new source.

Facility means any land, building, installation, structure, equipment, device, conveyance, area, or source from which there is or, with reasonable probability, may be a discharge.

Fats, oils, and grease (FOG) means any hydrocarbons, fatty acids, soaps, fats, waxes, oils, and any other material that is extracted by hexane solvent, as specified in 40 CFR Part 136.

Fixtures. See "Plumbing fixture."

Food service establishment means any business activity where articles of food, drink, or condiment are customarily prepared or served to patrons for consumption on or off the premises. This also includes restaurants, bars, cocktail lounges, the dining room of hotels, and all caterers.

Frontage means the entire length of that portion of a parcel of property that abuts a public street, public easement, or public Right-of-Way.

Garbage means solid waste from the preparation, cooking, and dispensing of food and from the handling, storage, and sale of produce.

Grab sample means an individual sample that is collected from a wastestream without regard to the flow and over a period of time not to exceed fifteen (15) minutes.

Hazardous waste means any discarded material listed as hazardous pursuant to 40 CFR Part 261 or having such characteristics.

Indirect discharge or discharge means the introduction of pollutants into the POTW from any non-domestic source.

Industrial means of or pertaining to industry, manufacturing, commerce, trade, or business, as distinguished from domestic or residential.

Industrial user or user means a source of indirect discharge.

Industrial waste means the liquid waste from an industrial manufacturing process, trade, or business as distinguished from domestic wastewater.

Instantaneous limit means the maximum concentration of a pollutant allowed to be discharged at any time and determined from the analysis of any discrete or composited sample collected, independent of the industrial flow rate and the duration of the sampling event.

Interceptor means a device used to separate oil, grease, and sand or any flammable wastes from sewage.

Interference means a discharge which, alone or in conjunction with a discharge or discharges from other sources:

- (a) Inhibits or disrupts the POTW, its treatment processes, or operations, or its sludge processes, use or disposal; and
- (b) Therefore is a cause of a violation of any requirement of any environmentally related permit issued by a governmental entity (including an increase in the magnitude or duration of a violation) or of the prevention of sewage sludge use or disposal in compliance with the following statutory provisions, regulations, or permits issued thereunder (or more stringent state or local regulations): Section 405 of the Act; the Solid Waste Disposal Act (SWDA) (including Title II commonly referred to as the Resource Conservation and Recovery Act (RCRA)); state regulations contained in any state sludge management plan prepared pursuant to subtitle D of the SWDA; the Clean Air Act; the Toxic Substances Control Act; and the Marine Protection, Research, and Sanctuaries Act.

Land Development means any method of creating or recreating a lot, tract, parcel easement, or Right-of-Way, including but not limited to, subdivisions, minor subdivisions, condominiums, Multi-Family and commercial properties.

Land Division means a division of improved or unimproved land or parcel into two (2) or more parcels.

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Local limit means a specific discharge limitation developed and enforced by the City as pretreatment standards upon industrial users to implement the general and specific discharge prohibitions listed in 40 CFR § 403.5(a)(1) and (b).

Main sewer means a sewer which receives sewage from one (1) or more sewers as tributaries.

Medical waste means any solid waste as defined in 49 A.R.S. § 701, including isolation wastes, infectious agents, human blood and blood products, pathological wastes, sharps, body parts, contaminated bedding, surgical wastes, potentially contaminated laboratory wastes, and dialysis wastes.

Mixed use development means a real estate project with planned integration of some combination of retail office, residential, hotel, recreation, industrial or other functions. The different classes of mixed use are summarized at section 49-141(g).

Monitoring manhole means a manhole used to monitor sewage flows or quality.

Multi-Family Residential means more than one (1) dwelling unit is serviced by a single sewer tap and is connected to the sewer system.

Natural outlet means any outlet into a watercourse, ditch, or other body of surface or ground water.

New source means any building, structure, facility, or installation from which there is or may be a discharge of pollutants, the construction of which commenced after the publication of proposed pretreatment standards under Section 307(c) of the Act that will be applicable to such source if such standards are thereafter promulgated in accordance with that section and as further set forth in 40 CFR § 403.3(m).

Non-compliant means failing to satisfy the requirements of this article.

Noncontact cooling water means water used for cooling that does not come into direct contact with any raw material, intermediate product, waste product, or finished product.

Nonhazardous liquid waste (NHLW) means waste hauled from residential septic systems, restaurant grease traps/interceptor or chemical toilets.

Non-significant industrial user means any person or entity which does not meet the definition of a significant industrial user, but is otherwise required by the City through permit, order, or notice to comply with specific provisions of this article.

Notice means a written instrument served by the City, as follows, with time commencing from date of mailing, servicing, filing or recording:

- (1) by the use of ordinary mail to the last known address of the person to whom it is required to be given; or
- (2) by personal service; or sense
- (3) by filing or recording with a clerk of the superior court or county recorder.

NPDES permit means a national pollutant discharge elimination system permit issued by the EPA, or an Arizona pollutant discharge elimination system (AZPDES) permit issued by the state of Arizona, which imposes standards governing the quality of treated effluent discharged from a POTW into a navigable water of the United States. NPDES permit also means the National Pollutant Discharge Elimination System Permit #AZ0020524 issued to the City of Phoenix.

Oil and grease means a measure of the total oil and grease content of a sample as determined by approved EPA methods or any other equivalent method as approved by the division director.

Outside user means any user outside the corporate limits of the City.

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Owner or builder means a person who owns or leases real property within the City or their authorized representative acting as a contractor in constructing any improvement upon the real property, which real property as improved, is held by such person for their use or for rental, lease, or sale purposes.

Pass through means a discharge which exits the POTW in quantities or concentrations which, alone or in conjunction with a discharge or discharges from other sources, is a cause of a violation of any requirement of any applicable NPDES permit, including an increase in the magnitude or duration of a violation.

Penalty policy means the policy established by the City's Water Resources Division to determine and calculate penalties for violations of the pretreatment requirements established in this article.

Permit means any required written authorization.

Person means any individual, partnership, firm, company, corporation, association, limited liability company, joint stock company, trust, estate, governmental entity, or any other legal entity, or its legal representatives, agents or assigns. This definition includes all federal, state, and local governmental entities.

pH means a measure of the acidity or alkalinity of a solution, expressed in standard units.

Plant means any facility or process producing liquid wastes and which may be a source of discharge into the City's sewer system.

Plumbing Fixture means any receptacle, device, or appliance which is supplied with water (excluding hose bibbs and fire protection systems) or receives liquid borne waste for discharge into the on-site septic or Publicly Owned Treatment Works.

Pollutant means any dredged spoil, solid waste, incinerator residue, filter backwash, sewage, garbage, sewage sludge, explosives, munitions, medical waste, chemical wastes, corrosive substance, biological material, biological nutrient, toxic substance, radioactive material, heat, wrecked or discarded equipment, rock, sand, slurry, cellar dirt, untreatable waste, or industrial, domestic, municipal or agricultural wastes and includes certain characteristics of wastewater (including, but not limited to, pH, temperature, TSS, turbidity, color, BOD, COD, toxicity, or odor).

Pretreatment means the reduction of the amount of pollutants, the elimination of pollutants, or the alteration of the nature of pollutant properties in wastewater prior to or in lieu of discharging or otherwise introducing such pollutants into a POTW. The reduction or alteration may be obtained by physical, chemical, or biological processes, process changes, or other means, except that dilution shall not constitute treatment or pretreatment unless allowed by an applicable pretreatment standard.

Pretreatment requirement means any substantive or procedural requirement related to pretreatment, other than a pretreatment standard imposed on an industrial user, and shall include BMPs related to pretreatment imposed on a user as may have been established pursuant to the laws or regulations of the United States, the State of Arizona, or the City, and conditions of a wastewater discharge permit.

Pretreatment standard means prohibited discharge standards, categorical pretreatment standards, and local limits established pursuant to the laws or regulations of the United States, the State of Arizona, or the City.

Private septic tank system means a septic tank or other system that is maintained by the property owner.

Private sewer means any wastewater collection system other than the POTW.

Prohibited discharge standards mean absolute prohibitions against the discharge of certain substances as set forth in section 49-161.

Process wastewater means any water which, during manufacturing or processing, comes into direct contact with or results from the production or use of any raw material, intermediate product, finished product, by-product, or waste product.

Public sewer means main or trunk sewer controlled and maintained by the City.

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Publicly Owned Treatment Works (POTW) means a treatment works as defined by Section 212 of the Act which is owned by the City or another municipality and includes any devices or systems used in the collection, storage, treatment, recycling and reclamation of sewage or industrial wastes of a liquid nature and any conveyances which convey wastewater to a treatment plant.

Public utility easement means land which by conveyance of easement is dedicated to the public for the City's ownership and maintenance of a utility line and associated appurtenances.

Reconstruction means any construction, modification, addition, alteration, remodel or combination thereof to existing buildings.

Representative sample means a composite sample obtained by flow proportional sampling techniques. If the Water Resources Division determines that flow proportional sampling is not feasible, the sampling by time proportional composite or composites of grab samples will be allowed according to EPA requirements.

Revenue means, in general, additions to cash or other current assets that do not increase any liability of reserve, nor represent the recovery of an expenditure.

Right-of-Way means land which by deed, conveyance, agreement, easement, dedication, usage or process of law is reserved for or dedicated to the general public for street, highway, alley, public utility, or pedestrian walkway purposes.

Service area shall have the same meaning as defined in Section 49-73.

Sewage means human excrement and similar matter from toilets and gray water.

Sewer means a wastewater conveyance or conduit system which carries sewage and/or non-domestic wastewater and to which stormwater, surface water, and ground water are not intentionally admitted.

Sewer lateral means a privately owned and maintained pipe extending from the public wastewater collection system to a building or residence for the purpose of discharging sewage into the public wastewater collection system.

Sewer line means public line owned and maintained by the City.

Sewer tap means a wye or tee connected to a sewer.

Shall is to be construed as mandatory.

Significant Industrial user (SIU) means:

- (a) All users subject to categorical pretreatment standards.
- (b) All users that:
 - (1) Discharge an average of twenty-five thousand (25,000) gallons per day or more of process wastewater to the POTW (excluding sanitary, noncontact cooling, and boiler blowdown wastewater); or
 - (2) Contribute a process wastestream which makes up five (5) percent or more of the average dry weather hydraulic or organic capacity of the POTW; or
 - (3) Are designated as such by the division on the basis that they have a reasonable potential for adversely affecting the POTW's operation or for violating any pretreatment standard or requirement.
- (c) The City may determine that an industrial user subject to categorical pretreatment standards is a non-significant industrial user rather than a significant industrial user on a finding that the industrial user never discharges more than 100 gallons per day (gpd) of total categorical wastewater (excluding

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sanitary, non-contact cooling and boiler blowdown wastewater, unless specifically included in the pretreatment standard) and the following conditions are met:

- (1) The industrial user, prior to the City's finding, has consistently complied with all applicable categorical pretreatment standards and requirements;
 - (2) The industrial user annually submits the certification requirement required in 40 CFR § 403.12(q), together with any additional information necessary to support the certification statement; and
 - (3) The industrial user never discharges any untreated concentrated wastewater.
- (d) Upon a finding that a user meeting the criteria in subsection (b) of this section has no reasonable potential for adversely affecting the POTW's operation or for violating any pretreatment standard or requirement, the City may at any time, on its own initiative or in response to a petition received from an industrial user, and in accordance with procedures in 40 CFR § 403.8(f)(6), determine that such user should not be considered a significant industrial user.

Significant Non-Compliance (SNC) means a significant industrial user in violation of one or more of the following criteria or any other industrial user in violation of subparagraphs (c), (d), or (h):

- (a) Chronic violations of wastewater discharge limits, defined here as those in which sixty-six percent or more of all of the measurements taken for the same pollutant parameter during a six-month period exceed (by any magnitude) a numeric pretreatment standard or requirement, including instantaneous limits, as defined by 40 CFR § 403.3(1);
- (b) Technical Review Criteria (TRC) violations, defined here as those in which thirty-three percent or more of all of the measurements taken for the same pollutant parameter during a six-month period equal or exceed the product of the numeric pretreatment standard or requirement including instantaneous limits, as defined by 40 CFR § 403.3(1) multiplied by the applicable TRC (TRC = 1.4 for BOD, TSS, fats, oil, and grease, and 1.2 for all other pollutants except pH);
- (c) Any other violation of a pretreatment standard or requirement as defined by 40 CFR § 403.3(1) (daily maximum, long-term average, instantaneous limit, or narrative standard) that the POTW determines has caused, alone or in combination with other discharges, interference or pass through (including endangering the health of POTW personnel or the general public);
- (d) Any discharge of a pollutant that has caused imminent endangerment to human health, welfare, or the environment or has resulted in the POTW's exercise of its emergency authority to halt or prevent such a discharge;
- (e) Failure to meet, within ninety days after the schedule date, a compliance schedule milestone contained in a permit, local control mechanism, or enforcement order for starting construction, completing construction, or attaining final compliance;
- (f) Failure to provide, within forty-five (45) days after the due date, required reports such as baseline monitoring reports, ninety-day compliance reports, periodic self-monitoring reports, and reports on compliance with compliance schedules;
- (g) Failure to accurately report noncompliance;
- (h) Any other violation or group of violations, which may include a violation of BMPs, which the division determines will adversely affect the operation or implementation of the local pretreatment program.

Single-Family Residential means one (1) dwelling unit is serviced by a single sewer tap in which a single family typically resides and is connected to the sewer system.

Slug load or slug discharge means any discharge at a flow rate or concentration which could become a violation of the prohibited discharge standards in this article. A slug discharge is any discharge of a non-routine,

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episodic nature, including but not limited to an accidental spill or a non-customary batch discharge, which has a reasonable potential to cause interference or pass through, or in any other way violate this article, local limits, the Intergovernmental Agreement, or a POTW's permit conditions.

Standard Industrial Classification (SIC) means a classification pursuant to the "Standard Industrial Classification Manual" issued by the Executive Office of the President-Office of Management and Budget, as it may be revised from time to time.

Storm drainage means a pipe conduit which carries storm and surface water and drainage, but excludes sewage and industrial wastes.

Stormwater means stormwater runoff, snow melt runoff, and surface runoff and drainage.

Structure means including, but is not limited to each separate occupancy, residence, house, store, building, or any construction or production or piece of work artificially built up or comprised of parts joined together in some definite manner and is connected to the sewer system.

SubRegional Operating Group (SROG) means Joint Exercise of Powers Agreement (JEPA) No. 22699 or the latest amendment thereto relating to implementation and enforcement of the industrial pretreatment program under a NPDES permit issued to the City of Phoenix. The IGA is among the City of Phoenix and the Cities of Scottsdale, Tempe, Mesa and Glendale.

Total organic carbon (TOC) means the total of all organic compounds expressed in milligrams per liter as determined by the combustion-infrared method prescribed by approved laboratory procedures.

Total suspended solids (TSS) means the total suspended matter that floats on the surface of or is suspended in water, wastewater, or other liquid and that is removable by filtration.

Town of Paradise Valley means the Incorporated Town of Paradise Valley, Maricopa County, Arizona.

Trunk sewer means a sewer which receives sewage from many main sewers and serves as an outlet for a large territory.

Unit of service means each structure, group of structures, portion of a structure or real property which is connected to the sewer system.

User means any person, corporation, firm, municipality, owner, tenant, trustee, mortgagee, receiver or occupier of property which is connected to the sewer system.

Wastewater means treated or untreated liquid or water-carried non-domestic industrial wastes and/or sewage from residential dwellings or commercial, industrial or manufacturing facilities.

Wastewater discharge permit means the control mechanism issued to an industrial user and as provided for in sections 49-165 and 49-166.

Wastewater treatment plant or treatment works means that portion of the POTW which is designed to provide treatment of sewage and wastewater.

Watercourse means a channel in which a flow of water occurs, either continuously or intermittently.

Sec. 49-92. Authority and administration.

- (a) The provisions of this article are the minimum requirements for the promotion of the public safety, health and general welfare.
- (b) The Water Resources Division is charged with the operation and maintenance of the POTW. The division shall enforce all regulations necessary for the safe and efficient administration of the POTW. The division shall ensure that all contractual obligations are met and will, from time-to-time, advise the City Council whenever the City contemplates entering into new agreements.

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- (c) The Water Resources Division shall have the authority to establish quantity of discharges and effluent limitations for pollutants, sewage or any liquid that can be accepted into the POTW, and to specify those pollutants that are prohibited from entering the POTW.
 - (d) The Water Resources Division shall have the authority to deny or condition new discharges or increased flows from existing discharges to the POTW.
 - (e) The Water Resources Division shall have the authority to establish and collect fees for the maintenance, and operation of the POTW.
 - (f) The Water Resources Division shall have the authority to establish special rates or credits for unusual or unique situations and such rates or credits shall be based upon the cost of the service provided or incurred.
 - (g) The Water Resources Division shall have the authority to establish administrative penalties and assess these penalties for violations of this article.
 - (h) The Water Resources Division shall have the authority to develop and implement enforcement, response and penalty policy plans to enforce this article.
 - (i) The Water Resources Division shall maintain all public sewers.
 - (j) All private sewers shall be maintained by the property owner.
 - (k) The Water Resources Division shall have the authority to remove or disconnect any connection into the sewer system that does not meet the requirements of this section or charge a user rate as described in this Code.
 - (l) Any improvements required to be made or work required to be performed under this Article shall be done in compliance with the then applicable building, plumbing or electrical code as adopted by the City of Scottsdale in Chapter 31 of the Scottsdale Revised Code.

Sec. 49-93. Pretreatment.

- (a) Any industrial user of the POTW shall be in compliance with all pretreatment requirements provided in this article.
- (b) Any industrial user of the POTW shall provide, at their expense, such pretreatment as may be necessary to meet any effluent limitations of this article.
- (c) The Water Resources Division will review, but not approve, plans and specifications for all pretreatment facilities. All pretreatment facilities will be reviewed by the City for compliance with building codes and all appropriate permits shall be obtained. Approval of plans and inspection by the City shall not relieve the industrial user from complying with the pretreatment requirements provided in this article.
- (d) The Water Resources Division will enforce federal pretreatment requirements as provided in 40 CFR Part 403.
- (e) Where pretreatment facilities are provided for any discharge, they shall be maintained continuously in satisfactory and effective operation by the industrial user at their expense. No industrial user shall have a discharge that is the result of a bypass unless: the bypass is unavoidable to prevent loss of life, personal injury or severe property damage; there is no feasible alternative to the bypass; or the bypass will not result in a violation of the pretreatment requirements provided in this article. The Water Resources Division must be notified in writing ten (10) days prior to a bypass and the bypass must be approved by the division. Emergency bypasses, must be reported to the division immediately, and a written account of the bypass shall be submitted in the division within seven (7) days stating the reason for the bypass, the date, time, amount and nature of the discharge.

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Sec. 49-94. Unsanitary disposal prohibited.

It is unlawful to release on the ground or to any natural outlet, within the City, or upon any area under the jurisdiction of the City, any sewage, industrial wastes, human or animal excrement or other pollutants.

Sec. 49-95. Interceptors.

- (a) Interceptors, such as grease, oil, or sand shall be provided by laundries, restaurants, service stations, auto repair shops, carwashes and other industrial users when, in the opinion of the Water Resources Division Interceptors are necessary for the proper handling of sewage containing oil and grease or sand or any flammable wastes. Such Interceptors shall not be required for domestic users.
- (b) All interceptors shall be of a type and capacity approved by the City and shall be located as to be readily and easily accessible for cleaning and inspection.
- (c) Interceptors shall be constructed of impervious materials capable of withstanding abrupt and extreme changes in temperature. They shall be of substantial construction, watertight, and equipped with easily removable covers. Covers shall be gastight and watertight.
- (d) Where installed, all interceptors shall be maintained by the industrial user, at their expense, in efficient operating condition at all times. The owner shall keep written records and documentation of all cleaning, repair, calibration, and maintenance required to demonstrate compliance with this section. Records shall be kept at the facility for a minimum of three (3) years and be made available to the division director upon request.

Sec. 49-96. Monitoring manholes.

When required by the City, the owner of any property served by a building sewer discharging any industrial wastes or that has the potential to discharge industrial wastes, shall install a suitable monitoring manhole or monitoring vault in the building sewer to facilitate observation, measurement and sampling of the industrial wastes. Such monitoring manhole or monitoring vault, when required, shall be accessible and safely located and shall be constructed in accordance with plans approved by the City. The monitoring manhole or monitoring vault shall be installed by the industrial user at their expense and shall be maintained by them so as to be safe and accessible at all times.

Sec. 49-97. Outside users.

All users and municipalities outside of the City limits which discharge to the POTW shall comply with all provisions of this article. Unless otherwise explicitly agreed, the City retains authority for full enforcement of this article against outside users.

Sec. 49-98. Inspections.

- (a) Any authorized employee of the City shall, upon presentation of their credentials, have access at all reasonable hours to any user's premises for the purpose of making an inspection of the premises to determine compliance with this article.
- (b) Any industrial user or potential user shall allow all inspection, monitoring, copying of records, etc., reasonably needed by the City or its agent to perform the duties of this article.

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Sec. 49-99. Confidential Information.

Unless otherwise determined by the City to fall within an applicable exception to disclosure laws, user information and data from reports, surveys, wastewater discharge permit applications, wastewater discharge permits, and monitoring programs, and from the division's inspection and sampling activities, shall be available to the public without restriction, unless the user specifically requests, and is able to demonstrate to the satisfaction of the division, that the release of such information would divulge information, processes, or methods of production entitled to protection as trade secrets under applicable state law. Any such request must be asserted at the time of submission of the information or data. Upon the user's request and demonstration that such information should be held confidential, the portions of the information which might disclose trade secrets or proprietary processes shall not be made available for public inspection but shall be made available immediately upon request to governmental agencies for uses related to enforcement proceedings involving the user furnishing the information, or pursuant to a court order. Wastewater constituents and characteristics and other effluent data as defined in 40 CFR 2.302 shall not be recognized as confidential information and shall be made available to the public without restriction.

Sec. 49-100. Interference with City employees.

No person shall interfere with City employees in any discharge of their duties.

Sec. 49-101. Damage to POTW prohibited.

No user shall maliciously or willfully break, damage, destroy, deface or tamper with any part of the POTW.

Sec. 49-102. Users responsibility; obstructing access to system.

- (a) Except as otherwise described in Sec. 49-127, each user shall be responsible for cleaning, unstopping, maintaining and repairing the building sewer and tap subject to the conditions of Section 49-127. Whenever the damage requires off-property excavation, the user or contractor shall obtain an encroachment permit to work in the public Right-of-Way.
- (b) No person shall place in, upon or about any sewer line and related appurtenances any object, material, debris or structure of any kind that will prevent free access to or flow of the same at all times. Nor shall any person in any manner tamper with, mar, or otherwise injure any sewer line or any related appurtenances.

Sec. 49-103. Distribution of POTW revenues and use of funds.

Funds shall be established for the proper distribution of POTW revenues. POTW revenues shall be allocated to the funds pursuant to the then applicable City Council resolution. The funds shall include but not be limited to the following:

- (1) System replacement and extension reserve.
- (2) Water and sewer utility reserve.
- (3) Sewer utility unreserved fund balance: The sewer utility unreserved fund balance shall be used for operational and maintenance expenses associated with the delivery of POTW services.

Secs. 49-104—49-114. Reserved.

DIVISION 2. EXTENSIONS AND CONNECTIONS

Sec. 49-115. Excavations and sewer connections.

No excavation shall be made in any street, alley or Right-of-Way under the jurisdiction of the City for the purpose of connecting to the POTW without complying with article III of chapter 47. No person shall fail or neglect to restore the street or alley or Right-of-Way to its original condition. No person shall uncover, make any connections with or opening into, use, alter, or disturb any sewer without complying with article III of chapter 47.

Sec. 49-116. Connection to private septic tank system.

Where a public sewer is not available within the City, or any area under the jurisdiction of the City, the building sewer may be connected to a private onsite wastewater treatment system complying with all laws and regulations of the state, the county and the City. Such private septic tank systems shall be constructed, maintained and operated at all times in a sanitary manner. Construction, alterations and maintenance shall be performed in conformance with the county health code and other applicable regulations and only after obtaining necessary permits.

Sec. 49-117. Connection to public sewer from private onsite wastewater treatment system.

- (a) If a public sewer is available to the property and any one (1) of the following conditions is met, the building sewer to all structures located on the property shall be connected to the public sewer in accordance with the provisions of this article and the City's plumbing code and shall include all required extensions of the public sewer system as described in article V:
- (1) New construction of a building (detached) containing plumbing fixtures; or
 - (2) Fifty (50) percent or greater by square footage of any Alteration, Reconstruction, Addition, remodel or any combination thereof, as compared to the existing primary parcel building or
 - (3) The county denies a septic permit; or
 - (4) Upon City approval of a Land Division or Land Development.
- (b) If the existing onsite wastewater treatment system fails, requires modification or alteration, and a public sewer is available and immediately adjacent to any frontage of the property, the building sewer of all structures located on the property shall be connected to the public sewer in accordance with the provisions of this article and the City's plumbing code and shall include all required extensions of the public sewer system.
- (c) After connection to the public sewer system, any private onsite wastewater treatment system located on the property shall be abandoned according to county requirements.
- (d) As used in this section, "available" shall have the same meaning as that set forth in Section 49-211.

Sec. 49-118. Private sewers, connection to public sewers.

- (a) Private sewers may be installed at the developer's discretion Multi-Family residential developments. Private sewers shall not be installed in a public utility easement or Right-of-Way except to connect to a public sewer.
- (b) Private sewers shall be installed within all non-subdivided commercial or industrial properties. Private sewers shall not be installed within a public utility easement or Right-of-Way except to connect to a public sewer.
- (c) Where a private sewer connects to a public sewer, the connection shall be made at a manhole or wye connection located within a public utility easement or public Right-of-Way. The sewer line, including any applicable wye connection, is considered private until it enters the manhole or the public sewer in the public

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Right-of-Way. The City will maintain the manhole and all public sewers within a public utility easement or Right-of-Way.

- (d) Two (2) or more buildings located on the same parcel or on contiguous lots under different ownership may be provided service through one (1) or more private sewer lines provided:
- (1) There is an established, incorporated association or management firm which is responsible for payment of the sewer service charge; and
 - (2) Each parcel or lot has a City-owned sewer line frontage on at least one (1) side of each parcel or lot; and
 - (3) The association or management firm does not charge a fee to connect individual parcels to a private sewer line.

Sec. 49-119. Public sewer extensions in new subdivisions.

In new subdivisions where public sewer extensions are authorized by the City and constructed at the subdivider's expense, the City may authorize the subdivider or their agent, to install building connections with wyes and connect the building sewers to the City sewer in accordance with the following provisions:

- (1) The construction of the public sewer and connections of the building sewers to the POTW shall be under the supervision of a registered civil engineer holding registration in the state, who shall submit "as-built plans" bearing the registered civil engineer's registration number and seal, to the City. The registered civil engineer employed by the subdivider shall require that all sewer taps serving lots in the subdivision upon which no buildings are constructed, be effectively sealed until such time as buildings are to be constructed on the lots left vacant. Such sealed connections shall be inspected and approved by the City engineer before being backfilled and shall be designated as the "as-built plans." The effective seal shall consist of a vitrified clay stopper, inserted in the bell of the sewer extending to the property line in the alley or to the curbline in the street from the public sewer. The stopper shall be permanently flagged by attaching one (1) end of a length of copper wire to the stopper and the other end to a broken piece of clay pipe, which shall be placed under the soil surface directly over the end of sewer pipe.
- (2) Before any building sewer construction is commenced, permits shall be obtained by the subdivider or their agent, from the City.
- (3) When the "as-built plans" are submitted to the City, the City shall make a record of the building sewer construction.

Sec. 49-120. Approval of the sewer system construction.

The City must approve the design, engineering, and construction of all building sewer connections provided for under this article.

Sec. 49-120.1. Unauthorized connection to public sewer system.

No user or person acting on behalf of a user shall connect any pipe or plumbing fixture to the public sewer system without permission from the City. No person shall break, remove a seal, or willfully injure, damage or destroy any public sewer line. No user or person acting on behalf of a user, in order to gain sewer service or whose sewer service has been discontinued and rendered inoperable by the City, shall by-pass, divert, connect to or otherwise tamper with the public sewer in an effort to establish or reinstate sewer service. Any person who violates this section shall be subject to enforcement of either a civil or criminal offense as set forth in section 49-33 et seq. of this Chapter.

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Sec. 49-121. Record of building connection.

The Water Resources Division shall supply to the utility billing office a record of connection and sewer user code for each new user of the City sewer system. The department director of business services shall keep or cause to be kept a complete record of all users and their addresses.

Sec. 49-122. Plans and specifications; encroachment permit; dedication.

- (a) Developers or owners extending public sewers shall have all plans and specifications for such extensions prepared by a professional engineer who is registered in this state. Such plans and specifications shall be in accordance with standards set by the City.
- (b) A developer or owner, tapping into or extending public sewers shall receive an encroachment permit from the City prior to the initiation of any work. Plans and specifications for tap-ins for extensions are required exhibits to be attached to applications for encroachment permits.
- (c) Extensions to the public sewers which are constructed in the City Right-of-Way or a public utility easement shall become the property of the City upon final acceptance.

Sec. 49-123. Payment of connection charges and deposits.

Any required connection charge shall be paid at the time the application for such connection is made, and any required deposit shall be paid at the time the application for the connection is made.

Sec. 49-124. Sewer development fees.

- (a) Sewer development fees shall be paid pursuant to section 49-74 of this article. Except that, for users located within the Town of Paradise Valley, development fees shall be paid according to that certain Intergovernmental Agreement No. 980154 between the City and the Town of Paradise Valley effective November 30, 1998, as it may be amended from time to time.
- (b) The City has no obligation to provide sewer service or reserve sewer capacity for users outside of the City's service area. However, where the sewer system has sufficient capacity to permit additional connections to be made, the City may allow connections, and/or enter into agreements with governmental entities or private parties guaranteeing reserve capacity. The reserve capacity fee shall be the product of the user's peak daily sewage flow in gallons, such flow to be multiplied by the applicable "O & M User" and "Other Charges" provisions, or any combination thereof, as set forth in Article IV, Division 3, Section 49-141(g) of this Chapter, and as may be determined from time to time by City staff and approved by the City Council. This fee will be collected in addition to the sewer development fee. All sewer users within the area of the entity entering into the aforementioned agreement shall pay the reserve capacity fee. The City shall collect this fee directly from the sewer user before connection to the City sewer system can be made, unless other arrangements are made in the aforementioned agreement.

Sec. 49-125. Verification of sewer connection.

Upon request, the City shall issue a letter verifying a sewer connection. A dye, smoke test, or closed-circuit television (CCTV) shall be made in all cases where there is no evidence of a connection on file.

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Sec. 49-126. Disconnection of a condemned or uninhabitable building.

The owner of a structure that has been condemned may request in writing, to the City, that the structure be disconnected from the POTW:

If the City or county health department determines that a structure is unsanitary or not fit for human habitation, the structure shall be disconnected from the POTW. The Water Resources Division will affect the disconnection and notify utility billing to discontinue billing for sewer service. The owner of the structure will be charged for the disconnection on a time and materials basis, payment to be made within a thirty (30) days of disconnection.

Sec. 49-127. Building sewers and sewer laterals.

Building sewers and sewer laterals are private up to and including the tap on the public sewer and are to be owned and maintained by the property owner or the property's association or management firm except as otherwise described below. Building sewers and sewer laterals shall not be installed in a public utility easement or Right-of-Way except to directly connect to a public sewer.

- a) *Obstructions:* The account holder is responsible for determining the location and cause of any obstruction that results in a flow restriction in the building sewers and sewer laterals and for obtaining repair estimates to clear the lines.
- b) *Residential sewer laterals:*
 - 1) If an obstruction occurs within that portion of a building sewer or sewer lateral located on private property and is due to root intrusion, pipe failure, sags, or joint separation the owner or account holder shall be responsible for all corrective action and associated cost to clear the obstruction and repair or replace the building sewer or sewer lateral. Any disputes regarding location of the obstruction and/or the corrective action taken will be at the sole discretion of the division director.
 - 2) If an obstruction occurs within that portion of a building sewer or sewer lateral located within the Right-of-Way or public utility easement, and is due to physical failure of the pipe material, structural deficiency, or separation of a joint not caused by root intrusion, sags or discharged waste, the City may repair that portion of the pipe at no additional cost to the user. Any disputes regarding location of the obstruction and/or the corrective action taken will be at the sole discretion of the division director.
 - 3) Funding for services provided by the City will be annually budgeted, as approved by City Council. Funds will be used on a first-in basis. If annual funding becomes exhausted, corrective services by the City will be suspended until City Council approves additional funding. The City will not make any reimbursement for any services paid for by the user.
- c) *Commercial/Industrial and Non-Residential and all other building sewer laterals:* The user, account holder, owner or property management association shall be responsible for the cleaning, unstopping, repair, and/or replacement of building sewers and sewer lateral up to and including the connection to the public sewer main and all associated costs.

Secs. 49-128—49-140. Reserved

DIVISION 3. USER RATES AND CHARGES

(Supp. No. 79)

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Sec. 49-141. Rates and user charges.

- (a) There is established a system of rates or user charges for the treatment of sewage and use of the POTW in conformance with rules and regulations set forth under Public Law 95-217.
- (b) Rates established by the Water Resources Division may be adopted by the City Council upon determination of the cost. The City shall maintain sufficient reserves to ensure adequate funds for any reasonable variations in the cost of and demand for service.
- (c) The rate schedules presented to the council for adoption shall be based upon the following factors:
 - (1) The total costs of treating sewage under contract with the City of Phoenix including salaries and benefits, applicable operating expenses, including parts, materials and services incurred in providing sewer service, minus any sale of sewage by-products by the City of Phoenix for the City.
 - (2) Applicable equipment replacement costs necessitated by the provision of sewer service.
 - (3) The cost of membership in the subregional operating group for planning and administration.
 - (4) The total direct costs of the City which are allocable to POTW administration, maintenance and repair.
 - (5) Appropriate indirect costs of the City in rendering sewer related services such as purchasing, accounting, billing and administration.
 - (6) Annual debt service charges for the retirement of sanitary sewer bonds.
 - (7) Revenue requirements necessary for the operation of the City as determined by the City Council.
 - (8) POTW capital expansion needs not covered by development fees.
 - (9) Any sale of sewage by-products by the City shall first be deducted from the total cost of treating sewage.
 - (10) The O & M user charge shall consist of direct operating and maintenance costs including capital replacements, citywide indirect costs, franchise fees, billing and collection. The Capital and other user charge shall consist of debt service, non-replacement capital and adjustment to cash reserves.
- (d) Rates shall be established through the adoption of an ordinance by the City Council.
- (e) The user charge portion of the total sewer charge shall be developed by the use of the following user charge formula:

Cu	=	VcVu + BcBu + ScSu + AcAu, when:
Cu	=	User's charge per unit of time.
Vc	=	O & M cost for transportation and treatment of a unit of waste volume (million gallons)
Vu	=	Volume contribution from a user per unit of time.
Bc	=	O & M cost for treatment of a unit (lb) of chemical oxygen demand (COD).
Bu	=	Total COD contribution from a user per unit of time.
Sc	=	O & M cost for treatment of unit (lb) of suspended solids (SS).
Su	=	Total suspended solids contribution from a user per unit of time.
Ac	=	Unit cost for processing and billing each account.
Au	=	Total accounts for the user or class of user.

- (f) The Water Resources Division shall review at least every two (2) years the financial management system that will accurately account for the sewage contribution of users and user classes, revenue and expenditure by O

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& M and capital accounts for the total costs of operation and maintenance of the POTW, and its approved user charge system.

The Water Resources Division shall revise the charges for users or user classes to accomplish the following:

- (1) Maintain the proportionate distribution of operation and maintenance costs among users and user classes as required herein;
- (2) Generate sufficient revenue to pay the total operation and maintenance costs necessary to the proper operation and maintenance (including replacement) of the POTW; and
- (3) Apply excess revenues collected from a class of users to the costs of operation and maintenance attributable to that class for the next year and adjust the rate accordingly.

The City shall maintain an accounting system that will maintain separate revenue and expenditure funds for sewage operation and maintenance and all other sewage funds. The operation and maintenance fund shall have two (2) accounts, one (1) for operation and maintenance and one (1) for replacement.

Each user will be notified at least annually, in conjunction with a regular bill, of the sewer user charge rate and that portion of the bill attributable to operation, maintenance and replacement costs for sewer service. The sewer user charge system as set forth in this article shall take precedence over any terms or conditions of agreements or contracts between the City and users which are inconsistent with the requirements of Public Law 95-217 and federal regulations issued pursuant thereto.

- (g) There shall be charged the following sewer user charge for customers receiving City sewer service inside the limits of the City. These sewer charges shall be imposed on all properties connected to the sewer or where the sewer is available commencing on the date of original occupancy or after final clearance where water is being provided and will continue whether property is occupied or unoccupied. Charges for first and final bills with billing periods more or less than one (1) month shall be prorated.
- (h) The division director shall have the authority to address proration of billing days across tiers.
- (i) The division director may authorize credits for paperless or other automated billing methods as an incentive to reduce the Division's billing costs.

(1) Effective July 1, 2025~~2026~~, user charges, based on in-building water use, are:

User Classes/Classifications/Category	User Code	Charge per 1,000 Gallons		
		O & M	Capital & Other	Total
Single-Family Residential	11	\$1,421.47	\$1,731.79	\$3,153.26
Multi-Family Residential	12	\$1,421.47	\$1,731.79	\$3,153.26
Commercial without dining	21	\$1,421.47	\$1,731.79	\$3,153.26
Commercial with dining	22	\$2,262.34	\$2,762.86	\$5,025.20
Hotels, motels without dining	23	\$1,421.47	\$1,731.79	\$3,153.26
Hotels, motels with dining	24	\$2,262.34	\$2,762.86	\$5,025.20
Carwashes	25	\$1,421.47	\$1,731.79	\$3,153.26
Commercial Laundry	26	\$1,851.91	\$2,282.36	\$4,134.27
Laundromats	28	\$1,421.47	\$1,731.79	\$3,153.26
Metal Platers	29	\$1,621.68	\$1,072.04	\$3,593.72
Restaurants, Bakeries	30	\$3,043.15	\$3,733.86	\$6,777.01
Service station auto repair	32	\$1,431.48	\$1,741.80	\$3,173.28

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Medical Institutes	40	\$1,421.47	\$1,731.79	\$3,153.26
Schools	50	\$1,421.47	\$1,731.79	\$3,153.26
Non Compliant	99	See below	See below	See below

Non-Compliant: Once a customer is designated as non-compliant, the then current O & M and Other Charges will be adjusted by one hundred fifty (150) percent for a minimum period of six (6) months.

Dump Stations will be designated as Single-Family Residential with a minimum monthly volume of 2,000 gallons per customer. Dump Stations will also be subject to pretreatment charges and fees.

- (2) *Non-uniform discharger, large volume and Industrial user charges* shall provide for a customized user rate which will reflect variations in discharge quality and quantity and recover the cost of rendering sanitary sewer service for the year during which charges shall be in effect.
- (3) In addition to O & M user charges and other charges, all sewer users shall pay a base fee for all customer classes as follows:

Meter Size	Base Fee
½ Inch	\$8,208.49
¾ Inch	\$8,208.49
1 Inch	\$8,208.49
1.5 Inch	\$49,2050.92
2 Inch	\$114,80118.82
3 Inch	\$147,60152.77
4 Inch	\$216,40223.97
6 Inch	\$410,00424.35
8 Inch	\$574,00594.09

For wastewater customers not served by the City's municipal water system and where customer information is not provided by the utility providing such water service, the City will assume a one-inch meter for residential customers. For Commercial/Industrial and Non-Residential users, the Water Resources Division will estimate the meter size based upon similar sized Commercial/Industrial and Non-Residential customers in the same user class as determined by the division.

- (f) All customers located outside the City limits who are provided sewer service by the City shall pay at a rate determined by the Water Resources Division and approved by the city council.
- (1) For the Town of Paradise Valley, the initial rate shall be established by estimating the total charge which would be paid to the City if all users were located within the City. The base user charge payable monthly by the town shall be computed as follows:
- (i) For Single-Family residential and Multi-Family residential town system users, the charge shall be as specified in subparagraph 49-141(j)(1); in addition to the base rate, town system users will be charged a fee for extra collection maintenance as specified in subparagraph 49-141(h)(3) below, and
- (ii) For Commercial/Industrial and Non-Residential town system users, the charge shall be based upon the charges paid by similar users located within the City as specified in subparagraph 49-141(j)(2). In addition to the base rate, town system users will be charged a fee for extra collection maintenance as specified in subparagraph 49-141(h)(3) below.

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- (2) For all others, if the customer fits into a standard classification as listed in subsection (f), the base rate shall be the total sewer rate charged the same classification inside the City. If the outside City customer's sewage has flow or strength characteristics which vary from the in City customer, the City shall assign the customer to a subclass. In this case the inside City rate shall be multiplied by a proportionality constant with accounts for the varying waste characteristic. This modified rate shall then be the base rate.
- (3) If the outside City customer's collection system is more expensive to maintain than the in City customer's, due to factors such as longer travel distances or other collection system characteristics, the extra costs, as determined by the City, shall be recovered by the City, adding an extra collection maintenance charge of up to fifteen (15) percent applied to the base rate, O & M and capital charge as described above, unless otherwise prohibited by law. For town system users located within the Town of Paradise Valley, the extra charge shall be ten (10) percent of the charge computed in subparagraph 49-141(h)(1) above.
- (4) If the outside City customers elect to participate in orderly expansion of treatment facilities with the City by the use of sewer fees, the City with the City Council's approval, may allow such use of the sewer fee.

(f) The Water Resources Division shall establish sewer user charges and rates based upon the following classes:

User Code	User Classes/Classifications/Category
11	Single-Family residential
12	Multi-Family residential
21	Commercial without dining: General offices, retail stores (nonfood), markets (no food service), warehousing, light manufacturing, bars (no food service), public buildings, churches, clubs, lodges (no food service), medical offices, and veterinary offices
22	Commercial with dining: Any of the above that have dining facilities or bakery
23	Hotels, motels, boarding or rooming houses without dining facilities
24	Hotels, motels, boarding or rooming houses with dining facilities
25	Carwashes
26	Commercial laundries
28	Laundromats
29	Metal platers
30	Restaurants, bakeries
32	Service stations, garages, auto dealers, auto repair
40	Medical institutions
	1) Hospitals
	2) Nursing homes
50	Schools
60	Non-uniform discharger, large volume and industrial process waste discharger
99	Non-Compliant

For any mixed use development: 1) If the development contains no food service establishments, then the development shall be categorized based upon the sewer concentration user classification. 2) If the development contains food service establishments, then: a) if less than twenty-five (25) percent of the concentration of the development is attributable to food service establishments, the development will be categorized as commercial without dining; b) if the concentration of the development attributable to food service establishments is between

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twenty-five (25) percent and seventy-five (75) percent, the development will be categorized as commercial with dining; and c) if the concentration of the development attributable to food service establishments exceed seventy-five (75) percent, the development shall be categorized as a restaurant.

In no event will the development be categorized higher than the highest user classification concentration present in the mixed use development.

The Water Resources Division may assign users to one (1) of the classes or subclasses above. The division shall establish subclasses as appropriate or necessary for effectively distributing costs among user classes. A customer may appeal any classification decision made by the city under this subsection by filling a sewer classification appeal form with the division within ten (10) days after the date of the classification decision. Supporting documentation for reclassification must be preapproved by the division prior to analysis. Supporting documentation may include substantial engineering data and/or laboratory analysis reports submitted at the customer's expense. The division may establish a fee to recover the actual cost of investigating a sewer classification dispute and the fee is due when the appeal is submitted. A sewer classification appeal form can be obtained by contacting the division. The appeal shall be heard by the division director. The appeal will be informal and will not be subject to the Rules of Evidence. Testimony will not be taken under oath and subpoenas for the production of evidence or witnesses will not be issued. The decision of the division director shall be final.

(k) The determination of sewage quantity shall be as follows:

- (1) For Single-Family residential and Multi-Family residential customers, quantity will be measured by a determination of the in-building water use. The in-building water use shall be determined by the Water Resources Division for each residential account by taking ninety (90) percent of the accounts' average winter water consumption for December, January, and February of the prior fiscal year. When two (2) or more residential users share a water meter in common, it will be the responsibility of those residential users sharing the common meter to share the costs among themselves.

If the Water Resources Division determines that adequate water meter information is not available for billing a residential customer as described above, the customer will be charged a bill estimated on the basis of in-building water used by a similar sized residential or multi-family residential customer in the same user class as determined by the division.

- (2) For Commercial/Industrial and Non-Residential users, quantity will be measured by a determination of the in-building water use. The in-building water use shall be determined by the Water Resources Division for each Commercial/Industrial and Non-Residential user by taking ninety (90) percent of the account's average winter water consumption for December, January, and February of the prior fiscal year. When two (2) or more Commercial/Industrial and Non-Residential users share a water meter in common, the service charge will be billed at the regular rate to the user billed by the water supplier. It shall be the responsibility of the users sharing the water meter to share the costs among themselves. In cases where the division determines that a sewer user's discharge pattern is too erratic, the division may authorize a rate based on a metered water use, modified by the appropriate outside use factors, instead of a single in-building water use determination.

If the Water Resources Division determines that adequate water meter information is not available for billing a Commercial/Industrial and Non-Residential customer as described above, the customer will be charged a bill estimated on the basis of in-building water used by a similar sized Commercial/Industrial and Non-Residential customer in the same user class as determined by the division.

- (3) For Industrial and large volume users, quantity will be metered as it enters the POTW. Installation of metering facilities will be approved as to number, size and location by the Water Resources Division. The costs of installation and annual calibration shall be the user's responsibility. Results of calibration shall be reported in writing to the division. The division shall furnish a list of licensed manufacturers and equipment testers capable and approved to perform this service, and their reports will be

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accepted by the division. The billings will also be adjusted where it can be estimated through past records, the amounts either over or under actual flows which were billed.

Each industrial and large volume user customer will be considered as a separate user class and the Water Resources Division shall determine the individual factors to be applied to the monthly water meter reading to determine sewage flow.

To determine the monthly sewage flow, annual checks of these factors will be made and, if necessary, the factors will be changed annually.

For wastewater customers not served by the City's municipal water system where customer use information is not provided by the utility providing water service, the customer will be charged a wastewater volume based on the estimate of the in-building water used by a similar customer in the same user class, as will be determined by the division.

- (4) Upon approval of the Water Resources Division, industrial and large volume users may, at their own expense and subject to the regulations of the division, install a separate meter in order to determine the quantity of water actually entering the sewer system and future sewer charges shall be limited to that water actually entering the POTW as so determined by the division.

- (l) A customer may appeal a sewer charge determination made by the City under this subsection by filing a "Water Resources Sewer Charge Adjustment Request" with the Water Resources Division on or before August 31 of each year. A customer appealing a sewer charge determination must declare on the sewer adjustment request water use for pool refills or due to leaks. If the division determines that a significant amount of water use was for pool refills or due to leaks, appropriate sewer billing adjustments will be made, subject to the limitations specified in section 49-145.

In the event that an adjustment is necessary to a water billing due to a reading error, malfunctioning meter or other just cause as determined by the division and sewer user charges were based on the unadjusted consumption, the division shall adjust the sewer user charge to correspond to the adjusted water consumption. The appeal shall be heard by the division director. The appeal will be informal and will not be subject to the Rules of Evidence. Testimony will not be taken under oath and subpoenas for the production of evidence or witnesses will not be issued. The decision of the division director shall be final.

Water Resources sewer adjustment forms will not be accepted after August 31 for the current year.

- (m) A proportionate charge shall be made to all users that discharge sewage, either directly or indirectly, into the POTW. Such charges shall be based on the rate schedules issued pursuant to the above subsections. In addition, each user which discharges any toxic pollutants which cause an increase in the cost of managing the effluent or the sludge of the POTW shall pay for such increased costs.
- (n) All Single-Family and Multi-Family residential users will be assessed as having sewage of normal strength. Quality will be monitored for this class to determine sanitary waste strength. Quality will be monitored wherever a unique situation is found to exist. For all other users, surcharges for industrial loadings will be determined through testing and sampling procedures. The Water Resources division shall monitor large users and industrial quality through a sampling program for all large users and industrial users. Certified statements from users will be utilized to supplement the data and in settling any differences in the estimated strength allowable to that user, where it is so desired. Test sampling will be made by direct sampling utilizing recognized field techniques. If the division determines that the standard BOD test is not representative of a particular user, a TOC or COD test may be substituted.

Any change in the processes employed by a user contributing industrial wastes which results in a variation of more than twenty-five (25) percent in one (1) or more of the effluent loading concentrations shall be reported to the Water Resources Division within thirty (30) days of the change. If it is determined through testing that a significant variation exists between user's certified data and the discharge characteristics monitored by the division, the division may adjust the sewer use charge based on the monitored data from the original date of

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certification, unless written communication has occurred notifying the division of changes in loading and giving specific dates of changes.

Where sampling and gauging of a specific user is not practical for physical, economic, safety or other reasons, the Water Resources Division may designate values for concentrations of the wastes discharged into the POTW for all users in the same standard industrial classification or sub-classification.

Additionally, applicable privilege and other taxes will be added to any charges for this section.

Sec. 49-142. Application for domestic sewer service for an existing unit of service.

- (a) This section shall not apply to sewer users located within the Town of Paradise Valley.
- (b) Before establishing domestic sewer service to an existing unit of service, the user thereof shall make application for service to the City. The application shall set forth:
 - (1) User's name, address, telephone number and social security number.
 - (2) Name, address, telephone number of person responsible for water billing, if other than user.
 - (3) Name, address, telephone number of property owner.
 - (4) The official street address assigned to the property.
 - (5) Such other information as the department director of business services may deem necessary for the purpose of billing and collection.
- (c) Domestic sewer service shall not be established to any property unless the application is completed and all charges against the property of any nature whatsoever due and payable to the City under any City ordinance have been paid. This includes any deposits that may apply.
- (d) Any delinquent amounts owing on existing or prior accounts must be paid when a property owner or tenant applies to open another service account. Failure to pay the delinquent amount owing on a prior account or accounts constitutes grounds for the City to refuse new service.
- (e) In the event that service at a new location is initiated prior to the preparation of a current billing statement for another City account held by the same person or persons or becomes delinquent after the initiation of service at the new location, the amount due or delinquent shall be added to the amount due on the new account. In the event that the account holder or holders fail(s) to pay in full both the transferred amount and the present charges by the delinquent date of the statement on which the transferred amount appears, service on the new account shall be subject to termination in accordance with section 49-148, below.
- (f) Domestic sewer account holders shall notify the City of any change in mailing address, occupancy, or ownership within fifteen (15) days after such change occurs. Failure to contact the City may result in penalties or late charges which shall be the responsibility of the account holders.

Notwithstanding any of the fees specified in this section, nothing shall prohibit the City from charging the property owner, account holder, or potential account holder, the actual cost to perform the account updates. In all such cases the person requesting service shall receive itemized billing for any amounts due above any service charge paid pursuant to this section.
- (g) In the absence of a request by the property owner to do so, the customer service department shall place a service account in the property owner's name when it is known or reasonable to believe that a tenant of the property, or other person previously receiving service, is no longer receiving service.

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Sec. 49-142.2. Administrative account establishment fee.

- (a) This section shall not apply to sewer users located within the Town of Paradise Valley.
- (b) Each sewer user shall be assessed an administrative account establishment fee of twelve dollars (\$12.00) at the time of application for sewer service. This fee shall be charged on the first statement for service. The fee shall be due and payable in accordance with section 49-144.
- (c) In the absence of a request by the property owner to do so, the customer service department may place a service account in the property owner's name when it is known or reasonable to believe that a tenant of the property, or other person previously receiving service, is no longer receiving service.

Sec. 49-143. Deposits.

- (a) This section shall not apply to the Town of Paradise Valley.
- (b) Deposits shall be required of all users who are not served by City water, except as otherwise provided by this section. The required deposit shall be billed and paid as a part of the first monthly utility bill. The deposit shall be in accordance with either subsection (c) or (d) of this section, as applicable. Failure to pay the required deposit on or before the delinquency date for the first monthly utility bill may result in the immediate termination of service as provided in section 49-148.
- (c) If a one-year billing history is available, and the type of use is the same or similar, the deposit will be equal to the average two-month charge.
- (d) If a one-year billing history is unavailable, the deposit will be equal to the annual average two-month charge based on standard industrial codes (SIC) as established by the City for the same or similar property uses.
- (e) Deposits shall not be required of tenant account holders, who have: (1) previously had service accounts with the City of Scottsdale for a period of at least twelve (12) months, within the twenty-four (24) month period immediately preceding the application for new service, and (2) had no more than two (2) payment delinquencies within the most recent twelve-month (12) period of service. "Payment delinquency" means that the City has not received a required payment in a timely manner, resulting in an outstanding balance being shown on the next billing. Prior service under this subsection may be established either by records maintained by the City or provided by the applicant.
- (f) Deposits shall not be required at the time of application for a service account from Single-Family residential property owners who provide adequate proof of ownership as determined by the department director of business services. However, upon default of the payment by the property owner for any sewer service or other City utility services received, a deposit pursuant to the applicable schedule shall be required for all premises owned by the property owner served by City utilities where the property owner is being billed for the utilities.
- (g) Required deposits bearing no interest shall be held by the City. If the user's utility bills remain current for twelve (12) consecutive months, the amount of the deposit shall be credited to the first billing following the twelve (12) month period, or the deposit shall be credited to the account holder's final bill, whichever comes sooner.
- (h) The division director may authorize credits as an incentive to reduce division billing costs.

Sec. 49-144. Reserved.

Sec. 49-145. Limitation on adjustments.

Adjustment of amounts owed or credits due under this article shall be limited to a period of three (3) years from the date of the most recent billing by the City. However, the division director may extend the period when necessary to ensure that charges for sewage service are just and reasonable in conformity with state statutes.

Sec. 49-146. Assessment of late charges.

This section shall not apply to sewer users within the Town of Paradise Valley.

A late charge shall be assessed on any unpaid balance for charges made pursuant to this article in accordance with the provisions of section 49-53.1.

Sec. 49-147. Reserved.

Sec. 49-148. Billing; termination of service; hearing; lien for unpaid charges.

- (a) This section shall not apply to sewer users located within the Town of Paradise Valley.
- (b) For all other delinquent accounts, the provisions of section 49-54 of this Chapter shall be applicable to the user rates and charges set forth in the Division 3.
- (c) In the event that sewer services are terminated pursuant to this subsection, the account holder shall pay a charge of five hundred dollars (\$500.00), together with any other charges which are due and owing to the City under any City ordinance, prior to the re-establishment of sewer service. Notwithstanding any of the fees specified in this section, nothing shall prohibit the City from charging the property owner, account holder, or potential account holder, the actual cost to terminate services. In all such cases the person requesting service shall receive itemized billing for any amounts due above any service charge paid pursuant to this section.

Sec. 49-149. Other collection remedies.

- (a) Any charges imposed by this article, if not paid by the due date specified in section 49-52 may also be collected by a civil action, instituted in the name of the City by the City Attorney at the request of the City at any time after the charge becomes delinquent, notwithstanding any other provisions to the contrary.
- (b) In addition to the late charges specified in section 49-146, the City may recover all costs of litigation and collection including a reasonable attorney's fee.
- (c) The City may assign late charges to a bona fide collection agency for collection.
- (d) The remedies provided by this section shall be cumulative and supplemental to other remedies provided by provisions of this article.

Sec. 49-150. Pay stations.

The City may designate certain private establishments as authorized City sewer services payment stations, in the capacity of limited agents, for the purpose of collecting any such charges. Payment stations so designated shall be required to perform pay station functions in accordance with rules and regulations issued by the City and shall be paid a collection fee, to be established by mutual agreement, for the faithful performance of these functions.

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Secs. 49-151—49-160. Reserved.

DIVISION 4. INDUSTRIAL USERS, PRETREATMENT REQUIREMENTS²

Sec. 49-161. General industrial user requirements.

- (a) *General Prohibitions.* No user shall introduce or cause to be introduced, directly or indirectly, into the POTW any pollutant or wastewater which causes pass through or interference. These general prohibitions and the specific prohibitions in paragraph (b) of this section apply to all users of the POTW, regardless of whether the user is subject to any national, state, or local pretreatment standards or requirements.
- (b) *Specific Prohibitions:* No user shall introduce or cause to be introduced into the POTW the following pollutants, substances, or wastewater:
- (1) Pollutants which create a fire or explosion hazard in the POTW, including, but not limited to, wastestreams with a closed cup flashpoint of less than 140 degrees F (60 degrees Celsius) using the test methods specified in 40 CFR § 261.21;
 - (2) Wastewater having a pH of less than 5.0 or more than 10.5 or that otherwise causes corrosive structural damage to the POTW or equipment;
 - (3) Solid or viscous pollutants, fats, oils, or grease in amounts or sizes which will cause obstruction of the flow in the POTW or result in interference or otherwise disrupt the operation of the POTW or any private sewer;
 - (4) Any pollutants, including oxygen-demanding pollutants (e.g., BOD), released in a discharge at a flow rate and/or pollutant concentration which, either alone or by interaction with other pollutants, will cause interference with the POTW;
 - (5) Heat in amounts which will inhibit biological activity in the POTW resulting in interference, but in no event heat in such quantities that the temperature at a POTW exceeds 104 degrees Fahrenheit (40 degrees Celsius) or any wastewater at a temperature greater than 150 degrees Fahrenheit (65 degrees Celsius);

²Editor's note(s)—Ord. No. 4134, § 1(Res. No. 9629, Exh. A, § 3), adopted June 17, 2014, amended Div. 4 in its entirety, in effect repealing and reenacting said division to read as set out herein. The former Div. 4, § § 49-161—49-167, pertained to similar subject matter and derived from Ord. No. 2623, § 2, adopted Dec. 20, 1993; Ord. No. 2781, § 5, adopted June 5, 1995; Ord. No. 3586, § 1, adopted Sept. 21, 2004; Ord. No. 4007, § 1(Res. No. 9374, Exh. A, § 1), adopted May 14, 2013; and Ord. No. 4147, § 1(Res. No. 9706, § 1), adopted May 13, 2014.

Sections 3 and 4 of Ord. No. 4134 state: the provisions contained in § § 49-91, 49-99, 49-161—49-167, and 49-181—49-185 repealed by this ordinance will continue in full force and effect until August 1, 2014, but as of August 1, 2014, those provisions shall be considered repealed. However:

- (a) all violations of the repealed provisions which occur before their repeal may be fully prosecuted;
- (b) all permits issued under the repealed provisions shall remain valid for their stated term unless sooner terminated or amended pursuant to new sections 49-165 through 49-169 as adopted by this ordinance. The discharge prohibitions and limitations contained in new sections 49-161 through 49-163 will apply to all existing permits and users as of August 1, 2014. Except as provided above, the effective date of the ordinance is July 17, 2014.

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- (6) Petroleum oil, nonbiodegradable cutting oil, or products of mineral oil origin in amounts that will cause interference or pass through;
- (7) Pollutants which result in the presence of toxic gases, vapors, or fumes within the POTW in a quantity that may present an acute risk to worker health and safety or prevent entry into the sewers for maintenance, repair, sampling, or monitoring;
- (8) Any trucked or hauled pollutants, unless the hauler has first obtained written approval from the division.
- (9) Hazardous waste that violates any local limit contained in this article;
- (10) Any of the following prohibited substances:
 - a. 4,4' - DDE
 - b. 4,4' - DDT
 - c. Aldrin
 - d. BHC—Alpha.
 - e. BHC—Beta.
 - f. BHC—Gamma (Lindane).
 - g. Heptachlor.
 - h. Heptachlor epoxide.
 - i. Polychlorinated biphenyl compounds (PCBs).
- (11) Any wastewater which exceeds the following limits for the following substances:

Substance	Limitation ⁽¹⁾	Sample Type
Benzene	35 µg/l	Grab
Chloroform	2000µg/l	Grab

⁽¹⁾ µg/l = micrograms per liter

- (12) Noxious or malodorous liquids, gases, solids, or other wastewater which either alone or by interaction with other wastes are sufficient to create a nuisance or a hazard to life, generate odor complaints, or to prevent entry into the sewers for maintenance or repair;
- (13) Wastewater containing any radioactive wastes or isotopes except in compliance with applicable state or federal regulations;
- (14) Stormwater, surface water, ground water, artesian well water, roof runoff, subsurface drainage, condensate, noncontact cooling water, and unpolluted wastewater unless specifically authorized by the division.
- (15) Sludges, screenings, and other residues from the pretreatment of industrial wastes or from the cleaning of interceptors or sewer collection systems;
- (16) Medical wastes except as specifically authorized by the division in a wastewater discharge permit;
- (17) Wastewater causing, alone or in conjunction with other sources, the POTW's effluent to fail a toxicity test;

- (18) Detergents, surface active agents, or other substances which might cause excessive foaming in the POTW; or
- (19) Wastewater causing a reading on an explosion hazard meter at the point of discharge into the POTW, or at any point in the POTW, of more than ten (10) percent of the Lower Explosive Limit of the meter.
- (c) *National Categorical Pretreatment Standards.* Users must comply with the applicable categorical pretreatment standards under 40 CFR § 403.6 and 40 CFR chapter I, subchapter N, Parts 405-471 which are hereby incorporated by this reference.
- (1) Where a categorical pretreatment standard is expressed only in terms of either the mass or concentration of a pollutant in wastewater, the division may impose equivalent concentrations or mass limits in accordance with 40 CFR § 403.6(c).
 - (2) When wastewater subject to a categorical pretreatment standard is mixed with wastewater not regulated by the same standard, the division shall impose an alternative limit in accordance with 40 CFR § 403.6(e) or require the user to take other steps as necessary to allow the user and the City to determine compliance with the applicable standards.
 - (3) A user may obtain a net/gross adjustment to a categorical pretreatment standard in accordance with 40 CFR § 403.15.
- (d) *Local Limits and Pretreatment Standards.*
- (1) The division is authorized to establish local limits pursuant to 40 CFR § 403.5(c) and the IGA.
 - (2) The following pollutant limits are established to protect against pass through or interference and to implement provisions of this article. No user shall discharge wastewater that exceeds the following limits at any time for any length of time:

Parameter	Daily Maximum Limit ⁽¹⁾ or Instantaneous Limit
Arsenic	0.13 mg/l
Cadmium	0.047 mg/l
Copper	1.5 mg/l
Cyanide	2.0 mg/l
Lead	0.41 mg/l
Mercury	0.0023 mg/l
Selenium	0.10 mg/l
Silver	1.2 mg/l
Zinc	3.5 mg/l

⁽¹⁾ All pollutants are to be analyzed as Total.

- (3) The division may develop Best Management Practices (BMPs) for any significant industrial user or other user, as needed, to implement this article. BMPs may be implemented through a permit, order, or regulation. For purposes of this article, BMPs are pretreatment requirements.
- (4) All users subject to a categorical pretreatment standard shall comply with all requirements of such standard, and shall also comply with any limitations and prohibitions contained in this article. Where the same pollutant is limited by more than one pretreatment standard, the limitations which are more stringent shall prevail. Compliance with categorical pretreatment standards for existing sources shall be within the timeframe specified in the applicable categorical pretreatment standard. Compliance with categorical pretreatment standards for new sources shall be upon commencement of discharge.

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- (5) The division may establish more stringent pretreatment standards or additional site-specific effluent limits, when, in the judgment of the division, such limitations are necessary to implement the objectives of this article.
- (e) *Authority of division director to establish prohibitions and effluent limits.*
- (1) In addition to the prohibitions, standards, and effluent limits outlined in this section, the division director is authorized to:
- (i) Establish limits for individual users or a class of users for various pollutants, materials, waters, or wastes that can be accepted into the sewer system; and
- (ii) Specify those pollutants, materials, waters, or wastes that are prohibited from entering the sewer system.
- (2) All prohibitions and effluent limits so established will be published by the division and placed on the Water Resources Division website and will be enforceable 30 days after the date posting.
- (3) All affected individual users or class of users must comply with the prohibitions and effluent limits established pursuant to this section.
- (f) *Mass Based Limitations.* The division may impose mass limitations on industrial users through industrial wastewater discharge permits where not prohibited by categorical pretreatment standards, and which are using flow equalization to meet applicable federal, state, or city pretreatment standards or requirements, or in other cases where the imposition of mass limitations are appropriate. The division may establish equivalent mass limits only if industrial users satisfy all conditions set forth in 40 CFR 403.6(c)(5)(i)(A) through (c)(5)(i)(E). In such cases, the wastewater discharge permit will contain the mass allocation for each pollutant, any concentration-based categorical standards, maximum flow allowed, and the appropriate monitoring and reporting requirements. Where mass limits have been established, the reports required by sections 49-167(c) and (d) shall also indicate the mass of limited pollutants in the user's wastewater. These reports shall also contain the results of sampling and analysis of the discharge, including production and mass of pollutants contained therein which are limited by the applicable pretreatment standards and requirements.
- (g) *Dilution.* No user shall ever increase the use of process water or in any way attempt to dilute a discharge as a partial or complete substitute for adequate treatment to achieve compliance with any discharge limitation unless expressly authorized by an applicable pretreatment standard or requirement. The division may impose mass limitations and flow limitations on users who are using dilution to meet applicable pretreatment standards or requirements or in other cases when the imposition of mass limitations and flow limitations are appropriate.
- (h) *Point of Discharge: Prohibitions.*
- (1) No person shall discharge any substance directly into a manhole or other opening into the POTW unless specifically authorized by the division or as otherwise permitted under this article.
- (2) Liquid wastes from chemical toilets originating from campers, trailers and other recreational vehicles which have been collected and/or held in tanks or other containers shall not be discharged into the POTW except at locations authorized by the division to collect such wastes within the city.
- (3) No person shall discharge or dispose of wastes into the POTW where such wastes have been collected and/or held in a tank or other container and where such wastes fail to comply with any limitation set out in this article.
- (i) *Tampering Prohibition.*

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- (1) No person shall tamper with, damage, or destroy any monitoring or sampling equipment with the knowledge or intention of altering the sampling analysis or readings or causing damage to such equipment being used to determine compliance with this article.
 - (2) No person shall tamper with a manhole or enter any City manhole without specific authorization from the City.
 - (3) No person shall tamper with any pretreatment device, including, but not limited to, any unauthorized alteration of the original equipment or its design, any discharge of waste into the pretreatment device from any source other than as originally intended, or the removal of an originally intended source of discharge from the pretreatment device.

Sec. 49-162. Pretreatment of wastewater.

- (a) *Pretreatment Facilities.* Users shall provide wastewater treatment as necessary to comply with this article and shall achieve compliance with all pretreatment standards and requirements set out in this article within the most stringent time limitations specified by EPA, the state, or the division. Users shall provide and properly operate and maintain all pretreatment equipment and facilities at their own expense. Users shall submit to the division detailed plans describing such pretreatment facilities and operating procedures prior to construction or operation. The division's review of such plans and operating procedures shall in no way relieve the users from the responsibility of modifying such facilities as necessary to produce a discharge acceptable to the City under the provisions of this article. Any subsequent modifications to such pretreatment facilities or operating procedures shall only be made in compliance with this article.
- (b) *Additional Pretreatment Measures.*
 - (1) The division may require users to restrict their discharges during peak flow periods, designate that certain wastewater be discharged only into specified sewers, relocate and/or consolidate points of discharge, separate sewage wastestreams from industrial wastestreams, or implement such other measures as may be necessary to protect the POTW and demonstrate the users' compliance with the requirements of this article.
 - (2) The division may require any users to install and maintain on their premises and at their sole expense, suitable storage and flow-control equipment to ensure equalization of flow. The division may issue a wastewater discharge permit solely for flow equalization.
 - (3) The division may require users with the potential to discharge flammable substances to install and maintain approved combustible gas detection meters.
- (c) *Monitoring Equipment.*
 - (1) The division may require users of any pretreatment facility to install at their sole expense suitable monitoring equipment which shall measure and facilitate accurate and representative observation and sampling of any discharges in order to demonstrate compliance with this article.
 - (2) The monitoring equipment shall be placed at an outdoor location on the user's premises. The division, in its discretion, may approve the placement of monitoring equipment at alternative locations.
 - (3) When different operations of a single user produce significantly different wastewater constituents or characteristics, the division may require the user to install separate building sewers and monitoring equipment. When more than one user discharges into a common building sewer, the division may require each user to install separate monitoring equipment. Users have ongoing obligations to maintain all monitoring equipment in proper working order and to assure such equipment is safe and readily accessible by the user and the division.

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- (4) All monitoring equipment shall be constructed in accordance with the division's requirements and all applicable construction standards and specifications.
- (5) Users shall provide and maintain all devices to measure wastewater flow and quality and shall calibrate the devices according to the manufacturers' recommendations to ensure accuracy.
- (d) *Accidental Discharge/Slug Discharge Control Plans.*
- (1) Each user shall, at its sole expense, implement measures and provide and maintain facilities necessary to prevent the accidental discharge or slug loads of pollutants regulated under this article.
- (2) The division shall evaluate whether an SIU requires an accidental discharge/slug discharge control plan or other measures to control slug discharges. The division may require any user to develop, submit for approval, and implement a slug control plan or take such other action that may be necessary to control slug discharges. The division may establish specific requirements and conditions to prevent accidental or slug discharges for any user.
- (3) An accidental discharge/slug discharge control plan shall include, at a minimum, the following:
- (i) Detailed plans (schematics) showing facility layout and plumbing representative of operating procedures and conditions;
 - (ii) Description of contents and volumes of any process tanks;
 - (iii) Description of discharge practices, including non-routine batch discharges;
 - (iv) List of stored chemicals, including location, volumes, and spill prevention measures employed;
 - (v) Procedures for immediately notifying the division of any accidental or slug discharge, as required by section 49-167(f). In the case of an accidental or slug discharge, the user is responsible for complying with the reporting requirements set forth in section 49-167(f).
 - (vi) A notice permanently posted on the user's bulletin board or other prominent place advising employees of notification instructions in the event of an accidental or slug discharge. Employers shall ensure that all employees who work in any area where an accidental or slug discharge may occur are advised as to all emergency notification procedures.
 - (vii) Procedures to prevent an accidental or slug discharge. Such procedures shall include, but are not limited to, inspection and maintenance of storage areas, handling and transfer of materials, loading and unloading operations, control of plant site runoff pursuant to Chapter 37, Article III of this Code, worker training, building of containment structures or equipment, measures for containing toxic organic pollutants, including solvents, and/or emergency response measures and equipment.

Sec. 49-163. Fats, oils, and grease control.

The division director is authorized to develop and submit to the City Council, for approval by resolution, rules and procedures requiring users to install, maintain, clean, repair, and for the City to inspect grease, sand, and oil interceptors, oil and water separators, and hair and grease traps as required for the proper handling of wastewater containing excessive amounts of fats, oils, grease, sand, or other pollutants. Such interceptors and separators shall not be required for residential users.

Sec. 49-164. Regulation of users from outside jurisdictions.

- (a) If a user located in another municipal, county, state, or tribal jurisdiction contributes wastewater to the City's POTW, the division shall enter into an agreement with the contributing user. The division shall enter into an intergovernmental agreement with other public entities which contribute wastewater to the City's POTW.
- (b) Prior to entering into an agreement required by subsection (a), above, the contributing user or public entity shall provide to the division the following information:
 - (1) A description of the quality and volume of wastewater to be contributed to the POTW;
 - (2) An inventory of all residential, commercial, and industrial sources contributing wastewater to the POTW; and
 - (3) Such other information as the division may deem necessary.
- (c) The contributing party agreement, as required by subsection (a), above, shall contain the following:
 - (1) A requirement for the contributing party to adopt a sewer use ordinance, tariffs, or rules which shall impose on all sources contributing wastewater to the POTW requirements which shall be no less stringent than the requirements of this article, including implementation and enforcement of pretreatment standards and requirements on non-domestic users.
 - (2) A requirement for the contributing party to submit to the division an updated source inventory on at least an annual basis;
 - (3) A requirement authorizing the division access to all information relating to wastewater quantity and quality from the contributing party and all residential, commercial, and industrial sources therein;
 - (4) Limits on the nature, quality, and volume of the contributing party's wastewater at the point(s) of discharge(s) to the POTW;
 - (5) Requirements for monitoring the contributing party's discharge(s);
 - (6) A provision authorizing the division access to inspect and sample sources of wastewater from any residence or industrial facility located within the contributing party's service area or boundaries;
 - (7) A provision specifying which pretreatment activities will be conducted by the contributing party, by the division, and jointly; and
 - (8) A provision specifying remedies available for breach of the terms of the agreement.
- (d) The contributing user agreement may, if acceptable to the City, include a provision specifying that the City shall be delegated full responsibility for implementation and enforcement of the pretreatment program.

Sec. 49-165. Wastewater discharge permit application.

- (a) When requested by the division, a user must submit information as to the nature and characteristics of its wastewater within thirty (30) days of the request. The division director is authorized to prepare a wastewater survey form for this purpose and may periodically require users to update this information.
- (b) No significant industrial user shall discharge wastewater into the POTW without first applying for and obtaining an individual wastewater discharge permit from the division. Such permit application shall also include an annual or temporary (60 days or less) discharge permit fee.
- (c) The division may require other non-significant industrial users to obtain wastewater discharge permits as necessary to carry out the purposes of this article. The division may issue a zero discharge permit to prohibit the discharge of some or all non-domestic process wastewater. The division may issue temporary

wastewater discharge permits for periods not to exceed sixty (60) days and subject to specific flow and discharge limitations and discharge fees.

- (d) Any user required to obtain a permit to discharge wastewater into the POTW must apply for and obtain such permit prior to commencing such discharge. The user shall file a completed application for a wastewater discharge permit at least one hundred and eighty (180) days prior to the date upon which any discharge will begin.
- (e) Any user who is required to obtain a wastewater discharge permit and who was discharging into the POTW prior to the effective date of this article and who wishes to continue such discharges shall apply for a permit by submitting a completed permit application no later than thirty (30) days following the effective date of this article. Such users shall not cause or allow discharges to the POTW to continue after thirty (30) days of the effective date of this article except if authorized by the division.
- (f) Wastewater Discharge Permit Application Contents. The division shall prescribe the form of all wastewater discharge permit applications. Applicants shall submit completed application forms within the time frames set forth in subsections (d) and (e) above. Incomplete or inaccurate applications will not be processed and will be returned to the user for revision. In support of its application, the user shall submit, in units and terms appropriate for evaluation, the following:
 - (1) Identifying Information.
 - (i) The name of the industry and address of the facility, and mailing address if different;
 - (ii) The name of the operator and owner;
 - (iii) Location of discharge if different from the facility address;
 - (iv) Contact information;
 - (v) Description of facility activities, operations, and production processes.
 - (2) A list of any environmental control permits held by or for the facility.
 - (3) Description of Operations.
 - (i) A brief description of the nature and average rate of production;
 - (ii) The Standard Industrial Classification (SIC) or North American Industry Classification System (NAICS) codes of the operation(s);
 - (iii) A schematic process diagram that indicates points of discharge to the POTW from the regulated processes;
 - (iv) Types of wastes generated;
 - (v) A list of all used or stored materials and chemicals which are or could potentially be discharged to the POTW;
 - (vi) Number and classification of employees and staff;
 - (vii) Proposed or actual hours of operation;
 - (viii) Type and amount of raw materials processed (annual average and maximum per day);
 - (ix) Detailed site plans, floor plans, mechanical and plumbing plans that show all sewers, floor drains, and appurtenances by size, location, and elevation, and all points of discharge.
 - (4) Time, duration, and volume of discharges.
 - (5) All proposed waste monitoring locations.

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(6) Measured average daily and maximum daily flow, in gallons per day, to the POTW from regulated process streams and other streams, as necessary, to allow use of the combined wastestream formula set out in 40 CFR § 403.6(e).

(7) Measurement of Pollutants

- (i) The pretreatment standards applicable to each regulated process;
- (ii) The results of sampling and analysis identifying the nature and concentration (or mass, where required by the standard or by the division) of regulated pollutants in the discharge from each regulated process;
- (iii) Instantaneous, daily maximum, and long-term average concentrations (or mass, where required);
- (iv) Samples shall be representative of daily operations and shall be taken and analyzed in accordance with procedures set out in sections 49-167(j) and (k). Where the standard requires compliance with a BMP or pollution prevention alternative, the user shall submit documentation as required by the division or the applicable standards to determine compliance with the standard.

(8) Any other information as the division may deem necessary to evaluate the permit application.

(g) Application Signatories and Certifications:

- (1) All wastewater discharge permit applications, user reports and certification statements must be signed by an authorized representative of the user and contain the applicable certification statement(s) set forth in section 49-167(o).
- (2) If the designation of an authorized representative is no longer accurate because a different individual or position has responsibility for the overall responsibility for environmental matters for the company, a new written authorization satisfying the requirements of this section must be submitted to the division prior to or together with any reports to be signed by an authorized representative.
- (3) A facility determined to be a non-significant industrial user may be required to submit an annual signed certification statement set forth in 40 CFR § 403.12(q).

Sec. 49-166. Wastewater discharge permit conditions.

(a) After evaluating the data furnished by an applicant, the division will determine whether to issue a wastewater discharge permit.

- (1) A determination as to whether to issue a wastewater discharge permit shall be made within sixty (60) days of the division's receipt of a complete wastewater discharge permit application.
- (2) Any violation of the terms and conditions of a wastewater discharge permit shall be deemed a violation of this article and shall subject the permittee to sanctions as set out in Division 5 of this article. A wastewater discharge permittee shall also comply with all federal and state pretreatment standards or requirements and with any other requirements of federal, state, and local law.
- (3) The division shall issue a wastewater discharge permit if the division determines that all of the following conditions are met:
 - (I) The applicant has filed a timely and complete permit application and paid all applicable fees;
 - (II) The applicant's proposed discharge is in compliance with the limitations established in this article;
 - (III) The applicant's proposed operations and discharges will not interfere with the normal and efficient operation of the POTW, including the collection system; and

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- (iv) The applicant's proposed discharges will not result in a violation of the terms and conditions of any NPDES permit or cause or contribute to pass through or interference.
- (b) If the division determines that the condition set out in subsection (a)(3)(ii) of this subsection is not met, the division may, in its discretion, issue or amend a wastewater discharge permit provided: (1) the remaining conditions set forth in subsections (a)(3)(i), (a)(3)(iii), and (a)(3)(iv) of this subsection have been met; and (2) the division approves a submitted compliance schedule specifying any additional measures and milestones the applicant must implement to insure compliance with pretreatment standards and requirements. At no time shall the division permit a discharge that may violate any general and specific prohibitions or local limits established in section 49-161 or allow an extension of a final compliance date for a categorical standard.
- (c) **Wastewater Discharge Permit Duration.** The division may issue a wastewater discharge permit for any specified period of time, but in no case longer than five (5) years from the effective date of the permit. Each wastewater discharge permit will include a specific expiration date. A permittee shall apply for reissuance of a permit no later than thirty (30) days prior to the expiration date.
- (d) **Wastewater Discharge Permit Contents.**
- (1) A wastewater discharge permit shall include such requirements as the division deems reasonably necessary to prevent pass through or interference, protect the quality of receiving water bodies, protect worker health and safety, facilitate sludge management and disposal, and protect against damage to the POTW. All wastewater discharge permits shall be expressly subject to all provisions of this article and all other applicable regulations, user charges, and fees established by the City.
- (2) Wastewater discharge permits shall contain:
- (i) The permit's issuance date, expiration date and effective date;
 - (ii) A statement that the permit shall not be transferable without prior notification to the City and except in accordance with section 49-166(h);
 - (iii) Effluent limits, including Best Management Practices, based on applicable pretreatment standards;
 - (iv) Self-monitoring, sampling, reporting, notification, and record-keeping requirements including an identification of pollutants (or best management practice) to be monitored, sampling location(s), sampling frequency, and sample type based on federal, state, and local law;
 - (v) Applicable civil and/or criminal penalties for violations of pretreatment standards and requirements, the permit, this article, and any applicable compliance schedule;
 - (vi) Requirements to control slug discharges and to immediately notify the division of any facility changes affecting the potential for a slug or accidental discharge.
- (3) Wastewater Discharge Permits may contain:
- (i) Limits on the average and/or maximum rate of discharge, time of discharge, and/or requirements for flow regulation and equalization;
 - (ii) Requirements for the installation or construction of pretreatment technology, pollution control, or containment devices designed to reduce, eliminate, or prevent the introduction of pollutants into the POTW;
 - (iii) Accidental spill control plans or other special conditions including management practices necessary to prevent accidental, unanticipated, or non-routine discharges;
 - (iv) Waste minimization plans to reduce the amount of pollutants discharged to the POTW;

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- (v) The unit charge or schedule of user charges and fees for the discharge of wastewater to the POTW;
 - (vi) Requirements for installation and maintenance of inspection and sampling facilities and equipment, including flow measurement devices;
 - (vii) A statement that compliance with the permit does not relieve the permittee of responsibility for compliance with all applicable federal and state pretreatment standards and requirements, including those which become effective during the term of the wastewater discharge permit;
 - (viii) Other conditions as the division deems appropriate to ensure compliance with this article, and state and federal laws, rules, and regulations; or
 - (ix) Requirements to segregate sewage and industrial wastewater piping, such that the discharge of industrial wastewater flow into the POTW could be halted while still allowing sewage to discharge into the POTW.
- (e) Applicant's Right to Comment.
- (1) Upon completion of its evaluation, the division shall develop and provide a draft permit to the applicant.
 - (2) The applicant shall have fourteen (14) days from the date of receipt of the draft permit to file written comments with the division. The division may, but shall not be required to, schedule a meeting with the applicant's authorized representative within fifteen (15) days following receipt of the applicant's comments and attempt to resolve any disputed issues. The applicant is responsible for providing data and other information to support its comments.
 - (3) If the applicant files no comments on the draft permit or if a subsequent agreement is reached concerning the same, the division director shall issue to the applicant a wastewater discharge permit incorporating all such conditions.
- (f) Wastewater Discharge Permit Appeals. A permittee may petition the division to reconsider a permit denial or the terms of a wastewater discharge permit within fourteen (14) days following a denial or the permit's effective date.
- (1) Failure to submit a timely petition for reconsideration shall be deemed a waiver of the administrative appeal.
 - (2) In its petition, the permittee must identify the wastewater discharge permit provisions to which it objects, the reason(s) for its objection, and any proposed alternative permit condition(s). If the appeal relates to a permit denial, the applicant must identify all reasons as to why the permit should be issued or a permit renewal should be granted.
 - (3) The provisions and effectiveness of the wastewater discharge permit shall not be stayed pending the appeal.
 - (4) If the division fails to act within thirty (30) days of its receipt of an appeal, the petition for reconsideration shall be deemed denied. Decisions not to reconsider a wastewater discharge permit, not to issue or renew a wastewater discharge permit, or not to modify a wastewater discharge permit shall be considered final administrative actions for purposes of judicial review.
 - (5) Aggrieved parties seeking judicial review of the final administrative wastewater discharge permit decision must do so by filing a timely special action petition with the Maricopa County Superior Court.
- (g) Permit Modification. The division may modify a wastewater discharge permit for good cause, including, but not limited to, the following reasons:
- (1) To incorporate any new or revised federal, state, or local pretreatment standards or requirements;

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- (2) To address significant alterations or additions to the user's operation, processes, or wastewater volume or character since the issuance of the wastewater discharge permit;
 - (3) A change in the POTW that requires either a temporary or permanent reduction or elimination of the authorized discharge;
 - (4) Information indicating that the permitted discharge poses a threat to the POTW and/or its personnel, the general public, or the environment;
 - (5) Violation of any terms or conditions of the wastewater discharge permit;
 - (6) Misrepresentations or failure to fully disclose all relevant facts in the wastewater discharge permit application or in any required reporting;
 - (7) Revision or a grant of a variance from categorical pretreatment standards pursuant to 40 CFR § 403.13;
 - (8) To correct typographical or other errors in the wastewater discharge permit; or
 - (9) To reflect a transfer of the facility ownership or operation to a new owner or operator where requested in accordance with section 49-166(h).
- (h) Wastewater Discharge Permit Transfer.
- (1) Wastewater discharge permits may be transferred to a new owner or operator only if the permittee gives at least sixty (60) days prior written notice to the division, and the division approves the wastewater discharge permit transfer in writing. The notice to the division must include a written certification by the new owner or operator which:
 - (i) States that the new owner and/or operator has no immediate intent to change the facility's operations and processes;
 - (ii) Identifies the specific date on which the transfer is to occur; and
 - (iii) Acknowledges full responsibility for complying with the existing wastewater discharge permit.
 - (2) A permittee's failure to provide advance notice of a transfer shall render the wastewater discharge permit void as of the date of the facility transfer. A new owner or operator subject to a permit transfer shall not discharge wastewater to the POTW without a valid permit.
 - (i) Wastewater Discharge Permit Revocation. The division may revoke a wastewater discharge permit for good cause including, but not limited to, the following reasons:
 - (i) Failure to provide prior notification to the division of significant changes to the wastewater prior to such change;
 - (ii) Failure to notify the division of changed conditions pursuant to section 49-167(e);
 - (iii) Misrepresentation of or failure to fully disclose all relevant facts in the wastewater discharge permit application;
 - (iv) Falsifying any required reports, including self-monitoring reports and certification statements;
 - (v) Tampering with monitoring equipment;
 - (vi) Refusing to allow the division timely access to the facility premises and records;
 - (vii) Violations of any effluent limitation, pretreatment standards or requirements or any terms of the wastewater discharge permit or this article;
 - (viii) Failure to meet effluent limitations;

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- (ix) Failure to pay fines;
 - (x) Failure to pay sewer charges;
 - (xi) Failure to pay permit and sampling fees;
 - (xii) Failure to meet compliance schedules; or
 - (xiii) Failure to complete a wastewater survey or the wastewater discharge permit application.

Sec. 49-167. Reporting requirements.

(a) Baseline Monitoring Reports.

- (1) Within either one hundred eighty (180) days after the effective date of a categorical pretreatment standard, or the final administrative decision on a category determination under 40 CFR § 403.6(a)(4), whichever is later, existing industrial users subject to such categorical pretreatment standards and currently discharging to or scheduled to discharge to the POTW shall submit to the division a report which contains the information listed in subsection (2), below. At least ninety (90) days prior to commencement of their discharge, new sources, and sources that become categorical industrial users subsequent to the promulgation of an applicable categorical standard, shall submit to the division a report which contains the information listed in subsection (2), below. A new source shall also report the method of pretreatment it intends to use to meet applicable pretreatment standards. A new source also shall give estimates of its anticipated flow and quantity of pollutants to be discharged from regulated process streams and other non-process streams.
- (2) Users described above shall submit the following information:
 - (i) Name and address of the facility, including name of the operator, owner, and SIC/NAICS codes;
 - (ii) A list of any environmental control permits held by or for the facility;
 - (iii) A brief description of the nature, average rate of production, and standard industrial classifications of the operation(s) carried out by such user, including a schematic process diagram in relation to a site plan which indicates points of discharge to the POTW from the regulated processes;
 - (iv) Measured average daily and maximum daily flow, in gallons per day, to the POTW from regulated process streams and other streams as necessary to allow the use of the combined wastestream formula set forth in 40 CFR § 403.6(e).
 - (v) Measurement of Pollutants.
 - 1. The pretreatment standards applicable to each regulated process;
 - 2. The results of sampling and analysis identifying the nature and concentration (or mass, where required by the standard or by the division) of regulated pollutants in the discharge from each regulated process;
 - 3. Instantaneous, daily maximum, and long-term average concentrations (or mass, where required);
 - 4. Samples shall be representative of daily operations, and the samples shall be taken and analyzed in accordance with procedures set out in sections 49-167(j) and (k). Where the standard requires compliance with a BMP or pollutant prevention alternative, the user shall submit documentation as required by the division or the applicable standard to determine compliance with the standard.

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- (vi) The user shall take a minimum of one (1) representative sample to compile that data necessary to comply with the requirements of this subsection.
 - (vii) Samples should be taken immediately downstream from pretreatment facilities if such exist or immediately downstream from the regulated process if no pretreatment exists. If other wastewaters are mixed with the regulated wastewater prior to pretreatment, the user should measure the flows and concentrations necessary to allow use of the combined wastestream formula set forth in 40 CFR § 403.6(e) in order to evaluate compliance with the pretreatment standards. Where an alternate concentration or mass limit has been calculated in accordance with 40 CFR § 403.6(e), this adjusted limit along with supporting data shall be submitted to the division. Sampling and analysis shall be performed in accordance with sections 49-167(j) and (k).
 - (viii) The division may allow the submission of a baseline monitoring report which utilizes only recent historical data so long as the data provide information sufficient to determine the need for industrial pretreatment measures.
 - (ix) The baseline monitoring report shall indicate the time, date, and place of sampling and methods of analysis, and shall certify that such sampling and analysis is representative of normal work cycles and expected pollutant discharges to the POTW.
- (3) Compliance Certification. The user shall submit a statement, reviewed by the user's authorized representative and certified by a qualified professional, indicating whether pretreatment standards are being met on a consistent basis, and, if not, whether additional operation and maintenance (O&M) and/or additional pretreatment is required to meet the pretreatment standards and requirements.
 - (4) Compliance Schedule. If additional pretreatment and/or O&M will be required to meet the pretreatment standards, the user shall submit the shortest schedule by which the user will provide such additional pretreatment and/or O&M must be provided. The completion date in this schedule shall not be later than the compliance date established for the applicable pretreatment standard. A compliance schedule pursuant to this subsection shall comply with the requirements of section 49-167(b).
 - (5) Signature and Report Certification. All baseline monitoring reports must be signed certified in accordance with section 49-167(o) and signed by an authorized representative as defined in section 49-91.
- (b) *Compliance Schedule Progress Reports.* The following conditions shall apply to the compliance schedule required by section 49-167(a)(4):
 - (1) The schedule shall contain progress increments in the form of dates for the commencement and completion of major events leading to the construction and operation of additional pretreatment required for the user to meet the applicable pretreatment standards. Such events include, but are not limited to, hiring an engineer, completing preliminary and final plans, executing contracts for major components, commencing and completing construction, and beginning and conducting routine operation;
 - (2) No progress increment referred to above shall exceed nine (9) months;
 - (3) The user shall submit a progress report to the division no later than fourteen (14) days following each date in the schedule and the final date of compliance including, at a minimum, whether the user complied with the progress increment, the reason for any delay, and, if appropriate, the steps being taken by the user to return to the established schedule; and
 - (4) In no event shall more than nine (9) months elapse between such progress reports to the division.
 - (c) *Reports on Compliance with Categorical Pretreatment Standard Deadline.* Within ninety (90) days following the date for final compliance with applicable categorical pretreatment standards, or in case of a new source

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following commencement of the introduction of wastewater into the POTW, any industrial user subject to such pretreatment standards and requirements shall submit to the division a report containing the information described in section 49-167(a)(2)(iv)—(ix) and (3). For users subject to equivalent mass or concentration limits, this report shall contain a reasonable measure of the user's long-term production rate. For all other users subject to categorical pretreatment standards expressed in terms of allowable pollutant discharge per unit of production (or other measure of operation), this report shall include the user's actual production during the appropriate sampling period. All compliance reports must be signed and certified in accordance with section 49-167(o). All sampling and analysis will be done in conformance with section 49-167(j) and (k).

(d) *Periodic Compliance Reports.*

- (1) All SIUs and other users as may be designated by the division shall, at a frequency determined by the division, submit no less than once every six (6) months, unless required more frequently in the permit or by the division, reports indicating the nature and concentration of pollutants in the discharge which are limited by pretreatment standards and the measured or estimated average and maximum daily flows for the reporting period. In cases where the pretreatment standard requires compliance with a BMP or pollutant prevention alternative, the user shall submit documentation required by the division or the pretreatment standard as necessary to determine the compliance status of the user.
- (2) All periodic compliance reports must be signed and certified in accordance with section 49-167(o).
- (3) All wastewater samples must be representative of the user's discharge. Wastewater monitoring and flow measurement facilities shall be properly operated, kept clean, and maintained in good working order at all times. The failure of a user to keep its monitoring facility in good working order shall not be grounds for a user to claim that any sample results are not representative of its discharge.
- (4) If a user subject to the reporting requirement in this section monitors any regulated pollutant at a designated sampling location more frequently than required by the division, the user shall include the results of this monitoring in the report and use the methods and procedures prescribed in section 49-167(j) and (k).

(e) *Reports of Changed Conditions.* Every user shall submit a written notification to the division a minimum of ten (10) days prior to any planned significant change in the nature, quality, or volume of pollutants in its discharge and any flow increases of twenty percent (20%) or greater. A "significant change" shall include, but is not limited to:

- (1) Any change to the user's processing, manufacturing or other production operations affecting its discharge;
- (2) The addition of any regulated substances which may affect the user's discharge;
- (3) Any changes in the listed or characteristic hazardous waste for which the user has submitted or is required to submit notification to the division under this article and 40 CFR § 403.12(p) as amended.

(f) *Reports of Potential Problems.*

- (1) In the case of any discharge, including, but not limited to, an accidental discharge, a slug discharge, slug load, or a discharge that might cause potential problems for the POTW, the user shall immediately notify the division of the incident through telephone, in writing, and through electronic mail.

This notification shall include:

- (i) Name and location of the facility;
- (ii) Identity of the caller;
- (iii) Date, time, and location of the discharge;

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- (iv) Date and time discharge was halted;
 - (v) Estimated volume of the discharge;
 - (vi) Pollutants that may be present and their concentration;
 - (vii) Corrective actions taken to halt the discharge; and
 - (x) Pollutant disposal methods in lieu of discharge.
- (2) Within five (5) days following such discharge, the user shall, unless waived by the division, submit a detailed written report describing the cause(s) of the discharge and the measure(s) the user shall undertake to prevent similar future occurrences. Such notification shall not relieve the user of any expense or liability arising from the discharge or which may result in loss or damage to the POTW, natural resources, or any other damage to person or property; nor shall such notification relieve the user from any City enforcement action imposed pursuant to this article.
 - (3) A notice shall be permanently posted on the user's bulletin board or other prominent place advising employees whom to notify in the event of a discharge described in subsection (f)(1) above. Employers shall ensure that all employees who may cause such a discharge are advised of the emergency notification procedure.
 - (4) SIUs are required to notify the division immediately of any changes at their facilities affecting the potential for a slug discharge.
 - (5) Bypasses are hereby deemed potential problems, and the requirements and prohibitions that apply to bypasses as set forth in 40 CFR § 403.17 are specifically incorporated by this reference.
- (g) *Reports from Unpermitted Users.* All nondomestic users not required to obtain a wastewater discharge permit shall provide such reports to the division as the division may require. These reports may include, but are not limited to, industrial wastewater questionnaires, surveys, permit applications, and reports demonstrating compliance with Best Management Practices. If required by the City, these reports shall include the signatory certification statement specified in section 49-167(o).
 - (h) *Notification of Violation/Repeat Sampling Reporting.*
 - (1) If sampling performed by a user indicates a violation of a pretreatment standard, the user shall:
 - (i) Notify the division within twenty-four (24) hours of becoming aware of the violation (e.g., receipt of final analytical laboratory reports);
 - (ii) Repeat the sampling and analysis and submit the results of the repeat analysis to the division within thirty (30) days after becoming aware of the violation.
 - (2) The industrial user is not required to perform repeat sampling if the division performs sampling at the user's facility at least once a month, or if the division performs sampling at the user's facility between the time when the initial sampling was conducted and when the user or division receives the results of this sampling; or if the division has performed the sampling and analysis in lieu of the industrial user. If the division performed the sampling and analysis in lieu of the user, the division will perform the repeat sampling and analysis within thirty (30) days after becoming aware of a violation unless it notifies the user of the violation and requires the user to perform the repeat sampling and analysis.
 - (i) *Notification of the Discharge of Hazardous Waste.*
 - (1) Any user who commences the discharge of hazardous waste shall notify the POTW, the EPA Regional Waste Management, Waste Division Director, and the Waste Programs Division of ADEQ in writing of any discharge into the POTW of a substance which, if otherwise disposed of, would be hazardous waste under 40 CFR Part 261. Such notification must include the name of the hazardous waste as set forth in 40 CFR Part 261, the EPA hazardous waste number, and the type of discharge (continuous, batch, or

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other). If the user discharges more than one hundred (100) kilograms of such waste per calendar month to the POTW, the notification shall also contain the following information to the extent known and readily available to the user: an identification of the hazardous constituents contained in the wastes; an estimate of the mass and concentration of such constituents in the wastestream discharged during that calendar month; and an estimate of the mass of such constituents in the wastestream expected to be discharged during the following twelve (12) months. All notifications must take place within one hundred and eighty (180) days after the discharge commences. Any notification under this section need be submitted only once for each hazardous waste discharged. However, notification of changed conditions must be submitted under section 49-167(e) of this article. The notification requirement in this subsection does not apply to pollutants already reported under the self-monitoring requirements of sections 49-167(a), (c), and (d).

- (2) Users are exempt from the requirements of subsection (j)(1) above during a calendar month in which they discharge no more than fifteen (15) kilograms of hazardous wastes unless the wastes are acute hazardous wastes as specified in 40 CFR 261.30(d) and 261.33(e). Discharge of more than fifteen (15) kilograms of non-acute hazardous wastes in a calendar month or any quantity of acute hazardous wastes as specified in 40 CFR 261.30(d) and 261.33(e) requires a one-time notification. Subsequent months during which the user discharges additional amounts of such quantities of any hazardous waste do not require additional notification.
 - (3) In the event of any new regulations under Section 3001 of RCRA identify additional characteristics of hazardous waste or list any additional substance as a hazardous waste, the user must notify the division, the EPA Regional Waste Management, Waste Division Director, and the Waste Programs Division of ADEQ of the discharge of such substance within ninety (90) days of the effective date of such regulations.
 - (4) As to any notification under this subsection, the user shall certify that it has a program in place to reduce the volume and toxicity of hazardous wastes generated to the degree it has determined to be economically practical.
 - (5) This hazardous waste notification of discharge does not create a right to discharge any substance not otherwise permitted to be discharged by this article, a permit issued hereunder, or any applicable federal or state law.
- (j) *Sampling Methods.* All samples collected to determine compliance under this article must be obtained in accordance with the techniques and procedures prescribed in 40 CFR Part 136.
- (k) *Sample Analysis.* The analysis of all samples collected for compliance with the requirements of this article must be conducted pursuant to the techniques and procedures prescribed in 40 CFR Part 136 by a laboratory licensed by the State of Arizona as an environmental laboratory or such other approval authority deemed acceptable by the division.
- (1) Except as set forth in subsections (2) and (3) below, the user must collect representative wastewater samples using 24-hour flow proportional composite sampling techniques, unless the division authorizes time-proportional composite sampling or grab sampling. If the division authorizes time-proportional composite sampling or grab sampling, the samples must be representative of the discharge.
 - (2) Samples for oil and grease, temperature, pH, cyanide, total phenols, sulfides, and volatile organic compounds must be obtained using grab collection techniques unless otherwise specified in the wastewater discharge permit. Using protocols (including appropriate preservation) specified in 40 CFR Part 136 and appropriate EPA guidance, multiple grab samples collected during a 24-hour period may be composited prior to the analysis as follows: for cyanide, total phenols, and sulfides, the samples may be composited in the laboratory or in the field; for volatile organics and oil and grease, the samples may be composited in the laboratory. In addition, grab samples may be required to show compliance with instantaneous limits, including pH.

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- (3) For sampling required in support of baseline monitoring and 90-day compliance reports required in sections 49-167(a) and (c), and 40 CFR § 403.12(b) and (d), a minimum of four (4) grab samples must be used for pH, cyanide, total phenols, oil and grease, sulfide, and volatile organic compounds for facilities for which historical representative sampling data do not exist. Where recent historical data are available, the division may authorize a lower minimum. For the reports required by sections 49-167(d) and (g), the industrial user is required to collect the number of grab samples necessary to assess and assure compliance with applicable pretreatment standards and requirements.
- (l) *Continuous pH Monitoring.* The division may, in its discretion, require an industrial user to continuously monitor the pH of its discharge, and pH monitoring shall be pursuant to a division approved monitoring plan. The user shall install, operate and maintain the pH monitoring equipment at the user's sole cost and expense.
- (m) *Date of Receipt of Reports.* Written reports will be deemed to have been submitted on the date postmarked if mailed or on the date received if delivered by hand or some other means.
- (n) *Recordkeeping.* Users subject to the reporting requirements of this article shall retain, and make available for inspection and copying, all records of information obtained pursuant to any monitoring activities required by this article, any additional records of information obtained pursuant to monitoring activities undertaken by the user independent of such requirements, and documentation associated with BMPs established under section 49-161(d). Records shall include: the date, exact place, method, and time of sampling, and the name of the person(s) taking the sample; the dates analyses were performed; who performed the analyses; the analytical techniques or methods used; and the results of such analyses. These records shall remain available for a period of three (3) years. This retention period shall be automatically extended for the duration of any litigation concerning the user or the City, or where the division has specifically notified the user of a longer retention period.
- (o) *Signatory Certification for Required Reports.* Users or their authorized representatives submitting reports to the division as required under this article or any wastewater discharge permit shall sign and submit the following certification statement:
- "I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

Sec. 49-168. Compliance monitoring.

- (a) *Right of Entry: Inspection and Sampling.* The division shall have the right to enter, announced or unannounced, the premises of any user to determine whether the user is complying with all requirements of this article, any wastewater discharge permit, or order issued hereunder. Users shall allow the division ready access to the entire premises for the purpose of inspection, sampling, records examination and copying, and the performance of any additional duties.
- (1) Where a user has security measures in force which require proper identification and clearance before entry into its premises, the user shall make prior necessary arrangements with its security guards so that, upon presentation of suitable identification, the division shall be permitted to enter without delay for the purpose of performing specific responsibilities authorized under this article.
- (2) The division shall have the right to set up on the user's property, or require installation of, such devices as are necessary to conduct compliance monitoring, sampling and/or metering of the user's operation.

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- (3) At the written or verbal request of the division, the user shall promptly remove any temporary or permanent obstruction to the safe and ready access to the premises to be inspected and/or sampled. The user shall pay all costs of clearing such access.
 - (4) Unreasonable delays in allowing the division access to the user's premises shall be a violation and may cause the City to exercise its authority under section 49-168(b) and Division 5 of this article.
 - (b) *Search Warrants.* If the division has been refused access to a user's building, structure, or property, or any part thereof, and is able to demonstrate probable cause to believe that a violation of this article has or may have occurred, or that there is a need to inspect and/or sample as part of a routine inspection and sampling program of the City designed to verify compliance with this article or any permit or order issued hereunder, or to protect the overall public health, safety and welfare of the community, the City may seek issuance of a search warrant from a court of competent jurisdiction.
 - (c) If any owner or account holder fails to install a device or perform any necessary action required by this division within ninety (90) days for the install of a device or ten (10) days to perform a necessary action of receiving written notice from the Water Resources Division of the need to do so, the Division may either:
 - (1) If feasible, install the required device or perform the necessary action on behalf of the owner or account holder and include the cost of such installation or action on the next regularly scheduled invoice to the account holder, or
 - (2) discontinue service to the property until such time as the required device is installed or action is performed.
 - (d) The notice sent to the owner or account holder in accordance with subsection (c) shall include an advisory from the Division that the Division may install an appropriate device or take the required action at the owner or account holder's expense or that the service may be discontinued if the required device is not installed or the required action is not taken.

Sec. 49-169. Pretreatment charges and fees.

The City will charge an annual maintenance fee of twelve hundred dollars (\$1,200.00) to significant industrial users and six hundred dollars (\$600.00) to non-significant industrial users to cover the costs to establish and operate the City's pretreatment program. The annual maintenance fee will be charged in monthly installments. Approved wastewater discharge permit applications will be charged a processing fee of one thousand dollars (\$1,000.00) which will be due before issuance of the permit. The City may adopt additional fees as the City may deem necessary to carry out the requirements set forth in this article.

Secs. 49-170—49-180. Reserved

DIVISION 5. ENFORCEMENT

Sec. 49-181. Publication of users in significant noncompliance.

As a party to the IGA, the division shall annually provide to the City of Phoenix for publication in a newspaper of general circulation that provides meaningful public notice within the jurisdictions served by the POTW, a list of the users which, at any time during the previous twelve (12) months, were in significant noncompliance (SNC) with applicable pretreatment standards and requirements as defined in section 49-91.

Sec. 49-182. Administrative enforcement remedies.

- (a) *Notice of Violation.* When the division finds that a person has violated, or continues to violate, any provision of this article, a wastewater discharge permit, or an order issued hereunder, or any other pretreatment standard or requirement, the division may serve upon the person a written Notice of Violation. Such service shall be accomplished via hand delivery or by registered or certified mail (return receipt requested). Within five (5) working days of the receipt of such notice, the person shall submit to the division an explanation of the violation and a plan for the satisfactory correction and prevention thereof, including specific required actions. Submission of such a plan in no way relieves the person of liability for any violations occurring before or after receipt of the Notice of Violation. Nothing in this section shall limit the authority of the division to take any action, including emergency actions or any other enforcement action, without first issuing a Notice of Violation.
- (b) *Administrative Compliance Orders.* When the division finds that a person has violated, or continues to violate, any provision of this article, a wastewater discharge permit, an order issued hereunder, or any other pretreatment standard or requirement, the division may issue to the person responsible for the discharge an order directing that the person to cease and desist all such violations or to come into compliance within a specified time. If the person does not cease such violations or come into compliance within the time provided, water or sewer service may be discontinued unless adequate treatment facilities, devices, or other related appurtenances are installed and properly operated. Compliance orders also may include other requirements to address the noncompliance, including additional self-monitoring and management practices designed to minimize the amount of pollutants discharged to the POTW. A compliance order may not extend the deadline for compliance established for a pretreatment standard or requirement, nor does a compliance order relieve the person of liability for any violation, including any continuing violation. Issuance of a compliance order shall not be a bar against, or a prerequisite for, the City taking any other action against the person.
- (c) *Show Cause Hearing.*
- (1) The division may order a person which has violated, or continues to violate, any provision of this article, a wastewater discharge permit, an order issued hereunder, or any other pretreatment standard or requirement, to appear before the division and show cause why the proposed enforcement action should not be taken. Notice shall be served on the person specifying the time and place for the hearing, the proposed enforcement action, the reasons for such action, and a request that the person show cause why the proposed enforcement action should not be taken. The notice of the hearing shall be served personally or by registered or certified mail (return receipt requested) at least ten (10) days prior to the hearing. Such notice may be served on any statutory agent or authorized representative of the person as defined in section 49-91.
 - (2) The hearing shall be informal and the rules of evidence shall not apply except that evidence and testimony presented shall be relevant and that the hearing officer may make rulings as to the conduct of the hearing. Either the City or the alleged violator may be represented by counsel. The burden of proof shall be upon the alleged violator. Upon a finding by the preponderance of the evidence that the City's proposed enforcement actions are reasonable, the hearing officer shall uphold the division's enforcement action, and the division shall proceed as necessary with such action.
 - (3) Hearing officers shall be appointed by the division director of Water Resources or designee.
 - (4) A show cause hearing shall not be a bar against, or prerequisite for, the City taking any other action against the person.
- (d) *Revocation of Permit.*

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- (1) The City may revoke the wastewater discharge permit of any person who violates the provisions of this article including, but not limited to, section 49-166(i)(cause for permit revocation).
 - (2) The division shall notify such person of the proposed permit revocation and may offer the person an opportunity to show cause under section 49-182(c). The division's exercise of this action shall not be a bar to, or a prerequisite for, taking any other action against the person.

(e) *Emergency Suspensions.*

- (1) The division may immediately suspend a person's discharge, after informal notice to the person, whenever such suspension is necessary to stop a discharge which: (a) reasonably appears to present or cause an imminent or substantial endangerment to the health or welfare of persons; (b) interferes or threatens to interfere with the operation of the POTW; or, (c) which presents, or may present, an endangerment to the environment. Such informal notice may include: hand delivery of the emergency notice during working hours; posting of such notice at the business; telephone or email notice to the authorized representative; and any other methods as determined to be appropriate by the division under the emergency suspension action.
- (2) Any person notified of an emergency suspension shall immediately stop or eliminate its discharge. In the event of a person's failure or inability to immediately comply with the suspension notice, the division may take such steps as deemed necessary, including, but not limited to, immediate severance of the sewer connection. Pursuant to the reporting requirements of section 49-167(f), the person shall submit a detailed written report describing the causes of the discharge and the measures taken to prevent any similar future occurrence. Following a show cause hearing, the division may allow the person to recommence its discharge when the person has demonstrated to the satisfaction of the division that the discharge shall comply with this article.
- (3) The division's exercise of this suspension action shall not be a bar to, or a prerequisite for, taking any other action against the person, including initiating termination of the person's discharge.
- (4) Nothing in this subsection shall be interpreted as requiring a hearing prior to any emergency suspension.

(f) *Negotiated Settlement Agreements (A.R.S. § 49-391).*

- (1) On behalf of the City and with the concurrence of the City Attorney, the division may enter into negotiated settlements, assurances of compliance, or other similar documents establishing an agreement with any person responsible for noncompliance. Such documents shall include specific action to be taken by the person to correct the noncompliance within a time period specified by the document and may include recovery of penalties. The City may bring an action in superior court to enforce any breach of a negotiated settlement agreement.
- (2) A person who has violated, or continues to violate, any provision of this article, a wastewater discharge permit, or an order issued hereunder, or any other pretreatment standard or requirement shall be liable to the City for a maximum civil penalty of twenty-five thousand dollars (\$25,000.00) per violation, per day. In the case of monthly or other long-term average discharge limit violations, penalties shall be assessed for each day during the period of violation.
- (3) In determining the amount of a civil penalty to be imposed as part of any such agreement, the City shall consider: (1) the seriousness of the violation; (2) the economic benefit, if any, resulting from the violation; (3) any history of such violation; (4) any good faith efforts to comply with the applicable requirements; (5) the economic impact of the penalty on the violator; and (6) such other factors as justice may require.
- (4) Before a negotiated settlement agreement becomes final, the City shall provide a period of thirty (30) days for public comment.

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- (g) *Notice.* Any formal notice or order issued under this section shall be served personally, or by registered or certified mail, return receipt requested to the billing or street address of the user.

Sec. 49-183. Judicial enforcement remedies.

- (a) *Injunctive Relief.* When the division finds that a person has violated, or continues to violate, any provision of this article, a wastewater discharge permit, an order issued hereunder, or any other pretreatment standard or requirement, the division may request that the City Attorney petition the superior court for the issuance of a temporary or permanent injunction, as appropriate, which restrains or compels the specific performance of the wastewater discharge permit, order, or other requirement imposed by this article. The City may also seek such other action as is appropriate for legal and/or equitable relief, including a requirement for the person to conduct environmental remediation. A petition for injunctive relief shall not be a bar against, or a prerequisite for, taking any other action against a person.
- (b) *Civil Actions and Penalties.*
- (1) Pursuant to A.R.S. § 9-500.21, and in addition to any other remedy or action, the City may enforce any violation of this article by filing a complaint in City court.
- (i) The penalty for a violation enforced pursuant to this subsection shall be a maximum fine of two thousand five hundred dollars (\$2,500.00), in addition to the imposition of a civil fine, upon a finding of responsible, the court may order the violator to abate or correct the violation within a time frame specified by the court.
- (ii) The division director, Scottsdale police officers, or the City Attorney may issue civil complaints pursuant to this subsection.
- (iii) Filing a civil complaint pursuant to this subsection shall not be a bar against, or a prerequisite for, the City taking any other action against a person.
- (2) Pursuant to A.R.S. § 49-391, the division may request the City Attorney to file a civil complaint in superior court to enforce and seek compliance with this article and recover civil penalties.
- (i) Pursuant to A.R.S. § 49-391, a person who has violated, or continues to violate, a wastewater discharge permit, or any other pretreatment standard or requirement shall be liable to the City for a maximum civil penalty of twenty-five thousand dollars (\$25,000.00) per violation, per day. For continuing violations, each day may constitute a separate offense.
- (ii) In determining the amount of a civil penalty, the City and the court shall consider: (1) the seriousness of the violation; (2) the economic benefit, if any, resulting from the violation; (3) any history of such violation; (4) any good faith efforts to comply with the applicable requirements; (5) the economic impact of the penalty on the violator; and (6) such other factors as justice may require.
- (iii) Filing a civil complaint pursuant to this subsection shall not be a bar against, or a prerequisite for, the City taking any other action against a person.
- (iv) Before any negotiated consent decree filed with the court becomes final, the City shall provide a period of thirty (30) days for public comment.
- (c) *Criminal Prosecution.*
- (1) A person who recklessly or negligently violates any provision of this article, a wastewater discharge permit, or an order issued hereunder, or any other pretreatment standard or requirement shall, upon conviction, be guilty of a Class 1 misdemeanor.

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- (2) A person who recklessly or negligently introduces any substance into the POTW which causes personal injury or property damage shall, upon conviction, be guilty of a Class 1 misdemeanor. This penalty shall be in addition to any other cause of action for personal injury or property damage available under state law.
 - (3) A person who intentionally or knowingly makes any false statements, representations, or certifications in any application, survey, record, report, plan, or other documentation filed, or required to be maintained, pursuant to this article, a wastewater discharge permit, or an order issued hereunder, or who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required under this article shall, upon conviction, be guilty of a Class 1 misdemeanor.
 - (4) Upon conviction for a violation of this section, the court in addition to any other penalties authorized by law shall impose a fine of not less than one thousand dollars (\$1,000.00) per violation. The court shall not suspend any part of any fine required by this section.
 - (5) Any action by the City does not preclude or otherwise affect enforcement action that may be taken by a federal, state, or county agency.

Sec. 49-184. Enforcement response plan and penalty policy.

The division director is duly authorized to develop and submit to the City Council for its approval by resolution an enforcement response plan and penalty policy. The enforcement response plan will, at a minimum, satisfy the requirements of 40 CFR § 403.8(f)(5). The penalty policy shall establish the factors to be considered and the method of calculating administrative fines and the factors to be considered in using the judicial enforcement remedies set forth in section 49-183.

Sec. 49-185. Supplemental enforcement actions.

- (a) *Performance Bonds.* The division may decline to issue or reissue a wastewater discharge permit to any user or authorized representative who has failed to comply with any provision of this article, a previous wastewater discharge permit, an order issued hereunder, or any other pretreatment standard or requirement, unless such user first files a satisfactory bond, letter of credit, cash, or other security device, payable to the City, in a sum not to exceed a value determined by the division to be necessary to assure consistent compliance.
- (b) *Liability Insurance.* The division may decline to issue or reissue a wastewater discharge permit to any user who has failed to comply with any provision of this article or order issued hereunder, or any other pretreatment standard or requirement, unless the user first submits proof that it has obtained financial assurances sufficient to restore or repair damage to the POTW caused by its discharge.

Sec. 49-186. Remedies nonexclusive.

The remedies provided for in this article are not exclusive. The division may take any, all, or any combination of these actions against a non-compliant person. Enforcement of pretreatment violations will be in accordance with the City's enforcement response plan. The division may, however, take other action against any person when the circumstances so warrant. Further, the division is empowered to take more than one enforcement action against any non-compliant person.

Secs. 49-187—49-195. Reserved

DIVISION 6. RESERVED

Secs. 49-196—49-210. Reserved.

ARTICLE V. WATER AND SEWER EXTENSIONS AND REIMBURSEMENT AGREEMENTS

Sec. 49-211. Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Available means a public sewer line is located within five hundred (500) feet or a public water line is located within six hundred and sixty (660) feet of a property's boundary line, the respective line has sufficient capacity for the requested connection, an extension of and/or connection to the line can be engineered to meet the City's standards, and the physical circumstances of the Right-of-Way and the surrounding property will reasonably permit the extension and/or connection. This includes establishing gravity flow from the subject parcel to an existing public sewer line located within five hundred (500) feet of a property's boundary line. What is "reasonable" shall be determined in the sole judgment of the Division Director.

Benefitting parcel means a parcel that does not currently receive water or sewer service and is adjacent to a proposed water or sewer line which may facilitate connection at a future date.

Cost includes the actual cost of:

- (1) Construction of the public water or sewer line as determined by the construction contract price; and
- (2) Inspection and permit fees paid to the City and County; and
- (3) Engineering, surveying and other fees required for the preparation of plans and specifications.

Building includes but is not limited to a walled and roofed structure built, constructed or premanufactured above or below grade and is used or intended for supporting or sheltering any use or occupancy.

City means the City of Scottsdale, Arizona.

County means Maricopa County, Arizona.

Developer shall include the individual, firm, corporation, partnership, association, syndication, trust or other legal entity which is responsible for facilitating the owner's demand on the City water or sewer facilities and creates structures on the land. The Developer and Owner may be the same.

Division director means the division director of Water Resources or designee.

Extension participation program means a program that allows an Developer or Owner, who has established a line payback agreement for the extension of a water or sewer service to assign its right to future reimbursement, from benefiting parcels, to the City in exchange for immediate reimbursement by the City when funds are available.

Frontage means the entire length of that portion of a parcel of property that abuts a public street, public easement, or public Right-of-Way.

Land Development means any method of creating or recreating a lot, tract, parcel, easement, or Right-of-Way, including but not limited to, subdivisions, minor subdivisions, condominiums, Multi-Family and commercial properties.

Land Division means a division of improved or unimproved land or parcel into two (2) or more parcels.

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Line payback agreement means an agreement between an Developer or Owner and the City whereby the Developer or Owner will receive reimbursement of expenses at a future time for its construction of an extension of a water or sewer service line across the frontage of one or more benefiting parcels of land and such benefiting parcels will receive a value from the construction as a result of connecting to City water or sewer service.

Line payback agreement notice means a document intended solely to provide notice of public infrastructure improvements constructed by others across the frontage(s) of a benefiting parcel and that a Line Payback Charge may need to be paid to the City in order to connect to City water or sewer service in accordance with a line payback agreement.

Line payback charge means the amount of money a property owner must pay to the City for its share of all construction and administrative costs for water and/or sewer lines benefiting its parcel.

Maximum reimbursement amount means the amount of the total cost for that portion of the extension of a water or sewer line from which persons benefited by the extension, other than the developer, will be served.

Multi-Family Residential means more than one (1) dwelling unit is serviced by a single water meter and is connected to a sewer or septic system.

Multi-Family Residential, Commercial, Industrial and Non-Residential Landscape/Irrigation means any unoccupied open area which is not connected to a sewer or septic system and excludes Single-Family Residential Landscape/Irrigation.

Owner within its meaning is a person or organization, or designee, with recorded title to one (1) or more lots, parcels or tracts

Oversizing agreement means a reimbursement payment to a developer for installing, at the request of the City, water or sewer lines that are larger in diameter than what is necessary to provide service to the property.

Potable water means any water which is safe for human consumption pursuant to the standards set by the Arizona Department of Environmental Quality.

Publicly Owned Treatment Works (POTW) means a treatment works as defined by Section 212 of the Act which is owned by the City or another municipality and includes any devices or systems used in the collection, storage, treatment, recycling and reclamation of sewage or industrial wastes of a liquid nature and any conveyances which convey wastewater to a treatment plant.

Public potable water distribution system means the portion of the of the water distribution system that is owned by the City but does not include the water service line.

Right-of-Way means land which by deed, conveyance, agreement, easement, dedication, usage or process of law is reserved for or dedicated to the general public for street, highway, alley, public utility, or pedestrian walkway purposes.

Single-Family Residential means one (1) dwelling unit is serviced by a single water meter in which a single family typically resides and may be connected to a sewer or septic system.

Water and/or sewer easement means property which is dedicated to the City in whole or in part for access to water and/or sewer line(s) and associated appurtenances.

Water service line means the pipe extending between the main line of the public potable water system and the water meter.

Sec. 49-212. General policy.

- (a) There is established a policy and orderly program for extension of the services and facilities of the City's water and sewer system to serve and provide for areas inside and outside of the City's corporate limits for which City water or sewer service is available and to provide for extension participation programs, the

development of line payback agreements, the collection of Line Payback Charges, and for compensating developers when the City requests the oversizing of water and/or sewer lines. The elements of the extension policy and program set forth in this article shall apply to all extensions of the City water and sewer systems.

- (b) Any request for water or sewer extensions shall be made to the City's Water Resources Division. Upon satisfactory compliance with the provisions of this article, the division director may authorize and execute a line payback agreement, and/or an extension participation agreement, and/or an oversizing reimbursement agreement.
- (c) The City will not extend or allow water line extensions in unincorporated areas unless one (1) of the following conditions exist:
- It is beneficial to the City for water system improvements which may include:
- i. Water line looping to reduce the length of dead end water lines and improve water quality.
 - ii. Flow improvements to existing customers which may include pressure and/or fire flow augmentation.
 - iii. Extension is approved by the Division Director.

Sec. 49-213. Plan.

Upon development of any property, area or subdivision within the City limits or of any property, area or subdivision outside of the City limits for which City water or sewer service is desired and available, the developer shall:

- (1) Submit a plan for the water and sewer systems prepared by a professional engineer licensed in this state.
- (2) Comply with all applicable City standards and design policies.
- (3) Obtain approval of the plan from the City.

Sec. 49-214. Extensions.

- (a) Before an encroachment permit is issued for the extension of any water or sewer line to serve any privately owned real property, the Developer or Owner desiring such extension shall submit the following:
- (1) A diagram of all property which will be benefited by any line to be installed.
 - (2) A statement that the City acquires ownership of any line and appurtenances upon completion and acceptance of the work by the City.
 - (3) A statement that the City's cost for inspecting the work shall be paid by the developer or owner through the issuance of an encroachment permit.
 - (4) If required, any easements or similar property rights necessary to install the water or sewer line.
- (b) The information required in paragraph (1) of subsection (a) necessary to complete the permit shall be provided by the Developer or Owner at their expense.
- (c) Once all City requirements are secured, construction of the water or sewer line construction may begin.

Sec. 49-215. Line payback agreements.

- (a) Thirty (30) days prior to start of construction of an extension of any water or sewer line to serve any privately owned real property with a single-family dwelling, a Developer or Owner desiring a line payback agreement with the City shall provide the following to the Water Resources Division.

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- (1) An 11-inch by 17-inch size copy of the approved plans.
 - (2) Three independent bids that contain the contractor's itemized construction costs for the water or sewer line extension, and the engineering design and permitting costs. The Developer or Owner of the line extension cannot act as the Contractor.
 - i. The City may review all bid submissions, reject any or all bids, and require that the process be repeated using bids submitted by different contractors. The Developer or Owner must ensure that bids adequately represent the full extent of the anticipated contract requirements, including facility locations and sizes, site constraints, material and labor quantities.
 - (3) A diagram of all property which will be benefited by the line installed including the assessor's parcel numbers, a legal description of each affected parcel, and frontage lengths.
 - (4) A formal request to the City on a form provided by the City for funding of the construction.
- (b) The proposed line payback agreement shall state to whom reimbursement shall be made and shall include a diagram of the properties and respective amounts of the Line Payback Charges proposed to be collected from each property based on the cost per linear foot of frontage or such other equitable method of spreading the costs as the circumstances may dictate. The agreement shall also state the applicable payback interest rate as set forth below.
- (c) Proposed line payback agreements shall state the cost of water or sewer lines installed by a Developer or Owner from which others may be served. All invoices showing related costs for the water or sewer line extension such as construction, design, plan review and management fees shall be submitted to the Water Resources Division in writing by the Developer or Owner and must be determined to be reasonable based on current circumstances. The Water Resources Division has sole discretion in determining whether a submitted cost is reasonable and applicable to the extension.
- (d) Subject to any guidelines or policies that may be implemented by the Water Resources Division, Developer or Owner shall notify all benefitting parcel property owners by certified or registered mail that construction of a water or sewer line will occur and a line payback agreement will be assigned to each benefitting parcel that will be recorded with the County Recorder upon the project completion. This initial notification to each benefitting parcel shall include the following:
- (1) A letter explaining the line payback assignment.
 - (2) The proposed line payback agreement and line payback agreement notice with information on the benefitting parcels and the respective costs of the future reimbursement.
 - (3) If the property owner of a benefitting parcel requests a hearing, the property owner must submit a written request for a hearing to the Water Resources Division within thirty (30) days of the date of mailing the notice. The basis for requesting a hearing must be one of the following: objection to cost allocation or required code procedure not followed. The notice shall contain the address and identification of a person or position designated by the Division to receive requests for a hearing.
 - (4) Within five days following this mailing, Developer or Owner shall submit to the City all certified mail receipts and a copy of at least one (1) of the signed notification letter(s) verifying this mailing. If no request for a hearing is received by the Water Resources Division within the time allowed, the Division may accept the proposed payback agreement as final.
 - (5) If a request for hearing is received from one or more affected property owners, the Division shall set the date, time, and location of an administrative hearing on the proposed agreement. The City shall provide all affected property owners with notice of the hearing.
 - (6) The Division Director will hold an administrative hearing at the stated date and time to establish each benefitting property's share in the cost of the improvements associated with the requested payback.

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agreement. Any affected property owner may appear and be heard at the hearing (per valid objections listed in this subsection (d)(3)). At the conclusion of the hearing, the Division Director may accept the line payback agreement as proposed or modify the allocation of percentages based on information received at the hearing. The division director shall issue a written decision within ten (10) business days of the conclusion of the hearing and a copy shall be mailed or emailed if requested to each affected property owner.

- (7) Any affected property owner who appears at the hearing may appeal the determination of the Division Director to the City Manager by submitting a Notice of Appeal to the Water Resources Division within ten (10) business days of the date when the Director issues a written decision. The City Manager or designee may review the Division Director's decision based on information and testimony submitted at the hearing or may, in their discretion, accept any additional information or testimony. If a notice of appeal is not timely submitted, the Division Director's decision shall become final. If an appeal is timely submitted, the decision of the City Manager on appeal shall be final.
 - (8) Once a decision is final, the results shall be used by the Water Resources Division to determine the maximum reimbursement amount to be included in the line payback agreement. The Developer or Owner or assignee shall receive Line Payback Charges within the payback period only from those property owners who receive a benefit from the line the Developer or Owner installed.
 - (9) The City will prepare both the line payback agreement and assignment and have notice of each recorded with the County Recorder.
- (e) Any agreement providing for reimbursement of the Developer or Owner shall run for a maximum payback period of:
- (1) Ten (10) years after the date of acceptance of the line for agreements recorded before November 3, 2007,
 - (2) Thirty (30) years for agreements entered between November 3, 2007 and June 30, 2018 and
 - (3) Twenty (20) years after the date of acceptance of the line for agreements entered on or after July 1, 2018.
- At the end of the maximum period, as determined by the City, all benefits or rights accruing to the Developer or Owner shall terminate.
- (f) Within sixty (60) days after construction completion of an extension of any water or sewer line to serve any privately-owned real property with a Single-Family dwelling, the Developer or Owner desiring a line payback agreement with the City shall provide the following to the Water Resources Division:
- (1) A copy of the "letter of acceptance" issued by Water Inspection Services stating that the improvements conform to the approved plans and specifications.
 - (2) An 11-inch by 17-inch size copy of the approved as-built construction drawings indicating actual facilities installed.
 - (3) Receipts identifying actual design and construction costs, and proof that payment was made by the Developer.
- (g) Upon receipt of the administrative charge defined in subsection (h) below and execution of the line payback agreement, the City shall record the agreement with the Maricopa County Recorder, as to each property that is subject to the agreement together with a notice of payback, setting forth the terms of this agreement. Once the payback charges or the maximum period has elapsed, the City will record with the Maricopa County Recorder a release of the original notice of payback.

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- (h) The City shall record the collection of Line Payback Charges and payment of reimbursements. Sums collected shall be paid in accordance with the terms of the agreement, and within ninety (90) days of receipt by the City.
- (i) Line Payback Charges shall include an interest rate applied to the stated amount in the final line payback agreement equal to the City's most recent water and/or sewer long term debt issuance interest rate, calculated at the time the payback agreement is recorded. The interest rate charges begin on the date the line payback agreement is recorded. This rate shall not change for the life of the reimbursement requirement. The Division Director may retroactively reduce the interest rate set forth in an existing payback agreement in order to assure fairness and equitable implementation of the program.
- (j) Benefiting parcels who elect to pay the entire amount charged to such owner's parcel within sixty (60) days of the payback agreement becoming final shall not be charged interest. Benefiting parcels who owe a line payback charge to the City as a result of a connection to the public system may remit line payback charges in five (5) annual installments including the initial payment. Such owner must remit at least twenty (20) percent of the line payback charges at the time of connection to the water or sewer service and interest charges as described in 49-215 (i) shall continue to accrue on any unpaid balance. In order to be eligible for installment payments, the Developer or Owner must agree to a voluntary lien on the parcels in accordance with terms and conditions approved by the Division. In addition, any balance due shall be subject to an annual administration charge equal to one (1) percent of the total outstanding balance.
- (k) The City's cost of administration shall be paid by the Developer or Owner to the City prior to the execution of the line payback agreement. This administrative charge shall be five (5) percent of the total cost incurred by the Developer or Owner for the construction of the water and/or sewer lines from which persons other than the Developer will be served. Administrative charges will be distributed equally among the properties benefited if equal costs are applied to each parcel or based on the cost per linear foot of frontage.
- (1) A maximum administration fee of \$10,000 shall be set for water and/or sewer extensions that meet eligibility criteria for the Extension Participation Program in accordance with section 49-227(a)(2).

Sec. 49-216. Line payback charges.

Unless an installment plan is established in accordance with section 49-215(j), when an existing line is to provide water or sewer service to a developer or owner, the required line payback charge, including all costs and interest, shall be paid to the City prior to:

- (1) The issuance of a permit authorizing connection to the public water or public sewer system.
- (2) The approval of a land division or land development.

No person shall extend service from their tap to property for which a line payback charge has been recorded but has not been paid to the City without prior written approval from the City.

In the case of a parcel where the new line extends across its frontage, the Division Director may waive the payback charge against that parcel if (1) that parcel already receives service from the City prior to the new line extension, or (2) is already subject to an existing, valid payback agreement resulting from a previous line extension.

In the case of where a Developer or Owner of a parcel is required to extend a public line across more than one frontage of its parcel, the Division Director may modify or waive the requirement for the Developer or Owner to be responsible for costs for more than one of the parcel frontages.

Sec. 49-217. Assignability of agreements.

Any Developer or Owner may assign the benefits arising out of any water or sewer line payback agreement with the City, but any such assignment shall not relieve the developer or owner of its duties and obligations under

the agreement. The assignment shall require the prior written approval of the Water Resources Division in accordance with section 49-227.

When the City makes payment to the developer or owner for an extension participation program, the developer or owner will assign to the City its rights arising out of the applicable water or sewer line payback agreement up to the extent of the amount of the City Participation.

Sec. 49-218. Line payback agreements for main or trunk extensions by City.

If the City elects to install, increase in size, or extend a water or sewer line across benefiting parcels, it shall be entitled to prepare a line payback agreement with itself as set forth in this article.

Sec. 49-219. Minimum requirements for lines.

Prior to connection to City water or sewer service, a developer shall install a minimum of an eight-inch sewer main or an eight-inch water main if required along the entire frontage of the parcel. In addition, corner parcels or other parcels with multiple frontages may be required to have or provide City sewer or water service lines along both or all frontages of the parcel. If the Water Resources Division determines that line extension is not practicable, the requirement for City water or City sewer service may be waived. See Code Sections 49-215 and 49-227 regarding line paybacks and City participation program.

The division director may also waive the requirement that a developer construct a water or sewer line along the entire frontage of a parcel if the City, in its sole judgment, determines that the water or sewer line should not be extended or is not needed to provide service to users beyond the property.

Sec. 49-220. Oversizing agreements.

Oversized lines may be required by the City to adequately support current or future water demands or wastewater flows. In such instances, the following applies:

- (1) If the City requires that a line larger than that required by the applicant to serve their property be installed, the City may pay for the cost difference between the size the developer or owner requires and the size the City requires, provided there are sufficient funds in the capital improvements budget; should there not be sufficient funds, the City shall have no responsibility or requirement to pay for oversizing and, the extension of the line cannot be installed unless the developer or owner pays both the cost of the line and the cost for oversizing. Oversizing costs are not reimbursable through Line Payback Charges or the extension participation agreement.
- (2) If the City will pay for oversizing, the City and Developer or Owner shall enter into an oversizing agreement that shall set forth the proportionate costs to be paid by the City and the developer or owner.
- (3) An agreement may be entered into at the City's option to consider the additional cost of oversizing as a prepayment of a portion or all of the development fees required in sections 49-74 and 49-74.1.

Sec. 49-221. Dedication of right-of-way.

No public water or public sewer facilities shall serve any parcel of land unless the facilities are located within a dedicated easement or Right-of-Way.

Sec. 49-222. Payment of administrative costs.

Separate accounts shall be established for all extension monies paid to the City for eventual reimbursement to the developer or owner. Authorized employees shall make payment in accordance with the terms of the executed line payback agreement.

Sec. 49-223. Wastewater treatment plants.

The 91st Avenue Wastewater Treatment Plant Expansion Facility Plan, dated February 19, 1980, which was declared to be a public record by the provisions of Resolution No. 2060 is adopted by reference.

Charter reference(s)—Adoption by reference, art. 7, § 12.

State law reference(s)—Adoption by reference, A.R.S. § 8-901 et seq.

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

- (a) When a public water or sewer line is available to the nearest corner of the property being developed (including but not limited to land development or land division), the line shall be extended to serve the property, and may be eligible for extension participation (Section 49-227) at the discretion of the Division Director. The following conditions must be met:
- (1) The line shall be extended across all frontages of the property. The Division Director may also waive the requirement that a developer construct a water or sewer line along the entire frontage of a parcel if the Division Director determines that the water or sewer line should not be extended or is not needed to provide service to users beyond the property.
 - (2) The developer or owner is responsible for all costs to construct the water and/or sewer line.
 - (3) Prior to a land division, the line shall be extended across the original parcel frontage.
- (b) If the requirements are met, the developer or owner may request the following:
- (1) Applicable oversizing (Section 49-220) and line payback agreements (Section 49-215) per this article.
 - (2) Request consideration for a City extension participation program (Section 49-227).
- (c) When a City permit has been issued to extend a water line within six hundred sixty (660) feet or a sewer line within five hundred (500) feet of the nearest corner of the property being developed, and a public water or sewer line is determined to be available, that line shall be extended to serve the property. The provisions of subsections (a)(1) and (2) and subsections (b)(1) and (2) apply.
- (d) When a public water line is located greater than six hundred sixty (660) feet or a sewer line is located greater than five hundred (500) feet from the nearest corner of the property being developed, but is otherwise available, that line may be extended to serve the property up to and across all frontages of the property. The provisions of subsections (a)(1) and (2) and subsections (b)(1) and (2) apply.

Sec. 49-225. In-lieu payments.

The City may authorize collection of an in-lieu payment for compliance with an extension requirement ~~any~~ ~~frontage and/or off-site water and/or sewer infrastructure improvements as required to service the subject~~ ~~development or future developments~~ when the City solely determines such action is appropriate. Payment shall be made based on current costs of capital projects and include appropriate design, construction, administration, and inspection fees and a contingency.

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Sec. 49-226. Approval of public extensions.

The City must approve the design, engineering, and construction of all extensions to the City's water and wastewater systems provided for under this article. Each public extension shall be designed and constructed so that the system may be readily expanded and, where feasible, connected to other lines in the City's system.

Sec. 49-227. Extension participation program.

If a Developer or Owner intends to extend a water and/or sewer line, and intends to enter into a line payback agreement with the City, the Developer or Owner may request that the City consider accepting an assignment of a line payback agreement in return for funding a designated amount of the line payback agreement. City funds for the extension participation program are distributed on a first-come first-served basis and are subject to availability.

(a) *Eligibility:*

- (1) The City participation program will be available for applicable public water main and/or sewer collection line extensions accepted by the City on or after November 3, 2007.
- (2) The program is limited to Developers or Owners that extend to available public water and/or sewer lines to provide service to a Single-Family residence. New subdivisions, commercial, Multi-Family, condominiums, land divisions and industrial developments are not eligible. The City's extension participation reimbursement shall not exceed ~~two~~ ^{two} ~~three~~ ^{three} hundred and ~~five~~ ^{five} thousand dollars (\$~~250~~ ²⁵⁰~~300~~ ³⁰⁰,000) per project, if funds are available. The City may consider extension up to a maximum reimbursement of ~~two~~ ^{two} ~~three~~ ^{three} hundred ~~five~~ ^{five} thousand dollars (\$~~250~~ ²⁵⁰~~300~~ ³⁰⁰,000.00) if funds are available.
- (3) A Developer or Owner must submit a written request as application for inclusion in the extension participation program to the Water Resources Division prior to construction as set forth in Section 49-215. The written request shall include the contractor's itemized construction costs for the water or sewer line which will serve as a basis for eligibility. The City shall then process the request within sixty (60) days of receipt and make a decision based on eligibility and funds availability. The application date shall be that date on which the written request is received by the Water Resources Division. The decision concerning eligibility by the Water Resources Division is final.
- (4) If the Developer or Owner is determined by the City to be eligible for the City participation program, but there are no funds available for the remainder of that budget year, the Developer's/Owner's eligibility shall be carried over into the next budget year. Funding for the new budget year shall begin in chronological order thereafter, beginning with the oldest and proceeding to the most recent application date. Nothing contained herein shall be construed as requiring funding in the new budget year if there are no funds available for the program. If funding is available, the City shall attempt to contact the Developer or Owner at the mailing address listed on the application. If the Developer or Owner fails to notify the City of its acceptance of the offer of funds within one hundred eighty (180) days after the date of the notice, the offer of funds will be considered withdrawn and the funds will pass to the next eligible Developer or Owner in chronological order. The Developer or Owner shall keep its current mailing address on file with the Water Resources Division. The City shall have no obligation to make any efforts to locate the current mailing address of the Developer or Owner, and may rely on the most current mailing address on file with the Division.

- (b) *City participation.* City participation, if approved, shall be conditioned on the following:

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- (1) The Developer or Owner is initially responsible for all costs to construct the lines.
 - (2) The Developer or Owner shall prepare and submit to the City those items described and complete any required processes as set forth in section 49-215 (a)(1) through (d)(9).
 - (3) If funds are available,
 - (i) The City will reimburse the Developer or Owner for the applicable costs associated with each line payback agreement up to a maximum amount of ~~two~~^{three} hundred ~~thirty~~^{thirty} thousand dollars (\$~~250,000.00~~^{300,000.00}) for water and ~~two~~^{three} hundred ~~thirty~~^{thirty} thousand dollars (\$~~250,000.00~~^{300,000.00}) for sewer line extensions.
 - (ii) The Developer or Owner will assign ownership of the line payback agreement to the City to the extent of the amount of City Participation and the agreement will be re-recorded showing the City as the recipient of the Line Payback Charges.
 - (4) If funds are not available:
 - (i) The Developer or Owner can delay its proposed construction, or
 - (ii) The Developer or Owner can request to be placed on a waiting list until funds become available and proceed to construct improvements (if the developer or owner elects to proceed, it is at their own risk), or
 - (5) The City will not make payment of any accrued, but unpaid interest to a developer or owner when the City accepts assignment of a line payback agreement.
 - (6) If the amount of the City Participation (as established in accordance with section 49-221) is less than the total amount of the payback agreement established (in accordance with the procedures set forth in section 49-215) Developer shall execute a partial assignment of the payback agreement to the City in the amount of the City Participation. Thereafter, if the City collects a line payback charge from a benefited parcel pursuant to the payback agreement, the amount collected for the payback charge shall be reimbursed to both the City and the Developer on a *pro rata* basis in the same proportion that the City Participation amount bears to the total amount of the payback agreement.
- (c) *Funding.* Nothing contained herein shall be construed to require that funds will be available during any budget cycle.

Secs. 49-228—49-230. Reserved.

ARTICLE VI. INSPECTIONS

Sec. 49-231. Authority to enforce standards.

- (a) The division director of Water Resources shall enforce the provisions of this chapter, and he may appoint such assistants, inspectors or other employees as are necessary to carry out the functions of the Water Resources Division and to enforce the provisions of this chapter. The division director of Water Resources is hereby authorized and directed to make inspections of users' water systems in the normal course of job duties; or, in response to a complaint that an alleged violation may exist; or, when there is reason to believe that a violation of this chapter has been or is being committed. If the premises or building in which the users' water system is located is occupied, the division director of Water Resources shall present credentials to the occupant and request entry. If the premises or building is unoccupied, the division director of Water Resources shall first make a reasonable effort to locate the owner or other person having charge or control

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of the premises or building and request entry. If entry is refused, the division director of Water Resources has recourse to every remedy provided by law to secure entry.

- (b) When the division director of Water Resources shall have first obtained a proper inspection warrant or other remedy provided by law to secure entry, no owner, occupant, or person having charge, care, or control of any premises or building shall fail or neglect, after proper request is made as herein provided, to promptly permit entry herein by the division director of Water Resources for the purpose of inspection and examination pursuant to this chapter.

Secs. 49-232—49-240. Reserved.

ARTICLE VII. WATER CONSERVATION

DIVISION 1. WATER CONSERVATION

Sec. 49-241. Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Account Holder means the person, persons or entity in whose name a City water service account is established in accordance with the procedures set forth in this Chapter.

Active Recreational Area means an area designated and primarily used for organized sports such as softball, baseball, football, soccer or a similar related sport other than golf courses, including all amenities related to the activity.

ADWR means the Arizona Department of Water Resources.

Approved means accepted by the Division as either meeting an applicable specification stated or cited in this chapter, or suitable for the proposed use.

Backflow means the reversal of the normal flow of water caused by either backpressure or back siphonage.

Backflow Prevention Assembly means an Approved Assembly or means designed to prevent the reversal of the normal flow of water caused by either backpressure or back siphonage.

Blight means conditions including, but not limited to, landscaped areas that are characterized by bare dirt, dead, damaged or patching plant growth and/or lack of maintenance, and any other similar condition of neglect.

Code means the Scottsdale Revised Code.

Commercial/Industrial and Non-Residential means all customer classifications serviced by a water meter, except Single-Family Residential and Multi-Family Residential and are connected to a sewer or septic system

Distribution System means the network of conduits used to deliver Potable Water from the source facilities to the user's water supply system.

Division means the City of Scottsdale Water Resources Division.

Division Director means the Division Director of Water Resources or designee.

Drought Management Plan means a plan to manage supply and demand when a water shortage occurs when supply is reduced and/or stressed due to an interruption of supply that is outside the control of the City.

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Lot means a legally created parcel of land occupied or intended for occupancy by one (1) or more main buildings together with accessory buildings.

Model Home means a facility used exclusively for the promotion and sale of homes similar to the model.

Multi-Family Residential means more than one (1) dwelling unit is serviced by a single water meter and is connected to a sewer or septic system.

Person means an individual, partnership, firm, company, corporation, association, limited liability company, joint stock company, trust, estate, governmental entity, or any other legal entity, or its legal representatives, agents or assigns. This definition includes all federal, state, and local governmental entities.

Potable Water means any water which is safe for human consumption pursuant to the standards set by the Arizona Department of Environmental Quality.

Right-of-Way means land which by deed, conveyance, agreement, easement, dedication, usage or process of law is reserved for or dedicated to the general public for street, highway, alley, public utility, or pedestrian walkway purposes.

Single-Family Residential means one (1) dwelling unit is serviced by a single water meter in which only a single family typically resides and may be connected to a sewer or septic system.

Turf means a surface layer of earth containing grass with its roots.

Water Feature means any fountain, pond, water course, waterfall, or other artificial water structure of any kind filled or refilled with water from any source other than a swimming pool.

Water Intensive Landscaping means an area of land that is watered with a permanent water application system and planted primarily with plants not listed in the Phoenix AMA Low Water Use Plant List. Included is the total surface area of all water features (i.e. swimming pools of any size, water features, ponds, water courses, waterfalls, and other artificial water structures) filled or refilled with water from any source.

Water Waste means the non-beneficial use of water provided by the City water supply system.

Sec. 49-242. Limitation on water features for Commercial/Industrial, Non-Residential and Multi-Family Residential developments common areas.

- (a) Any person installing a water feature must provide a water feature plan including plan and profile drawings with dimension details to the City and obtain a permit before commencing construction.
- (b) The new water feature plan must be approved by the Water Conservation Office prior to commencing construction.
- (c) No person shall place into operation after July 1, 2016, any water feature that either sprays water into the air in a fine mist or sprays or drops water into the air in excess of six (6) feet in vertical height from ground level.
- (d) Water features must not be greater than ten (10) feet in any direction.
- (e) Water features shall only be operational during normal business hours and shall be equipped with an automatic timer.
- (f) Water features must use potable water unless approved by the Water Conservation Office.
 - (1) Landscape irrigation water is prohibited.
 - (2) Use of reclaimed water must be approved by the Water Conservation Office.
- (g) Discharge of water into the Right-of-Way is prohibited.
- (h) Water features location and siting shall:

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- (1) Allow for significant environmental enhancement to on-site users, used to cool surrounding area and mask objectionable noises. (Allowable examples: courtyards and restaurant seating areas.)
 - (2) Not be visible from the street public or private that can be used by the public and seen by vehicular traffic and must be outside of City Rights-Of-Way.
 - (3) Water features must not be located within parking lots, turn arounds, or other paved area used primarily for motorized vehicles.
 - (4) Allow for each water feature to be situated in a separate area of the property and not be visible from another water feature.
- (i) Water features must be:
- (1) Designed to use equipment and materials that will minimize leakage throughout the life of the water feature.
 - (2) Designed and installed with a reduced pressure principle backflow prevention assembly as per the current standard detail adopted by the City of Scottsdale Standards and Specifications Committee.
 - (3) Designed with catch basins that will maximize the amount of water recirculated.
 - (4) Equipped with wind shut-off valves to reduce over-spray.
 - (5) Equipped with recirculating pump.
 - (6) Separately metered if using more than one thousand (1,000) gallons of water per day.
- (j) Exclusions from requirements of this Section:
- (1) Any system that injects or drops water into the air solely for the purpose of cooling a confined air space when approved by the Water Conservation Office.
 - (2) Water parks for persons or pets with a timed feature that runs only when people or pets are present.
 - (3) Water features located indoors.

Sec. 49-243. Water conservation rebate programs.

- (a) The Division Director shall administer this conservation program.
- (b) To qualify for a rebate, the Account Holder must satisfy the following requirements:
 - (1) Comply with the procedure stated in the most current rebate application form available from the Water Conservation Office.
 - (2) Own the property or have written permission from property owner.
 - (3) Apply and receive a rebate for a property that receives City water or wastewater service.
 - (4) For installation of devices or material provide proof of purchase, and installation at the property that receives City water or wastewater service.
 - (5) For removals allow for in-person inspections by the Division Director or designee to verify eligibility during normal business hours prior to removal. Account holder must allow for required in-person inspections or forfeit rebate funds.
 - (6) For removals and installations allow for an in-person inspection to verify project completion and requirement compliance.
- (c) All rebates will be paid in the form of a credit applied to the property's active Account Holder unless otherwise designated. The total dollar amount of rebates issued in any fiscal year shall not exceed the

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maximum amount of funds budgeted for such rebates. The City reserves the right to adjust the amounts of the rebates and has no obligation to adjust rebated amounts from previous years or to fund rebate programs in future fiscal years.

(d) Rebate programs available:

- (1) *Toilet*. The rebate for Multi-Family Residential and Commercial/Industrial and Non-Residential common areas of a residential development is limited to the actual cost of the toilet, or two hundred-fifty dollars (\$250.00) per toilet, whichever is less, and are limited to one hundred (100) toilets per property per year up to the total number of toilets installed on the property whichever is less.
- (2) *Urinals*. The rebate for Multi-Family Residential and Commercial/Industrial and Non-Residential common areas of a residential development is limited to the actual cost of the urinal or two hundred dollars (\$200.00) per urinal, whichever is less and are limited to fifty (50) urinals per property per year up to the total number of urinals installed on the property, whichever is less.
- (3) *Water Management and Efficiency Technology*. The rebate contains two sections; (a) Single-Family Residential and (b) Multi-Family Residential and Commercial/Industrial and Non-Residential common areas of a residential development.

- a. *Single-Family Residential*: The rebate amount is limited to the actual cost of a smart water monitoring leak detection device or one hundred dollars (\$100.00) per device, whichever is less, and limited to one (1) smart water monitoring leak detection tool per property.

A qualifying device requires all the following characteristics:

- i. Automatically records water usage at a minimum of five-minute intervals, and
- ii. Automatically alerts or notifies users of unusual water usage including spikes in usage and continual flows, and
- iii. Provides customers with a platform to view their water consumption data.

- b. *Multi-Family Residential and Commercial/Industrial and Non-Residential common areas of a residential development*: The rebate amount is limited to 50% of the actual cost of the project and is available in one of two options:

Option 1: No more than ten-thousand dollars (\$10,000.00) per rebate per property for a Water Management and Efficiency Technology rebate. Properties are limited to one (1) rebate per year and a total of two (2) rebates.

Option 2: No more than twenty thousand dollars (\$20,000.00) per rebate per property for Water Management and Efficiency Technology. Properties are limited to one (1) rebate.

Rebates can include qualifying devices up to the number of meters on the property as mentioned in 49-243 § 3A above, but may also include additional devices if they incorporate any of the following elements:

- i. A piece of technology or part of a technological system that is designed to save water for a specific piece of equipment, or process.
- ii. Incorporates a platform to view water consumption and usage alerts or the ability to tie into an existing building management or similar system as appropriate.

Rebated equipment and projects must have a minimum life expectancy of five (5) years. Multi-Family Residential and Commercial/Industrial and Non-Residential common areas of a residential development project examples include, but are not limited to, remote read cooling tower controllers, water and leak monitoring and detection hardware and associated technology and sub-metering technology.

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- (4) *Showerheads for Multi-Family Residential and Commercial/Industrial and Non-Residential common areas of a residential development* The rebate for installing a WaterSense labeled showerhead is limited to the actual cost of the showerhead or twenty-five dollars (\$25.00) per showerhead, whichever is less. Rebates are limited to one hundred (100) showerheads per property per year up to the total number of showerheads installed on the property, whichever is less.
- (5) *Pool and Spa removal for Single-Family residential customers.* The rebate is for the removal of functioning in-ground swimming pools. The rebate amount is four hundred dollars (\$400.00) plus two dollars (\$2.00) per square foot of water surface area for the pool and associated spa, and is limited to no more than one thousand five hundred dollars (\$1,500.00) per rebate. Properties are limited to one pool removal rebate.
- (6) *Turf to Xeriscape Conversion.* The rebate is for conversion of Turf dominant landscapes to xeriscape. The rebate contains two (2) sections; (a) Single-Family Residential and (b) Multi-Family Residential and Commercial/Industrial and Non-Residential common areas of a residential development.
- a. Single-Family Residential: A minimum of five hundred (500) square feet of Turf removal and installation of City approved low water use plants and landscape. If the removal results in the complete elimination of Turf from the property, the minimum square feet requirement will be waived. Water Conservation staff or designated representative must verify eligibility prior to Turf removal. The rebate amount is two dollars (\$2.00) per square foot of Turf removed and limited to no more than five thousand dollars (\$5,000.00). Properties are limited to two (2) rebates.
- b. Multi-Family Residential and Commercial/Industrial and Non-Residential common areas of a residential development: Landscape plan approval by Planning and Development Services must occur prior to Turf removal. The rebate amount is two dollars (\$2.00) per square foot of Turf removed.
- No more than forty thousand dollars (\$40,000) per property for a minimum of two thousand (2,000) square feet of Turf removed. If the removal results in the complete elimination of Turf from the property, the minimum square feet requirement will be waived. Properties are limited to one (1) rebate per year and a total of two (2) rebates.
- Turf conversion adjacent to a street or sidewalk adjacent to a street is eligible for an additional rebate in the amount of five dollars (\$5.00) per linear foot of Turf removed located along a street or sidewalk adjacent to a street and limited to no more than an additional ten thousand dollars (\$10,000.00) total per property and must be approved by the Water Conservation Office. Properties are limited to one (1) rebate per year and a total of two (2) rebates.
- (7) *Front Yard Code Compliance Mitigation Assistance Rebate.* The rebate is for Single-Family Residential properties for the installation of decomposed granite for front yards that are Blight with sparse Turfed areas or where the Turf is no longer viable. The rebate is five hundred dollars (\$500.00) per property. Properties are limited to one (1) rebate and this rebate cannot be combined with the Turf to Xeriscape Conversion Rebate.
- (8) *Irrigation controller.* The rebate is for installing a new WaterSense labeled irrigation controller. The rebate amount per Single-Family Residential property is limited to the actual cost of the irrigation controller or two hundred fifty dollars (\$250.00) and is limited to one (1) irrigation controller per property. Rebates for Multi-Family Residential and Commercial/Industrial and Non-Residential common areas of a residential development are limited to the actual cost of the irrigation controllers or a maximum of four hundred dollars (\$400.00) per controller, whichever is less and limited to fifty (50) irrigation controllers per year up to the total number of irrigation controllers installed on the property, whichever is less.

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Sec. 49-244. Reserved.

Sec. 49-245. Limitation on water intensive landscape/turf areas within new Non-Residential facilities.

- (a) The following types of facilities shall limit the water intensive landscape/ Turf area within the landscapable area to the following percentages:
 - (1) Schools—Fifteen (15) percent of total lot. All of the remaining area shall consist of plants listed on the ADWR low-water use plant list.
 - (2) Churches—Twenty-five (25) percent of total lot. All of the remaining area shall consist of plants listed on the ADWR low-water use plant list.
 - (3) Resorts (including hotels and motels)—Ten (10) percent of the first nine thousand (9,000) square feet and eight and one-half (8.5) percent of the remainder of the total lot. At least ninety-five (95) percent of the remaining area shall consist of plants listed on the ADWR low-water use plant list.
- (b) Designated active recreational areas shall not be considered as part of the lot and shall not be considered in determining compliance with this restriction.
- (c) Cemeteries—Seventy-five (75) percent of their total operating facility area, excluding parking lots. Expanded portions of a cemetery are excluded if the ownership of the expanded portion is the same ownership as the cemetery as of December 31, 1984.
- (d) Schools, cemeteries, golf courses, common areas of housing developments and public recreational facilities with water intensive landscape/Turf greater than or equal to ten (10) acres are exempt from this provision because they are regulated as a large Turf facility under the current ADWR management plan for the Phoenix Active Management Area.

Sec. 49-246. Limitation on water intensive landscape/turf acreage for new multi-family residential and commercial/industrial and non-residential users.

- (a) All new commercial users and new industrial users shall limit water intensive landscape/ Turf area to the following percentage:
 - (1) If the area of the lot is nine thousand (9,000) square feet or less, the water intensive landscape/ Turf acreage shall be limited to an area equal to ten (10) percent of the total lot.
 - (2) If the area of the lot is larger than nine thousand (9,000) square feet but less than or equal to forty-three thousand five hundred sixty (43,560) square feet (one (1) acre), the water-intensive landscape/Turf area shall be limited to an area equal to ten (10) percent of the first nine thousand (9,000) square feet and five (5) percent of the remainder of the lot. If the total lot exceeds forty-three thousand five hundred sixty (43,560) square feet, no additional water-intensive landscape/ Turf acreage shall be permitted.
- (b) For residential common areas, the water intensive landscape/ Turf area shall be limited to ten (10) percent of the first nine thousand (9,000) square feet and five (5) percent of the remainder of the lot. If the total lot exceeds two hundred seventeen thousand eight hundred (217,800) square feet or five (5) acres, no additional water intensive landscape/ Turf area shall be permitted. Excluded from this calculation shall be areas used for Active Recreational Areas.
- (c) All plant material used (excluding those in the water intensive landscape/ Turf area) must be low water-use plants listed on the ADWR most current low water use plant list.

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- (d) No water intensive landscape/ Turf shall be permitted in the public Right-of-Way.

Sec. 49-247. Limitations on model home landscaping.

- (a) All new Single-Family Residential model homes shall limit their water intensive landscape/ Turf area to the following percentage of the total lot area:
- (1) If the area of the lot is nine thousand (9,000) square feet or less, the water intensive landscape/ Turf square footage shall be limited to an area equal to ten (10) percent of the total lot.
 - (2) If the area of the lot is larger than nine thousand (9,000) square feet but less or equal to forty-three thousand five hundred sixty (43,560) square feet (one (1) acre), the Turf area shall be limited to an area equal to ten (10) percent of the first nine thousand (9,000) square feet and five (5) percent of the remainder of the lot area. If the total lot area exceeds forty-three thousand five hundred sixty (43,560) square feet, no additional Turf area shall be permitted.
- (b) Water intensive landscape/ Turf shall only be located in rear yards.
- (c) All plant material used (excluding those in the water intensive landscape/ Turf area) must be low water-use plants listed on the ADWR most current low water use plant list.
- (d) No water intensive landscape/ Turf shall be permitted in the Right-of-Way.

Sec. 49-248. Limitation on water intensive landscape/turf areas on new Single-Family Residential homes.

- (a) For any new Single-Family Residential home issued a building permit on or after August 15, 2023, Water intensive landscape/Turf shall only be located in rear or side yards that are fully enclosed with a fence or wall that is minimum of three feet in height.
- (b) Subsection A shall not apply to Single-Family Residential homes already permitted or constructed prior to August 15, 2023.

Sec. 49-249. Leakage, escape of water prohibited.

- (a) No Person shall willfully or negligently allow or cause the escape or flow of water from the water user's plumbing system or potable water irrigation distribution system in such a quantity as to cause flooding, impede vehicular or pedestrian traffic, create a hazardous condition to such traffic, or cause damage to City Right-of-Way, through failure or neglect to properly operate or maintain any irrigation structure, delivery ditch, or waste ditch for any period of time after such an escape of water should have reasonably been discovered and corrected.
- (b) No person shall willfully or negligently fail to accept flood irrigation water after it has been ordered or fail to maintain proper landscape grading to retain water on property.
- (c) No person shall flood irrigate property in a manner which results in the overflow of irrigation waters.

Sec. 49-250. Violations.

- (a) For a first violation of any provision of this section, the City shall issue a written notice of first violation and provide educational materials on water conservation, including a copy of the relevant provisions of this chapter, to the Account Holder violating the provisions of this section. The City shall give the Account Holder a reasonable period of time to correct the violation.

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- (b) For a second violation of any provision of this section, the City shall issue a written notice of second violation delivered by certified mail to the Account Holder requiring correction of the violation within a reasonable period of time.
 - (c) For third violation of any provision of this section, the City shall issue a written notice of third violation to the Account Holder imposing a fifty dollar (\$50.00) fine. The fine shall be added to the Account Holder's account. Failure to pay any portion of an Account Holder's account, including any fines imposed pursuant to this section, shall subject said account to termination of water service in accordance with the provisions of this section.
 - (d) For a fourth or subsequent violation of this section, the City shall impose a fine equal to twice the average monthly billing for the immediately preceding six-month period for the meter through which the wasted water was supplied. The fine shall be added to the Account Holder's account. Failure to pay any portion of an Account Holder's account, including any fines imposed pursuant to this section, shall subject said account to termination of water service. In addition to any fine imposed, the City may also terminate water service to the Account Holder. The City shall not restore service until the Division Director has determined that the Account Holder has provided reasonable assurances that future violations of this chapter by such Account Holder will not occur. In addition, the Division Director may require a security deposit.

Sec. 49-251. Conservation waivers.

The Division Director may grant a waiver from indoor conservation code requirements, but only when the special character of a structure necessitates it, such as when a building has official historical status.

Sec. 49-252. Right to hearing.

Any person against whom a penalty is levied under this article VII or who objects to a City decision under article V of chapter 49 shall have a right to a hearing before the Division Director. The request for hearing must be made to the Division Director and must be received no later than forty-five (45) days after the penalty is levied or the final written decision is made. Once the request for hearing has been acknowledged by the City, payment of the penalty charge or action on the final decision is not required until a determination is made. The hearing shall not be conducted in accordance with the formal Rules of Evidence. Testimony may be taken under oath, with the right to cross-examine witnesses. The decision of the Division Director shall be final.

DIVISION 2. DROUGHT MANAGEMENT

Sec. 49-253. Scope.

The provisions of this division shall apply to all persons, customers, and property served by the Division.

Sec. 49-254. Declaration of policy.

It is hereby declared that, because of the conditions sometimes prevailing in Arizona, the general welfare of the City requires that the waste or unreasonable use, or unreasonable method of use of water be prevented. Water waste is a public nuisance, especially in times of drought.

Sec. 49-255. Purpose.

The City will use intensive public education to assist customers impacted by the drought or shortage to understand the drought stage and the City's need for voluntary or required compliance to water conservation

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measures. In addition to education, the City may use enforcement measures to curb water misuse. No person shall use, or allow the use of, City water resources for purposes contrary to this article or the Drought Management Plan. A copy of the "Drought Management Plan" is available in the City Clerk's Office or the Administrative Offices of the Division.

Sec. 49-256. City Manager; drought management plan implementation.

- (a) The City Manager shall direct the Division Director to promulgate the Drought Management Plan previously approved by the City Council containing regulations setting forth the criteria for implementation and termination of various water use reduction stages.
- (b) The City Council or the City Manager is authorized to declare a drought in accordance to the most recent Drought Management Plan approved by City Council.
- (c) Such declaration may designate the entire area served by the Division, or a portion of it if the shortage is not system-wide.
- (d) Upon declaring a drought or shortage, the City Manager may direct the Division to implement the appropriate stage of the Drought Management Plan and ask for recommendation for corresponding regulations as prescribed in the Drought Management Plan. The City Manager may update these shortage stage regulations from time to time. (e) In accordance with the Drought Management Plan, The City Manager or City Council may terminate the Stage of a drought declaration when the Division Director advises that the conditions that triggered it no longer exist.

Sec. 49-258. Notification and publication.

If it is determined that the health and safety of the City dictate implementing any of the stages of the Drought Management Plan, above stage zero, notification shall be published in a paper of general circulation, to educate the public about the need for the plan and give them notice of conservation regulations and requirements of the applicable stage of the plan. A copy of the Drought Management Plan shall also be available for inspection at the City Clerk's office, and the Division administrative office during normal business hours.

Sec. 49-259. Enforcement.

- (a) The City Manager or designee shall have authority to take actions to enforce any mandatory elements that are part of the Drought Management Plans.
- (b) The City may impose a surcharge on water consumed in excess of the amount prescribed by the most recent Drought Management Plan approved by City Council.
- (c) A written notice shall be placed on the property when a violation occurs, and a duplicate mailed to the Account Holder responsible for the service to the property where the violation took place. The notice shall describe the violation and order that it be abated immediately.
- (d) For subsequent violations, the City Manager or designee may request the issuance of citations in accordance with the provisions of SRC § 49-33 through 49-40.
- (e) Funds generated by the fines shall be used to mitigate the impact of the drought.

Sec. 49-260. Prohibition of mandatory turf conditions by owner's associations.

- A. No property owner's association, homeowner's association or association as defined in Arizona Revised Statutes Title 33, Section 1802 shall require as a condition of compliance with the governing documents that

its unit owners or members over-see or otherwise irrigate turf between the period of October 1 of each calendar year to March 1 of each successive year.

- B. No such association shall require as a condition of compliance with the governing documents that its unit owners or members maintain any minimum amount of turf on such unit owner's or member's lot.
- C. Provided, however, this section shall not be construed to prohibit such associations from enforcing minimum maintenance standards set forth in the applicable governing documents except as expressly limited herein.
- D. Any requirement in the governing documents of such association in contravention of this section shall be deemed invalid and unenforceable.

Exclusion from requirements of this Section:

Turf areas where the property owner's association, homeowner's association or association waters the Turf through a permanently installed, community-owned irrigation system that irrigates more than one (1) dwelling unit.

(Ord. No. 4567, § 1, 9-20-22)

Secs. 49-261, 49-262. Reserved.

Sec. 49-263. Variances.

Variances to drought plan provisions may be granted at the discretion of the City Manager or designee. Account Holders requesting a variance must apply in writing to the Division and demonstrate special circumstances such as health and safety needs or obligation of contract.

Sec. 49-264. Limited exemption to restrictions for users of reclaimed water.

To the extent they are exempt from the Drought Management Plan, users of effluent shall clearly post notices stating that the water being used is not from the public drinking water supply, and is in conformance to Drought Management Plan in force at the time.

DIVISION 3. RESERVED

Secs. 49-265—49-269. Reserved.

DIVISION 4. RESERVED

Secs. 49-270—49-272. Reserved.

ORDINANCE NO. 4708

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. 13658 with an outline of the provisions that may be affected below:

ARTICLE II – MUNICIPAL WATER SYSTEM

DIVISION 1. – GENERALLY

- Sec. 49-16 – Definitions.
- Sec. 49-18 - Interruption of service; street work.
- Sec. 49-21 - Connection and meter installation fees.
- Sec. 49-24 – Maintenance and testing of water meters.

DIVISION 2. – USER RATES AND CHARGES

- Sec. 49-46 – Adjustments for defective meters, leaks, etc.
- Sec. 49-48 – Metered domestic rates.
- Sec. 49-50 – Hydrant and construction meters and water hauling.

DIVISION 3. – BACKFLOW PREVENTION AND CROSS-CONNECTION CONTROL

- Sec. 49-58 – Purpose.
- Sec. 49-59 – Backflow prevention required.
- Sec. 49-60 – Hazard potential.
- Sec. 49-61 – Backflow prevention assemblies; approved list.
- Sec. 49-62 – Backflow prevention assemblies required.

- Sec. 49-63 – Backflow assembly installation – Requirements; location.
- Sec. 49-64 – Installation for fire sprinkler systems.
- Sec. 49-65 – Inspections; maintenance; records.
- Sec. 49-66 – Discontinuance of water service; notice.
- Sec. 49-68 – Plan review.
- Sec. 49-70 – Reserved.

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. 49-225 – In-lieu payments.

Sec. 49-227 – Extension participation program.

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. 13658 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, 2026.

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, 2026.

PASSED AND ADOPTED by the Council of the City of Scottsdale this _____ day of _____, 2026.

CITY OF SCOTTSDALE, an Arizona municipal corporation

By: _____
Lisa Borowsky, Mayor

ATTEST:

By: _____
Ben Lane, City Clerk

APPROVED AS TO FORM:

OFFICE OF THE CITY ATTORNEY


Luis E. Santaella, City Attorney

By: Karen Tyler, Principal Assistant City Attorney

ORDINANCE NO. 4709

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SCOTTSDALE, MARICOPA COUNTY, ARIZONA AMENDING CHAPTER 24, SOLID WASTE MANAGEMENT OF THE SCOTTSDALE REVISED CODE

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

WHEREAS, the City of Scottsdale further desires to amend the provisions of Chapter 24 to adjust the current fees to provide solid waste services in the City of Scottsdale to meet present and increasing demand and recover costs using a fair and proportionate structure;

BE IT ORDAINED by the Council of the City of Scottsdale that the following amendments to Chapter 24 of the Scottsdale Revised Code are hereby approved to be effective as of July 1, 2026:

Section 1. Chapter 24 Solid Waste Management, Section 24-31 of the Scottsdale Revised Code is amended as follows, with strikethroughs indicating deletions and shading indicating additions:

Sec. 24-31. Service charges, residential refuse and recyclable material generators.

(a) When refuse collection service is made available, a monthly charge shall be imposed upon all residential refuse generators in the sum of ~~thirty one dollars and seventy eight cents (\$31.78)~~, **thirty two dollars and forty two cents (\$32.42)**, plus any additional fees, taxes, or charges, regardless of how they are designated, which are or may be imposed by the state or federal government, or by a regional authority, in respect to either individual or municipal action relating to this chapter. Except as provided in subsection (h), the basic monthly charges as described herein shall apply regardless of the nature and extent of services actually provided to a property by the city.

(b) In case of a multiple-dwelling unit, the charge shall be billed to the owner of the premises or to his authorized agent who shall be liable for the payment thereof.

(c) Any residential refuse generator who is serviced by the city's curbside recycling program and who acquires additional refuse containers provided by the city for convenience, shall purchase such containers and shall pay an additional fee of ~~sixteen dollars and thirteen cents (\$16.13)~~ **sixteen dollars and forty five cents (\$16.45)** per month for the collection of each additional refuse container.

(d) Any residential refuse generator refusing to participate in the city's curbside recycling program and who acquires additional refuse containers provided by the city for convenience, or who is required to do so pursuant to section 24-17, shall pay the fee provided in subsection (a) for collection of each container.

(e) Additional refuse containers purchased pursuant to subsections (c) and (d) shall remain the property of the purchaser.

(f) Charges for first and final bills with billing periods more or less than one (1) month shall be prorated.

(g) The director may discontinue monthly service charges to a property if the director receives notice from the owner of the property, in writing, that the structure or structures on the property have been permanently abandoned, or receives notice from the city or county health officer that the structure or structures on the property have been condemned as not habitable, or unsanitary and dangerous to human life.

(h) Any residential refuse generator whose property will be vacant for six consecutive months or more may request a temporary suspension of collection services, pursuant to section 49-23 of this Code. Upon receipt of the refuse generator's signed acknowledgement form as set forth in section 49-23(b), the city will waive all basic monthly refuse collection service charges for the term of the vacancy. Collection service will resume upon the residential refuse generator paying an administrative account establishment fee.

(i) If the city determines that the service is nonetheless being used, it may resume billing.

Section 2. Chapter 24 Solid Waste Management, Section 24-32 of the Scottsdale Revised Code is amended as follows, with strikethroughs indicating deletions and shading indicating additions:

Sec. 24-32. Service charges, commercial refuse and recyclable material generators.

(a) Commercial Refuse Front Load Containers:

The rates below reflect the monthly service cost for each respective combination of container size and collection frequency per week.

Container Size Cubic Yard	Collection Frequencies					
	1	2	3	4	5	6
2	\$122.22 \$117.52	\$244.45 \$235.05	\$366.67 \$352.57	\$488.90 \$470.09	\$611.12 \$587.62	\$733.34 \$705.14
3	\$131.48 \$126.42	\$262.96 \$252.85	\$394.44 \$379.27	\$525.92 \$505.69	\$657.40 \$632.12	\$788.88 \$758.54
4	\$141.17 \$135.74	\$282.33 \$271.47	\$423.50 \$407.21	\$564.66 \$542.94	\$705.83 \$678.68	\$846.99 \$814.41
5	\$150.06 \$144.29	\$300.13 \$288.59	\$450.19 \$432.88	\$600.26 \$577.17	\$750.32 \$721.46	\$900.39 \$865.76
6	\$159.32 \$153.19	\$318.64 \$306.39	\$477.96 \$459.58	\$637.28 \$612.77	\$796.60 \$765.97	\$955.92 \$919.16
8	\$172.97 \$166.31	\$345.93 \$332.63	\$518.90 \$498.94	\$691.87 \$665.26	\$864.84 \$831.57	\$1037.80 \$997.89

Additional refuse containers of two or more will be discounted a flat ten (10) percent; discount applied to least expensive container/pull combined bill.

- (b) The following additional fees shall also be charged, as applicable:
- (1) One hundred sixty dollars (\$160.00) for delivery of any special event front loader container.
 - (2) A one-time charge of one hundred seventy dollars (\$170.00) will be charged for installing a locking latch on a container.
- (c) Charges to commercial refuse generators shall also include any additional fees, taxes, or charges, regardless of how they are designated, which are or may be imposed by the state or federal government, or by a regional authority, in respect to either individual or municipal action relating to this chapter.
- (d) When two (2) or more commercial refuse generators share a container in common, one (1) of the following may be elected:
- (1) The service charges will be billed to the customer requesting the initial service at the regular rate indicated in the rate structure. Businesses sharing a container shall be responsible for making any cost sharing arrangements between or among themselves, as applicable.
 - (2) The shared rate will be divided equally among and billed directly to each business establishment. Each business establishment is responsible for the storage and disposal of its own refuse and shall contract with the city or a private company for refuse removal and disposal. (Title 18, Arizona Administrative Code).
- (e) Charges for first and final bills with billing periods more or less than one (1) month shall be prorated.
- (f) Commercial Recycling Front Load Containers:

Container Size Cubic Yards	Collection Frequencies					
	1	2	3	4	5	6
2	\$96.72 \$93.00	\$193.44 \$186.00				
3	\$101.65 \$97.74	\$203.31 \$195.49				
4	\$106.61 \$102.51	\$213.23 \$205.03				
6	\$116.48 \$112.00	\$232.96 \$224.00				
8	\$126.39 \$121.52	\$252.77 \$243.05				

- (g) Commercial Recycling Plastic Carts:

Container Size	Collection Frequencies					
	1	2	3	4	5	6
90 Gallon	\$14.87 \$14.30	\$29.75 \$28.61				
300 Gallon	\$48.64 \$46.77	\$97.28 \$93.54				

(h) Commercial Manure Front Load Containers

(1) Commercial front load containers for disposal of manure or similar forms of animal or livestock waste may be made available by the City at a rate equal to the regular applicable Commercial Refuse Front Load Container rate multiplied by two.

Section 3. Chapter 24 Solid Waste Management, Section 24-33 of the Scottsdale Revised Code is amended as follows, with strikethroughs indicating deletions and shading indicating additions:

Sec. 24-33. Service charges, commercial roll-off service.

(a) Commercial Refuse Roll-Off Containers:

Container Size	Refuse Fee	Tonnage Included
20 Cubic Yards	\$677.09 \$651.05	3 Tons
30 Cubic Yards	\$677.09 \$651.05	3 Tons
40 Cubic Yards	\$677.09 \$651.05	3 Tons
Tonnage Rate	\$50.70 \$49.23	>3 Tons
Compactor Surcharge	\$59.49 \$57.20	

(b) The city will provide roll-off services to commercial businesses, subject to the provisions of this chapter, when requested to do so. A commercial roll-off container is available for the purpose of depositing construction waste or other materials generated by activity on the site. The container shall be removed by the city, on a predetermined schedule or as requested by the customer, and emptied at a disposal or other site. These actions are collectively referred to as a "pull."

(c) Charges to commercial roll-off customers shall also include any additional fees, taxes, or charges, regardless of how they are designated, which are or may be imposed by the state or federal government, or by a regional authority, in respect to either individual or municipal action relating to this chapter.

(d) When the demand for commercial roll-off service is high, the director of solid waste shall exercise a daily fee of up to twenty three dollars (\$23.00) per day for each work day (Monday through Friday) following a period when the customer has not requested a pull for fifteen (15) work days, for a maximum monthly fee of three hundred and forty five dollars (\$345.00).

(e) Any additional costs incurred by the city for the disposal of containers with loads of more than three (3) tons shall be assessed an additional charge to the commercial roll-off customer of ~~forty nine dollars and twenty three cents (\$49.23)~~ fifty dollars and seventy cents (\$50.70) per ton. Any compactor service will assess an additional charge of ~~fifty seven dollars and twenty cents (\$57.20)~~ fifty-nine dollars and forty-nine cents (\$59.49).

Section 4. 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.

PASSED AND ADOPTED by the City Council of the City of Scottsdale this ____ day of _____, 2026.

ATTEST:

CITY OF SCOTTSDALE, an
Arizona municipal corporation

By: _____
Ben Lane, City Clerk

By: _____
Lisa Borowsky, Mayor

APPROVED AS TO FORM:

OFFICE OF THE CITY ATTORNEY

 _____

Luis E Santaella, City Attorney

By: Karen Tyler, Principal Assistant City Attorney

RESOLUTION NO. 13661

A RESOLUTION OF THE COUNCIL OF THE CITY OF SCOTTSDALE, MARICOPA COUNTY, ARIZONA, AUTHORIZING AND APPROVING ADJUSTMENTS TO THE PLANNING & DEVELOPMENT SERVICES DEPARTMENT FEES AND CHARGES.

WHEREAS, the Planning & Development Services Department collects fees and charges for certain services associated with plan review, building permits, permits for wireless communications facilities in the right-of-way, stormwater management and other fees related to development processing; and

WHEREAS, the Planning & Development Services Department has reviewed those fees and charges and has determined they should remain the same with the exception of new and modified fees associated with land use case types established to meet new State law mandates. New fees are proposed for accessory dwelling units, middle housing and multi-family conversion (adaptive reuse). Modified fees are associated with land division case types.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Scottsdale, Maricopa County, Arizona, as follows:

Section 1. The City Council hereby authorizes and approves the Planning & Development Services Department to institute new and adjust fees to meet State law mandates per the amounts stated in Exhibit "A," attached and by this reference made a part of this resolution, all to be effective July 1, 2026, which shall supersede those currently in effect pursuant to Resolution No. 13391.

PASSED AND ADOPTED by the Council of the City of Scottsdale, Maricopa County, Arizona this ____ day of _____, 2026.

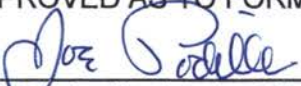
CITY OF SCOTTSDALE, an Arizona
municipal corporation

ATTEST:

Ben Lane, City Clerk

Lisa Borowsky, Mayor

APPROVED AS TO FORM:



Luis Santaella, Interim City Attorney
By: Joe Padilla, Deputy City Attorney

Application Fee Schedule



To view the full schedule of Planning and Development Services rates and fees, please visit ScottsdaleAZ.gov and search "Fees."

Pre-Application	\$131
Records Packet	\$29
Abandonment of Right of Way	
Single Family Lot	\$2,409
All Other Abandonments, including Subdivisions	\$3,424
Annexation / De-annexation	\$2,972
Board of Adjustment	
Appeal	\$237
Residential Variance (Single Family Lot)	\$237
All Other Variances	\$1,873
Building Advisory Board of Appeals	
Commercial	\$473
Residential	No charge
Conditional Use Permit	
Major	\$3,656
Minor	\$931
Development Agreement Application	\$2,719
Development Review (DRB)	
New Construction	\$2,309
Revision (includes Replat)	\$700
Time extension	\$468
Development Review – Staff Approval	
Accessory Dwelling Units (ADUs)	\$131
Multi-family Conversion (Adaptive Reuse)	\$2,309
Middle Housing	\$2,309
Preliminary Plat	\$1,500 + \$100 per lot
Master Plan	\$1,362 per set
Major (includes new Master Sign Program/Community Sign District)	\$468
Minor	\$131
Amendment to Master Sign Program	\$131
Cuts/Fills	\$700
Wash Modification	\$700
Time extension	\$131
General Plan Amendments	
Major	\$5,975
Minor	\$3,245
Hardship Exemption	\$237

Planning and Development Services

7447 E. Indian School Road, Suite #105, Scottsdale, AZ 85251 ScottsdaleAZ.gov

Application Fee Schedule



To view the full schedule of Planning and Development Services rates and fees, please visit ScottsdaleAZ.gov and search "Fees."

In-lieu Parking	\$237
Minor Amendment	\$237
Reasonable Accommodation	
Residential	\$237
All Other Reasonable Accommodations	\$1,873
Records Changes / Addressing Requests <i>*Compliant to MAG Standards</i>	
Street Name Change*	\$379
Address Change or Request - Residential*	\$79
Address Change or Request - Commercial*	\$142
Special Exception	\$237
Water Analysis Review	\$552
Zoning District Map Amendment	
Residential District	\$1,757 + per acre fee
Commercial District	\$3,251 + per acre fee
Industrial District	\$3,251 + per acre fee
Mixed-use District	\$8,453 + per acre fee
Historic Property	No fee
Supplementary District	
Parking P-1	\$3,251 + per acre fee
Parking P-2	\$3,251 + per acre fee
Western Theme Park	\$3,251 + per acre fee
Open Space	\$1,757 + per acre fee
Conservation Open Space	\$1,757 + per acre fee
ESL Amendments to Map	\$563
ESL Density Transfer	\$3,251 + per acre fee
ESL Density Incentive	\$1,757 + per acre fee
All other	Underlying district fees only
Time extension/revision	\$1,105
Rezoning per acre	
0-20	\$132
21-100	\$105
101-600	\$79
600+ acres	\$79
Zoning Text Amendment	
Major	\$3,650
Minor	\$1,336

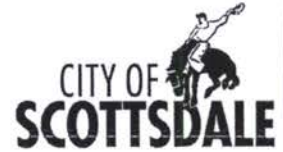
Note: This fee schedule is not all-inclusive and other fees may apply.

Planning and Development Services

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Marshalling / Storage Yard Fee Schedule

To view the full schedule of Planning and Development Services rates and fees,
please visit ScottsdaleAZ.gov and search "Fees."



Marshalling/Storage Yard	\$1,578 + \$0.25 per sq. ft. per week
If development goes beyond the applied time frame, another application fee applies	\$2,630 + \$0.25 per sq. ft. per week

Note: This fee schedule is not all-inclusive and other fees may apply.

Planning and Development Services

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Plan Review Fee Schedule

Commercial

To view the full schedule of Planning and Development Services rates and fees, please visit ScottsdaleAZ.gov and search "Fees."



Commercial	
Livable area with A/C	\$0.54 sq. ft.
Covered area (non A/C)	\$0.34 sq. ft.
Foundation Only	\$0.54 sq. ft. x 25% + \$270
Shell Only	
Livable area with A/C	\$0.54 sq. ft. x 95%
Covered area (non A/C)	\$0.34 sq. ft.
Commercial Addition	
Livable area with A/C	\$0.54 sq. ft.
Covered area (non A/C)	\$0.34 sq. ft.
Commercial Remodel / Tenant Improvement	
Livable area with A/C	\$0.54 sq. ft. x 30%
Apartments/Condos	
Livable Area with A/C	\$0.54 sq. ft.
Covered area (non A/C)	\$0.34 sq. ft.
Engineering Review (per sheet)	
Civil and Improvement Plans	\$1,057
Preliminary Grading	\$363
Revision to Approved Civil and Improvement Plans	\$363
Easements – Dedications/Releases	\$1,057
Landscape	\$1,057
Condominium Plat	\$1,057
Green Compliance Review	
Commercial and Multi-Family (with exceptions)	\$0.10 sq. ft. (max \$600)

Note: This fee schedule is not all-inclusive and other fees may apply.

Planning and Development Services

7447 E. Indian School Road, Suite #105, Scottsdale, AZ 85251 ScottsdaleAZ.gov

Plan Review Fee Schedule

Single Family Residential

To view the full schedule of Planning and Development Services rates and fees, please visit ScottsdaleAZ.gov and search "Fees."



Single Family Custom Homes	
Livable area with A/C	\$0.54 sq. ft.
Covered area (non A/C)	\$0.34 sq. ft.
Fences	\$0.18 ln. ft.
Retaining walls	\$0.18 ln. ft.
Single Family Addition	
Livable area with A/C	\$0.54 sq. ft.
Covered area (non A/C)	\$0.34 sq. ft.
Single Family Remodel	
Livable area with A/C	\$0.54 sq. ft. x 30%
Single Family Standard Plan	
Livable area with A/C	\$0.54 sq. ft.
Covered area (non-A/C)	\$0.34 sq. ft.
Additional elevations (maximum 5)	\$121 each
Engineering Review (per sheet)	
Civil and Improvement Plans	\$1,057
Revision to Civil and Improvement Plans	\$363
Easements – Releases	\$1,057
Final Plat – Row Designation (Requires Management Approval)	No fee
Miscellaneous Plan Reviews	
Native plant	\$121 per hour
Fence only	\$121 per hour + \$0.18 ln. ft.
Retaining walls only	\$121 per hour + \$0.18 ln. ft.
Revision to approved plan	\$121 per hour
Minimum review	\$121 per hour
Benchmark revision	\$121 per hour

Note: This fee schedule is not all-inclusive and other fees may apply.

Planning and Development Services

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Plan Review Fee Schedule

Miscellaneous

To view the full schedule of Planning and Development Services rates and fees, please visit ScottsdaleAZ.gov and search "Fees."



Miscellaneous Plan Review Fees	
After 3rd Review	50% of original fee
Barricade Plan Review	\$121 per hour
Benchmark Revision	\$121 per hour
Dry Utility Review	\$121 per hour
Fence Only	\$121 per hour + \$0.18 ln. ft.
Retaining Walls	\$121 per hour + \$0.18 ln. ft.
Minimum Plan Review	\$121 per hour
Minor Revision to Approved Civil Plans <i>(requires management approval)</i>	\$121 per hour
Native Plant Review	\$121 per hour
Pool	\$121 per hour
Plan Review Extension Request	\$379
Revision to Approved Building Plans	\$121 per hour
Solar Review - Residential	\$168
Solar Review - Commercial	\$337
Update Expired Improvement Plans <i>(with no changes requires management approval)</i>	\$121 per hour
Plat Fees	
Final Plat	\$3,000 + \$250 per lot
Certificate of Correction	\$1,000
Recordation Fees (may vary based upon specific submittal)	
Maps of Dedications/Releases & Land Divisions	
Administrative fee	\$47
First set	\$21 per sheet
Additional set	\$7.36 per sheet
Standard size (8 ½ x 11)	\$21
Signs	
0-20 sq. ft	\$39 per sign
21-30 sq. ft	\$84 per sign
31 sq. ft & over	\$131 per sign
Revision	\$121 per hour

Note: This fee schedule is not all-inclusive and other fees may apply.

Planning and Development Services

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Customized Expedited Plan Review Program

To view the full schedule of Planning and Development Services rates and fees, please visit ScottsdaleAZ.gov and search "Fees."



Customized Expedited Plan Review Program:

Per the Planning & Development Services fee schedule, the fee is two times the amount for the type of plan submitted.

For phased plan submittals, the base fee is considered to be phased plan review fee.

An additional 20% of the expedited plan review will be charged if a 3rd review is required.

Note: This fee schedule is not all-inclusive and other fees may apply.

Planning and Development Services

7447 E. Indian School Road, Suite #105, Scottsdale, AZ 85251 ScottsdaleAZ.gov

Permit Fee Schedule

Commercial

To view the full schedule of Planning and Development Services rates and fees, please visit ScottsdaleAZ.gov and search "Fees."



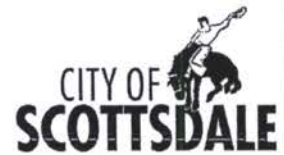
Commercial Building Permit	
Base fee	\$237
Area with A/C	\$0.94 sq. ft.
Covered area (non A/C)	\$0.54 sq. ft.
Certificate of Occupancy	\$195
GIS fee	\$379
Lowest Floor Certificate Review	\$363
Commercial Addition	
Base fee	\$237
Area with A/C	\$0.94 sq. ft.
Covered area (non A/C)	\$0.54 sq. ft.
Certificate of Occupancy	\$195
GIS fee	\$379
Lowest Floor Certificate Review	\$363
Commercial Remodel (Existing)	
Base fee	\$237
Area with A/C	\$0.94 sq. ft. x 30%
Covered area (non A/C)	\$0.54 sq. ft.
Certificate of Occupancy	\$195
Foundation Only	
Base fee	\$237
Foundation	\$0.94 sq. ft. x 25%
GIS fee	\$379
Lowest Floor Certificate Review	\$363
Phasing Fee	\$363

Planning and Development Services

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Permit Fee Schedule Commercial

To view the full schedule of Planning and Development Services rates and fees, please visit ScottsdaleAZ.gov and search "Fees."



Shell Only for Commercial & Multi-Family	
Base fee	\$237
Area with A/C	\$0.94 sq. ft. x 95%
Covered area (non A/C)	\$0.54 sq. ft.
GIS fee	\$379
Certificate of Shell	\$195
Lowest Floor Certificate Review	\$363
Commercial T.I. (New) & Multi-Family Build Out	
Base fee	\$237
Area with A/C	\$0.94 sq. ft. x 30%
Covered area (non A/C)	\$0.54 sq. ft.
Certificate of Occupancy	\$195
Commercial Vanilla Shell T.I.	
Base fee	\$237
Area with A/C	\$0.94 sq. ft. x 30%
Covered area (non A/C)	\$0.54 sq. ft.
Certificate of Shell	\$195
Walls & Fences always require a separate permit.	
Fence Walls	
Base fee	\$237
Linear footage	\$0.27 ln. ft.
Retaining Walls	
Base fee	\$237
Linear footage	\$2.49 ln. ft.

Note: This fee schedule is not all-inclusive and other fees may apply.

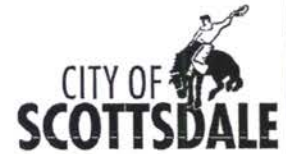
Planning and Development Services

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Permit Fee Schedule

Single Family Residential

To view the full schedule of Planning and Development Services rates and fees, please visit ScottsdaleAZ.gov and search "Fees."



Single Family Custom	
Base fee	\$237
Livable area with A/C	\$0.94 sq. ft.
Covered area (non A/C)	\$0.54 sq. ft.
Certificate of Occupancy	\$195
GIS fee	\$379
Lowest Floor Certificate Review	\$363
Single Family Remodel	
Base fee	\$237
Livable area with A/C	\$0.94 sq. ft. x 30%
Covered area (non A/C)	\$0.54 sq. ft.
Single Family Remodel with Roof Modification	
Base fee	\$237
Livable area with A/C	\$0.94 sq. ft. x 70%
Covered area (non A/C)	\$0.54 sq. ft.
Single Family Addition	
Base fee	\$237
Livable area with A/C	\$0.94 sq. ft.
Covered area (non A/C)	\$0.54 sq. ft.
Certificate of Occupancy	\$195
GIS fee	\$379
Lowest Floor Certificate Review	\$363
Single Family Addition Less than 500 Sq. Ft.	
Base fee	\$237
Livable area with A/C	\$0.94 sq. ft.
Covered area (non A/C)	\$0.54 sq. ft.
Lowest Floor Certificate Review	\$363 special flood hazards area only

Planning and Development Services

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Permit Fee Schedule

Single Family Residential

To view the full schedule of Planning and Development Services rates and fees, please visit ScottsdaleAZ.gov and search "Fees."



Single Family Detached Structure	
Base fee	\$237
Livable area with A/C	\$0.94 sq. ft.
Covered area (non A/C)	\$0.54 sq. ft.
Certificate of Occupancy	\$195
GIS fee	\$379
Lowest floor certificate review	\$363
Single Family Standard Plan	
Base fee	\$237
Livable area with A/C	\$0.94 sq. ft.
Covered area (non A/C)	\$0.54 sq. ft.
15% Admin Site Review Fee	Varies based on square footage
Certificate of Occupancy	\$195
GIS fee	\$379
Lowest floor certificate review	\$363
Fence walls	
Base fee	\$237
Linear footage	\$0.27 ln. ft.
Retaining Walls	
Base fee	\$237
Linear footage	\$2.49 ln. ft.

Note: This fee schedule is not all-inclusive and other fees may apply.

Planning and Development Services

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Permit Fee Schedule

Miscellaneous

To view the full schedule of Planning and Development Services rates and fees, please visit ScottsdaleAZ.gov and search "Fees."



Miscellaneous Permit Fees	
Active Permits Records Change - Residential	\$121
Active Permits Records Change - Commercial	\$195
Administrative Site Review Fee	20% of sq. ft. / ln. ft. fee
Annual Facilities Permit (<i>renewals expire on 12/31 of calendar year</i>)	Pro-rated by date of purchase:
January - March	\$5,349
April - June	\$4,092
July - September	\$2,677
October - December	\$1,410
Building Permit Extension Request	\$379
Certificate of Occupancy (visual inspection only)	\$195
Change of Occupant Permit	\$195
Demolition Permits	\$379
Demolition Permit - Pool	\$121
Industrial Racking Permit	\$379
Minimum Permit (one discipline)	\$121
Minimum Combination (all disciplines)	\$379
Native Plant Permit	\$37 + \$1 for each plant affected + \$237 base fee
Native Plant Permit Modification	\$37 + \$1 for each plant affected + \$237 base fee
Native Plant Relocation Methodology	\$63
Off Hours Civil Inspections	\$379
Off Hours Building Inspections	\$379
On Site Grading	\$121
Pools & Spas Attached	\$0.61 sq. ft. + Planning Insp. Fee** + Base Fee*
Pools & Spas - Base Fee*	\$237
Pools & Spas - Planning Inspection Fee**	\$195
Refuse - Single Enclosure	\$305
Refuse - Double Enclosure	\$410
Reinspection	\$121
Stand Alone Spas	\$142 + Planning Insp. Fee** + Base Fee*

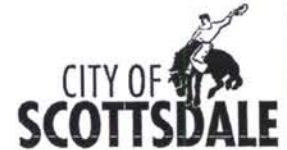
Planning and Development Services

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Permit Fee Schedule

Miscellaneous

To view the full schedule of Planning and Development Services rates and fees, please visit ScottsdaleAZ.gov and search "Fees."



Solar Residential	\$168
Solar Commercial	\$331
Solar Water Heaters	\$90
Temporary Power Pole	\$121
Water Heaters (except solar)	\$63
Signs	
Base fee (applied once per permit application, not per sign)	\$237
0-10 sq. ft.	\$26 per sign
11-20 sq. ft.	\$168 per sign
21-30 sq. ft.	\$268 per sign
31 sq. ft. and over	\$363 per sign
Temporary Banner	\$37

Note: This fee schedule is not all-inclusive and other fees may apply.

Planning and Development Services

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Civil Improvement Permit Fees Schedule

Permission to Work in Right of Way (P.W.R.) & On-Site Permits

To view the full schedule of Planning and Development Services rates and fees, please visit ScottsdaleAZ.gov and search "Fees."



IMPROVEMENT PLANS

The following inspection and permit fees are required for the specified improvements and must be paid in addition to all other required fees.

Item	Unit	Fee
1. BASE FEES - Multiple permit: if more than one permit is required for a single project, only the highest base fee shall be paid.		
ROW Permit	Per permit	\$237
Annual ROW permit	Per permit	\$2,719
Oversize/Overweight Permits (Single Trip)	Per permit	\$34
Oversize/Overweight Permits (30 Days)	Per permit	\$79
Haul Permits	Per cubic yard	\$0.15
On-Site Permit	Per permit	\$237
2. PAVING		
Paving, Asphaltic concrete (base course)	Square yard	\$0.97
Paving, Overlay or top course of multicourse paving	Square yard	\$0.34
Barricading (permanent – wooden)	Each	\$51
Guard Rail	Linear foot	\$0.54
Survey Monuments	Each	\$18.37
Valve and manhole adjustments	Each	\$29
3. CONCRETE		
Driveways	Square yard	\$0.73
Paving, Portland cement concrete	Square yard	\$0.73
Decorative sidewalk or paving (Bomanite, Terrazzo, etc.)	Square foot	\$0.34
Sidewalk and bicycle path	Square foot	\$0.27
Curb and gutter	Linear foot	\$0.49
Valley gutter	Square foot	\$1.38
Concrete apron including curb and/or wheelchair ramps	Each	\$36
Scuppers & building drains	Each	\$27
Alley Surfacing (non A/C)	Square yard	\$0.27
Cutoff walls	Linear foot	\$0.67
Slope protection (riprap, gabions, gunnite, cobbles, scour wall, etc.)	Square yard	\$1.22
4. DRAINAGE		
Irrigation and storm drain pipe	Linear foot	\$3.42
Manholes	Each	\$174
Catch basins, headwalls, irrigation, S.D. and water manholes	Each	\$79
Box Culvert	Linear foot	\$53
Drywells	Each	\$174
Underground Retention Pipe	Linear foot	\$5.26
5. WATER		
Water main	Linear foot	\$0.97
Water service line	Linear foot	\$0.73

Planning and Development Services

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Civil Improvement Permit Fees Schedule

Permission to Work in Right of Way (P.W.R.) & On-Site Permits

To view the full schedule of Planning and Development Services rates and fees, please visit ScottsdaleAZ.gov and search "Fees."



IMPROVEMENT PLANS

The following inspection and permit fees are required for the specified improvements and must be paid in addition to all other required fees.

Item	Unit	Fee
5. WATER (continued)		
Pipe encasements (in twenty-linear-foot sections)	Each	\$26
Tapping sleeves and valves	Each	\$110
Fire hydrants	Each	\$110
Borings	Linear foot	\$9.67
Vault: meter / PRV	Each	\$158
6. SEWER		
Sanitary Sewer main	Linear foot	\$1.22
Sanitary Sewer taps and service line	Linear foot	\$0.73
Sanitary Sewer manholes	Each	\$110
Cleanouts and drop connections	Each	\$68
Sewer line television inspection	Linear foot	\$0.89
Pipe encasements (in twenty-linear-foot sections)	Each	\$26
Lift stations	Each	\$510
7. DRY UTILITIES		
Underground bore or trench	Linear feet of bore or trench	\$0.61
Bore Pit	Each	\$84
8. FILL AND CUT		
Less than 100 cubic yards	Cubic yards	No charge
101 – 10,000 cubic yards	1,000 cubic yards	\$84
10,001 or more cubic yards	10,000 cubic yards	\$379
9. MISCELLANEOUS		
Streetlights	Each	\$21
Traffic Signals	Per leg	\$542
Street Cut to pavement less than 12 months old	Per square feet	\$258
Street Cut to pavement 12 to 24 months old	Per square feet	\$158
Street Cut to pavement 25 to 48 months old	Per square feet	\$84
Sprinkler system, piping (for landscaping)	Per linear foot	\$0.34
Signs (regulatory, warning, street, etc.)	Each	\$13
As-Builts	Per permit	\$389
Stock Pile	Cubic yards	\$0.10
10. INSPECTIONS		
Planning	Per permit	\$195
Off Hours	Per hour	\$379
Reinspections	Per inspection	\$121

Note: This fee schedule is not all-inclusive and other fees may apply.

Planning and Development Services

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Records Fee Schedule



To view the full schedule of Planning and Development Services rates and fees, please visit ScottsdaleAZ.gov and search "Fees."

<i>Item</i>	<i>Unit</i>	<i>Fee</i>
1. COPIES (black and white)		
8 ½" x 11"	more than 24	\$0.26
11" x 17"	Each	\$1.17
24" x 36"	Each	\$6.04
2. COPIES (color)		
8 ½" x 11"	Each	\$1.17
11" x 17"	Each	\$2.36
3. AERIALS		
8 ½" x 11"	Each	\$3.68
11" x 17"	Each	\$5.78
4. AERIALS - Custom		
Regular Paper – 30" x 36"	Each	\$40
Photo Paper – 30" x 36"	Each	\$75
5. TOPOGRAPHY – Map and Aerial		
8 ½" x 11"	Each	\$5
6. TOPOGRAPHY – Map		
8 ½" x 11"	Each	\$2.31
15" x 18"	Each	\$8.14
30" x 36"	Each	\$17.85
7. OFFSITE RECORDS BOX RETRIEVAL		
Retrieve and Refile	Each	\$6.04
Deliver	Each	\$12.86
Staff Time	Per hour	\$34.65
8. MICROFICHE IMAGED RECORDS COPIES		
8 ½" x 11"	per sheet	\$0.68
11" x 17"	per sheet	\$1.16
PDF Conversion	per case	\$5.57
9. COMMERCIAL RECORDS RESEARCH (non-refundable)		
Commercial Research Base Fee	Each	\$105
Research (Staff Time)	Per Hour	\$35
<i>*Current Production Cost</i>		

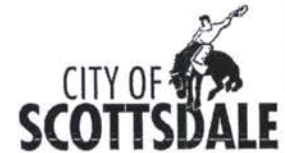
Note: This fee schedule is not all-inclusive and other fees may apply.

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Stormwater Management Fee Schedule

To view the full schedule of Planning and Development Services rates and fees, please visit ScottsdaleAZ.gov and search "Fees."



Appeal of Floodplain Administrator's Interpretation of Special Flood Hazard Area Provisions	
Appeal	\$250
Variance from Floodplain Management Regulations in a Special Flood Hazard Area	
Variance	\$2,600
Continuance (Applicant's Request)	\$50
New Posting Required	\$170
Conditional Letter of Map Revision Review (CLOMR)	
CLOMR (MT-1)	\$880
CLOMR (MT-2)	\$3,000
Letter of Map Revision Review (LOMR)	
LOMR (MT-1)	\$880
LOMR (MT-2)	\$3,000
Stormwater Storage Waiver	
In-lieu fee	\$3.00 per cu. ft.
Stormwater Account Charge	
	\$8.10 per customer/per month
Sewer Fund for O&M related to stormwater	\$0.30
General Fund for O&M related to stormwater	\$0.85
Drainage and Flood Control capital projects	\$6.95

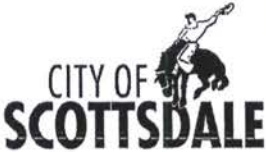
Note: This fee schedule is not all-inclusive and other fees may apply.

Planning and Development Services

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Annual Fees For SWF & WCF In The Right-Of-Way

To view the full schedule of Planning and Development Services rates and fees, please visit ScottsdaleAZ.gov and search "Fees."



Annual Right-of-Way Use Fees for Small Wireless Facilities

Small Wireless Facility (SWF) on City-owned Pole in the ROW

Antenna area 6 cubic feet or less with associated equipment 28 cubic feet or less.

- A. \$50.00 per SWF site per calendar year for use of the right-of-way.
- B. \$50.00 per SWF site per calendar year for the co-location of a SWF on a City-owned streetlight, traffic signal pole or other City-owned wireless support structure.

Small Wireless Facility (SWF) on a Third Party-owned Pole in the ROW

Antenna area 6 cubic feet or less with associated equipment 28 cubic feet or less.

\$50.00 per SWF site per calendar year for the co-location of a SWF on a Third Party-owned utility pole of wireless support structure in the ROW. Wireless provider shall provide documentation from the Third Party pole owner authorizing the use of the pole as a SWF.

Annual Right-of-Way Use Fees for non-SWF Wireless Communication Facilities (WCF)

Category 1 – WCF with antenna(s) mounted on an EXISTING vertical element or pole and any associated ground equipment. Each WCF site will have an Antenna Base Fee of \$4,997 for a WCF site on the ROW, plus a Ground Equipment Fee (if applicable) for the cubic feet of ground equipment in the ROW, as set forth below:

	Antenna Base Fee	Equipment Fee	Total WCF Annual Fee
A. Total is 29 cu. ft. up to 50 cu. ft.	Included	Included	\$4,997
B. Total is 51 cu. ft. up to 200 cu. ft.	\$4,997	\$9,479	\$14,479
C. Total is 201 cu. ft. up to 300 cu. ft.	\$4,997	\$14,149	\$19,146
D. Total is 301 cu. ft. up to 400 cu. ft.	\$4,997	\$18,889	\$23,880
E. Total is 401 cu. ft. or more	\$4,997	\$23,560	\$28,557

Category 2 – WCF with antenna(s) mounted on a NEW vertical element that is stealth or utilizes alternative concealment when existing vertical elements are not available, and any associated ground equipment. Each WCF site will have an Antenna Base Fee of \$5,376 for a WCF site on the ROW, plus a Ground Equipment Fee (if applicable) for the cubic feet of ground equipment in the ROW, as set forth below:

	Antenna Base Fee	Equipment Fee	Total WCF Annual Fee
A. Total is 29 cu. ft. up to 50 cu. ft.	Included	Included	\$5,376
B. Total is 51 cu. ft. up to 200 cu. ft.	\$5,376	\$9,479	\$14,854
C. Total is 201 cu. ft. up to 300 cu. ft.	\$5,376	\$14,149	\$19,530
D. Total is 301 cu. ft. up to 400 cu. ft.	\$5,376	\$18,889	\$24,264
E. Total is 401 cu. ft. or more	\$5,376	\$23,560	\$28,941

Planning and Development Services

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Annual Fees For SWF & WCF In The Right-Of-Way

To view the full schedule of Planning and Development Services rates and fees, please visit ScottsdaleAZ.gov and search "Fees."



Annual Right-of-Way Use Fees for non-SWF Wireless Communication Facilities (WCF)

Category 3 – WCF with antenna(s) mounted on a NEW vertical element that is neither stealth nor concealed in appearance, and any associated ground equipment. Each WCF site will have an Antenna Base Fee of \$7,169 for a WCF site on the ROW, plus a Ground Equipment Fee (if applicable) for the cubic feet of ground equipment in the ROW, as set forth below:

	Antenna Base Fee	Equipment Fee	Total WCF Annual Fee
A. Total is 29 cu. ft. up to 50 cu. ft.	Included	Included	\$7,169
B. Total is 51 cu. ft. up to 200 cu. ft.	\$7,169	\$9,479	\$16,648
C. Total is 201 cu. ft. up to 300 cu. ft.	\$7,169	\$14,149	\$21,319
D. Total is 301 cu. ft. up to 400 cu. ft.	\$7,169	\$18,889	\$26,058
E. Total is 401 cu. ft. or more	\$7,169	\$23,560	\$30,734

Annual Fees for WCF in the ROW (Instructions) For Non-SWF Wireless Communication Facilities

The annual encroachment permit fees for wireless communications facilities in the rights-of-way categories above shall be administered according to the following rules:

1. The fee structure shall apply to the installation of any antennas, antenna structures, ground equipment, electronics, cabinets, and other appurtenances required or associated with the operation of a wireless communications facility (WCF) in the City's rights-of-way (ROW).
 - a. All existing WCF in ROW that have been constructed or received permits by July 2, 2009 will be eligible to have the annual WCF in ROW fee set at a rate of \$14,286 for FY 2025-2026 (July 1, 2025 through June 30, 2026). The rate of **\$14,286** is subject to annual increases adopted by the City Council.
 - b. WCF sites in the ROW that were "on-air" prior to July 3, 2009 and are subsequently modified will be subject to the Annual Fees for WCF in the ROW when the vertical element is replaced or when the original ground mounted equipment is expanded.
2. Antenna Structures and Base Fee – In cases where the existing vertical element is replaced for structural purposes with a pole designed to support the antennas and cabling, the WCF will be categorized as being installed on an existing vertical element. The Antenna Base Fee includes up to 50 cubic feet of ground equipment and any electrical conductors necessary to operate the WCF site.
3. Ground Equipment Fee – The ground equipment measurement is calculated by the size of a flat, four-sided "box" (parallel sides of equal length) with a top panel that is parallel to the ground so that the box will cover the ground equipment from the top of the equipment to the ground (non-improved dirt surface), and from side-to-side, including any foundation or pad for the equipment. For situations where there is more than one ground equipment fixture or cabinet (adjacent to each other or within the same use area), the equipment fixtures, cabinets and generators are deemed to be part of the same contiguous ground equipment space and will be measured together within the same box. Any Remote Radio Heads or Remote Radio Units mounted to a cabinet, post or wall in the same area with the ground equipment shall be included in the measurement for the ground equipment. Electrical meters and telecom pedestals are not included in the ground equipment.

Planning and Development Services

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Annual Fees For SWF & WCF In The Right-Of-Way

To view the full schedule of Planning and Development Services rates and fees, please visit ScottsdaleAZ.gov and search "Fees."



4. WCF site that has both the vertical element and ground equipment in the ROW will be assessed an amount equal to the Antenna Base Fee plus the Ground Equipment Fee, except that:
 - a. WCF sites that have the antennas installed on a vertical element in the ROW but the ground equipment installed on private property will be assessed the Antenna Base Fee only.
 - b. WCF sites with antennas on a vertical element located on private property but with the ground equipment in the ROW, will be assessed the Ground Equipment Fee only.
5. All WCF in the ROW must have an Antenna Site Right-of-Way License Agreement (ARLA) document submitted to the City for each WCF site installed and operated in the ROW.
6. An invoice for the annual WCF in the ROW permit fee is sent to the person and address provided on the ARLA document, every July with payment due every Aug. 25th.
7. The ARLA is an encroachment permit allowing the WCF to be in the ROW; a WCF owner or applicant must obtain a "Permission to Work in the ROW" permit to construct, repair or maintain the WCF site.
8. The annual WCF in the ROW permit fee does not include fees and charges for any other planning & development fees, permits, plan review fees, inspection fees, or any other services or approvals that may be required by the City of an owner or applicant of a WCF in the ROW.

Note: This fee schedule is not all-inclusive and other fees may apply.

Planning and Development Services

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Wireless Communication Facility (WCF) & Small Wireless Facility (SWF) Fee Schedule



To view the full schedule of Planning and Development Services rates and fees, please visit ScottsdaleAZ.gov and search "Fees."

Wireless Communication Facilities Application Fees	
Pre-Application	\$131
Conditional Use Permit (Major) for new WCF	\$3,650
Conditional Use Permit (Minor) for WCF Conditional Use Permit Renewals	\$931
Development Review Board (DRB)	\$2,309
Development Review (Minor) – Staff Approval for WCF	\$700
Wireless Communication Facilities Plan Review and Permit Fees	
WCF Plan Review	\$121 per hour (first hour paid at submittal)
WCF Permit (Cellular)	\$237
ROW Permit (Cell Site)	\$237
Small Wireless Facility (SWF) Application Fees	
<i>Fees below cover plans review and permit fees</i>	
Pre-Application	No fee
Small Wireless Facility (SWF) Not Subject to Zoning	\$750
Small Wireless Facility (SWF) Subject to Zoning	\$1,000
*Batched Small Wireless Facility (SWF) applications- up to 25 sites total	\$1,000
First site	\$750
Sites 2-5	\$100 each
Sites 6-25	\$50 each
<i>*Subject to staff approval prior to submittal</i>	

Note: This fee schedule is not all-inclusive and other fees may apply.

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In-Lieu Parking



To view the full schedule of Planning and Development Services rates and fees, please visit ScottsdaleAZ.gov and search "Fees."

Monthly Term (Temporary Lease) and Minimum Permanent Installment Monthly Payment per Credit Not Including Interest	\$152
Evening Term Only (Temporary Lease) Monthly Payment per Credit – Night Time Only	\$42

Note: This fee schedule is not all-inclusive and other fees may apply.

Planning and Development Services
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Public Electric Vehicle Charging Fee Schedule

To view the full schedule of Planning and Development Services rates and fees, please visit ScottsdaleAZ.gov and search "Fees."



Public Electric Vehicle Charging	\$2 per charge
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Note: This fee schedule is not all-inclusive and other fees may apply.

Planning and Development Services

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RESOLUTION NO. 13655

A RESOLUTION OF THE COUNCIL OF THE CITY OF SCOTTSDALE, MARICOPA COUNTY, ARIZONA, AUTHORIZING AND APPROVING THE PARKS AND RECREATION DEPARTMENT SCHEDULE OF RATES AND FEES TO BE EFFECTIVE JULY 1, 2026.

WHEREAS, pursuant to Scottsdale Revised Code Section 20-52, the Parks and Recreation Department presently collects (i) fees and charges for programs, rides, and events and (ii) fees for certain services and rentals as authorized by the City Council in Resolution No. 13387 and Resolution No. 13408, effective as of July 1, 2025;

WHEREAS, the Parks and Recreation Department has reviewed these fees, charges, and related matters, and has determined certain fees and policies should be adjusted; and

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Scottsdale, Maricopa County, Arizona, as follows:

Section 1. The City Council hereby authorizes and approves the Parks and Recreation Department to adjust its Schedule of Rates and Fees to the amounts and policies stated in Exhibit "A," attached and by this reference made a part of this Resolution, all to be effective July 1, 2026, which shall supersede those currently in effect pursuant to Resolution No. 13387 and Resolution No. 13408 as they apply to the rates and fees charged by the Parks and Recreation Department.

PASSED AND ADOPTED by the Council of the City of Scottsdale, Maricopa County, Arizona this ____ day of _____, 2026.

CITY OF SCOTTSDALE, an Arizona
municipal corporation

ATTEST:

Ben Lane, City Clerk

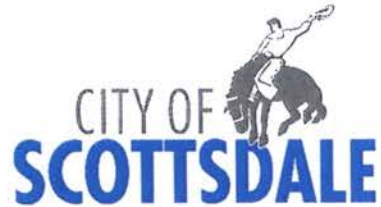
Lisa Borowsky, Mayor

APPROVED AS TO FORM:

Luis Santaella

Luis Santaella, Interim, City Attorney

By: Lindsay Hampshire, Assistant City Attorney



**CITY OF SCOTTSDALE
PARKS AND RECREATION DEPARTMENT**

SCHEDULE OF RATES AND FEES

Effective July 1, 2026

Section 1. Purpose

Throughout its history, the City of Scottsdale ("City") has developed open space and facilities for public uses and purposes. The Parks and Recreation Department's Schedule of Rates and Fees ("Schedule") is approved by City Council and provides the rates and fees associated with the use of City programs, facilities, and spaces managed by the Parks and Recreation Department ("Department").

Many Parks and Recreation facilities including public areas within neighborhood, community, and specialty parks and buildings, are available for drop-in use without charge, unless reserved. Commercial activities are not considered drop-in uses and require a facility use permit. Facilities unavailable for drop-in use ("Non-Drop-In Facilities") include aquatic centers, kitchen facilities, the Sports Complexes (Scottsdale Sports Complex, Bell94 Sports Complex and Reata Sports Complex, herein referred to as "the Sports Complexes"), designated ball fields, and other facilities as determined appropriate by the City Manager or designee currently responsible for the daily operations within Parks and Recreation.

A portion of the City's associated operating costs will be recovered for specified facilities, programs, attractions, and uses from customers benefitting directly from the use of the facilities or participation in the programs.

Parks and Recreation fees and charges are reflected in this Schedule as set fees (Section 3) or formula fees (Section 4), and are reviewed periodically, per adopted City financial policy. This Schedule also establishes reduced rates for Scottsdale residents. The Department Representative, with the concurrence of the City Attorney's Office, may make exceptions to this schedule when the exceptions are consistent with the purposes of this schedule and community interests are served.

The priority of use of Parks and Recreation public facilities is as follows:

1. Uses programmed by facility staff to serve the facility's targeted patrons, as identified by the facility manager and the Department Representative.
2. Public uses where all or part of the associated operating costs will be recovered from customers benefitting directly from the use of the facilities or participation in the programs.
3. Use by City divisions for meetings and events.

Section 2. Definitions

Commercial Activity. Use by any individual, group, organization, or business, other than the City, whose objective is to conduct business, or an undertaking intended for economic profit or private gain, whether income is realized, directly or indirectly, in or upon facilities designed to serve residents of the City and general public. Activities used to enhance the reputation or lead to income-generating work in the future are considered a commercial activity. This includes nonprofit organizations and educational groups that receive money from participants. Examples of commercial activities include, but are not limited to:

- An event managed or administered by a promoter (i.e., concerts, weddings).
- Instructional classes (i.e., health/wellness lessons, boot camps, fitness training, dog training, private sessions).
- An activity with or without an entry fee, which may result in an immediate or future profit (i.e., tax preparation, estate planning, investment education or counseling, sales promotions).
- Fundraising events conducted by for-profit or non-profit organizations.
- Camps or clinics.

Exception to the commercial activity definition:

Youth (18 and under) related organizations and/or groups that are not part of an educational institution are excluded from the definition of commercial activity for field and facility reservations utilized for youth-related practices and meetings. The appropriate resident, non-resident, league/tournament, or commercial fees will apply depending on the use.

Drop-in Use. Drop-in use is non-commercial use of public Parks and Recreation outdoor space and facilities (other than Non-Drop-In Facilities) that do not have a conflicting reservation and is without charge on a first-come, first-served basis, without having reserved the facility or space in advance.

Non-Resident. Anyone who does not live or own property within the corporate boundaries of the City. The Non-Resident definition does not apply to partner youth organization participants living outside the corporate boundaries of the City, but who are currently registered as a student with a school engaged in an active shared use agreement with the City, for the purposes of said partner youth organization activities.

Processing Fee. A nonrefundable fee that may be charged for processing registrations, reservations, permits, cancellations, withdrawals or other uses.

Reservable and Non-Reservable Facilities. Parks and Recreation facilities are designated as reservable or non-reservable as determined by the Department Representative. Reservable facilities can be reserved in advance of an activity. Reservations are granted higher priority and will displace drop-in users. Non-reservable facilities are not allowed to be reserved and are available for drop-in use only on a first-come, first-served basis.

Resident. Anyone who lives or owns property within the corporate boundaries of the City. Not all Scottsdale mailing addresses meet the criteria. Proof of city of Scottsdale residency may be required to determine if an applicant is eligible for a particular program and to determine the applicable fee. Partner youth organization participants living outside the corporate boundaries of the City, but who are currently registered as a student with a school engaged in an active shared use agreement with the City are considered Residents, for the purposes of said partner youth organization activities.

Section 3. Fee Classifications and Policies

Resident and Non-Resident Fee Classification

Uses of and reservations for use of a Parks and Recreation facility and/or equipment may be subject to a Resident or Non-Resident fee unless the Reduced or No Fee classification, or Commercial Fee

classification is more appropriate. Resident and Non-Resident fees are not applicable to the rental of the Sports Complexes.

Reduced or No Fee Classification

The Reduced or No Fee classification may include, but is not limited to:

- Facility reservations and youth programming that collaborate with Scottsdale Unified School District where expenses are shared between both agencies.
- Public meetings with Federal and State Congressional Representatives when not, in the judgment of the City, related to elections for public office or ballot questions.
- Reciprocal use or benefit provided for in an intergovernmental agreement or otherwise authorized in a City agreement or contract.
- City authorized agreements with the concurrence of the City Attorney's Office.
- Use of facilities or equipment by City staff and other City divisions for City purposes.

Reservations subject to the Reduced or No Fee classification may still be responsible for the processing fee and out-of-pocket expenses, such as staffing, lighting, and utilities.

Notwithstanding the foregoing, with the concurrence of the City Attorney's Office, the Department Representative may waive or reduce fees for organizations that provide services to those in need, provide services as a substitute for a City program, or otherwise contract or partner with the City.

Fee Assistance. The fee assistance program provides assistance for select fee-based recreation classes and programs to eligible Scottsdale residents. Eligibility is based on income and written guidelines are available at the Leisure Education/Facility Booking Office or by searching "Fee Assistance Program" at ScottsdaleAZ.gov. Administrative staff verify eligibility criteria and oversee the approval process.

Commercial Fee Classification

The Commercial Fee classification applies to requests by an individual, organization, or business to use certain Parks and Recreation facilities and equipment for a commercial activity whether income is realized at the time of the use or not. Certain facilities such as tennis courts, weight rooms, and other facilities as determined by the Department Representative may only be scheduled for commercial activity outside of normal public use time or in designated low public use times or may not be available for commercial activities at all.

- Commercial activity requires adherence to City tax and license requirements.
- Commercial activity is not permitted for drop-in use and requires a facility use permit.
- Outdoor Commercial Use Fee. The Parks and Recreation Department reserves the right to assign designated commercial use areas within their outdoor facilities where the requested commercial use does not require a designated reservable facility. A commercial use permit is required, and permit fee will be charged for such reservation.

Sports Complex Fee Classification

A fee shall be charged to reserve any of the Sports Complexes unless the Reduced or No Fee classification is applicable. All uses require a reservation and a facility use agreement or permit containing terms and conditions governing such use and a requirement for the renter to follow the written rules and regulations of the applicable sports complex.

Sports Complex use fees are calculated to recover a portion of the costs directly related to day-to-day operation of the facility and include program staffing, contracted services, and commodities and are charged in addition to associated facility rental fees. Resident and non-resident fee classifications are not applicable at the Sports Complexes.

The Department Representative, with concurrence of the City Attorney's Office, may make the following rate adjustments to the Sports Complexes fees:

- Premium rate adjustments for larger and/or higher quality fields and primetime rentals for weekends and holidays
- Discounts for multiple rentals, non-primetime rentals, and youth-related activities

Receipt of direct, in-kind services, promotion, or marketing services in partial or full payment of fees when reasonable and in the best interests of the City. The fair market value of the in-kind services, promotion, or marketing services received by the City shall be used to determine the extent to which fees are offset.

Daily Admission Fees

All patrons entering a fee-based facility must check in and pay the daily admission fee (unless a paid member) regardless of their intended facility use. Daily admission includes use of all amenities at that facility that are available and in operation. Re-entry to the facility on the same day the daily admission is paid is permitted with a re-entry pass. Re-entry passes are issued upon request when leaving the facility. Hours of operation and specific facility amenities available upon re-entry are subject to change. Re-entry passes may only be redeemed at the issuing facility on the same day.

Pilot Fees

After approval by the Parks and Recreation Commission ("Commission"), the Department Representative may authorize fees or charges for programs, facilities, equipment, and other charges within Parks and Recreation to be conducted on a trial or pilot basis of approximately one year or less. Pilot periods assist the Parks and Recreation Department in assessing the success of new fees and determining whether to implement the fee on a long-term basis. Pilot fees must comply with all state law requirements; for example, providing all required notices and obtaining approval of the pilot fee by the Commission prior to fee implementation. The Department Representative may authorize, subject to compliance with state law and concurrence of the City Attorney's Office, one temporary extension of each pilot fee if further evaluation is needed before instituting the fee on a long-term basis. If implemented on a long-term basis, the fee is subject to approval by the City Council, which may be approved through the annual city budget process.

Section 4. Set Fee Schedule

		Resident	Non-Resident	Commercial
Adult Sports				
Forfeit fee	Each Game	\$15	\$15	
Protest		\$10	\$10	
Aquatics-Cactus, Chaparral, Eldorado				
Pool Rental (plus lifeguards)	Per Hour	\$30	\$60	\$120
Public swimming daily admission, Adult	Per Person	\$4	\$6	

		Resident	Non-Resident	Commercial
Public swimming daily admission, Youth		\$3	\$4	
Lap swimming and Fitness Center daily admission, Adult		\$4	\$6	
Lap swimming and Fitness Center daily admission, Youth		\$3	\$4	
Aquatics-Lap Lane Rentals				
Commercial – short course	Per Lane/ Per Hour		\$12	
Commercial – long course			\$28	
Masters Swim (contracted team) – short course			\$7	
Masters Swim (contracted team) – long course			\$13	
Partner Team – short course			\$5	
Partner Team – long course			\$8	
Partner Team Dive Well			\$13	
Aquatics-McDowell Mountain Ranch				
Public swimming daily admission, adult	Per Person	\$7	\$10	
Public swimming daily admission, youth		\$5	\$7	
Lap swimming and Fitness Center daily admission, Adult		\$4	\$6	
Lap swimming and Fitness Center daily admission, Youth		\$3	\$4	
Pool Rental (plus lifeguards)	Per Hour	\$40	\$80	\$160
Courtyard (2 hour minimum)		\$25	\$50	\$100
Island Rental (2 hour minimum, limit of 25 people)		\$20	\$40	\$80
Club SAR				
Daily Admission Pass	Per Person	\$4	\$6	
Equipment Rental				
A/V Equipment	Per Event	\$50	\$50	\$50
Tennis ball machine-Court cost (day/evening)	Per Hour	\$11/\$15	\$11/\$15	
Tennis ball machine-Court cost (day/evening)	Per 1.5 Hours	\$13/\$17	\$13/\$17	
Tennis ball machine-Court cost (day/evening)	Per 2 Hours	\$15/\$19	\$15/\$19	
Tennis Ball Usage, Basket of Balls	Per Hour	\$2	\$2	
Facility Rental-Indoor				
Extra Small (max capacity 20)	Per Hour	\$5	\$5	\$5
Small (less than 500sf, max capacity 30)		\$20	\$20	\$20
Medium (501-1000sf, max capacity 79)		\$25	\$25	\$25
Large (1001-2499sf, max capacity 149)		\$40	\$40	\$40
Extra Large (2500+sf, capacity 150+)		\$60	\$60	\$60

		Resident	Non-Resident	Commercial
Commercial Kitchen – 1 hour minimum		\$15	\$30	\$60
Kitchen	Per Day	\$25	\$25	\$25
Facility Rental-Outdoor				
Amphitheater	Per Day	\$50	\$100	\$200
Court Lighting	Per Hour	\$4	\$4	\$4
Court/Tennis, Racquetball – Adult Daytime	Per Person/ 1.5 Hours	\$3	\$5	
Court/Tennis, Racquetball – Adult 6pm-9pm		\$5	\$8	
Court/Tennis, Racquetball – Youth Daytime (Ages 12 and under)		\$2	\$3	
Court/Tennis, Racquetball – Youth 6pm-9pm (Ages 12 and under)		\$3	\$5	
Court/Tennis – Tournament - Non-team Event	Per player	\$8	\$8	\$8
Court/Tennis Tournament - School Use	Per hour, per court	\$7	\$7	\$7
Court/Tennis Tournament - Team Event	Per match	\$10	\$10	\$10
Tennis Tournament Deposit (applied to total event charges/refundable up to 60 days prior to the event)	Per event, per site	\$250	\$250	\$250
Court/Volleyball – Grass	Per Day	\$5	\$5	\$5
Court/Volleyball – Sand	Per Hour	\$16	\$16	\$16
Disc Golf Course	Per Day			\$120
Field - Daytime	Per Hour	\$10	\$20	\$40
Field - Evening (after 6pm)		\$25	\$35	\$55
Field - Tournament and League Daytime		\$30	\$30	\$30
Field – Tournament and League Evening (after 6pm)		\$45	\$45	\$45
Field Preparation – Standard	Per Field Prep	\$35	\$35	\$35
Field Preparation – Custom		\$50	\$50	\$50
Multiuse Path	Per Day	\$250	\$250	\$250
Outdoor Event	Per Event/Per Location			\$120
Park Commercial Use Area Permit	Per Area/Per Year			\$500
Parking Lot	Hourly or Daily	\$50/hour \$320/day	\$50/hour \$320/day	\$62/hour \$400/day
Patios				
Small Patio (less than 500 sf)	Per hour	\$20	\$20	\$20
Medium Patio (501-1000sf)		\$25	\$25	\$25
Picnic Areas				

		Resident	Non-Resident	Commercial
Picnic Area – Sept-May	Per Rental	\$20	\$20	\$20
Picnic Area – Jun-Aug		\$10	\$10	\$10
Polo Fields 1-3 (WestWorld)	Per Hour/ Per Field	\$30	\$30	\$30
Ramadas				
Large Ramada – Sept-May	Per Rental	\$65	\$65	\$65
Medium Ramada – Sept-May		\$50	\$50	\$50
Small Ramada – Sept-May		\$30	\$30	\$30
Large Ramada – Jun-Aug		\$33	\$33	\$33
Medium Ramada – Jun-Aug		\$25	\$25	\$25
Small Ramada – Jun-Aug		\$15	\$15	\$15
Large Group Ramadas/Picnic Areas				
All reservable ramadas and picnic areas for a group of 500 or more – Sept-May	Per Day	\$300	\$600	\$1,200
All reservable ramadas and picnic areas for a group of 500 or more – Jun-Aug		\$150	\$300	\$600
McCormick-Stillman Railroad Park				
Tickets and Rides				
All-day Wristband (Rides Only)	Per Person	\$12	\$12	
Ride Ticket Pack (8 tickets)	Per Pack	\$20	\$20	
Roundhouse Entry (1 st adult free with paid child entry - Ages 2 and under free)	Per Person / One Hour of Play	\$6 or 2 ride tickets	\$6 or 2 ride tickets	
Train Ride Ticket* (Ages 2 and under free) *40% school group discount M-F. Reservation required.	Per Ride	\$3	\$3	
Carousel Ride Ticket* (Ages 2 and under free) *40% school group discount M-F. Reservation required.		\$3	\$3	
Arboretum Train Ride Ticket		\$3	\$3	
Facility Use/Rental				
Back of Park – Sept-May	Per Day	\$250	\$500	\$1,000
Front of Park – Sept-May		\$200	\$400	\$800
Back of Park – Jun-Aug		\$125	\$250	\$500
Front of Park – Jun-Aug		\$100	\$200	\$400
Ramadas				
Gazebo	Per Day	\$50	\$100	\$200
Large Ramada – Sept-May	Per Rental	\$100	\$100	\$100
Medium Ramada – Sept-May		\$75	\$75	\$75
Small Ramada – Sept-May		\$45	\$45	\$45

		Resident	Non-Resident	Commercial
Large Ramada – Jun-Aug		\$50	\$50	\$50
Medium Ramada – Jun-Aug		\$38	\$38	\$38
Small Ramada – June-Aug		\$23	\$23	\$23
Picnic Areas				
Large Picnic Area – Sept-May	Per ½ Day	\$50	\$50	\$50
Small Picnic Area – Sept-May		\$25	\$25	\$25
Large Picnic Area – Jun-Aug		\$25	\$25	\$25
Small Picnic Area – Jun-Aug		\$13	\$13	\$13
Large Group Ramadas/Picnic Areas				
All reservable ramadas and picnic areas for a group of 500 or more – Sept-May	Per Day	\$450	\$900	\$1,800
All reservable ramadas and picnic areas for a group of 500 or more – Jun-Aug		\$225	\$450	\$900
Special Events				
Special Events Ticket (Ages 2 and under free)	Per Ticket	\$15	\$15	
Tents by the Tracks - 10x10 Campsite	Per Campsite	\$100	\$100	
Tents by the Tracks - 12x12 Campsite		\$200	\$200	
Tents by the Tracks - 18x18 Campsite		\$300	\$300	
Tents by the Tracks - VIP Campsite		\$700	\$700	
Tents by the Tracks - Tent Rental	Per Tent	\$100	\$100	
Commercial Filming Fee (Railroad Park)	Per Day	n/a	n/a	\$1,000
McDowell Mountain Ranch Skate Park				
Skate Park Card Fee (replacement)	Per Person	\$8	\$8	
Skate Park Card Pass (lifetime pass – includes \$8 cost of new card)		\$26	\$26	
Skate Park Drop-In		\$1	\$1	
Skate Park Event Fee (capacity 1-50) (2 hr. minimum)	Per hour			\$70
Skate Park Event Fee (capacity 51-125) (2 hr. minimum)				\$100
Skate Park Event Fee (capacity up to 125)	Per Day			\$800
Miscellaneous Fees				
Beer/Alcohol Permit (one or more persons)	Per Day	\$20	\$20	
Card Fee (excluding McDowell Mountain Ranch Skate Park)	Per Person	\$5	\$5	
Film Permit – Non-Reservable area	Per Day	\$30	\$45	\$300

		Resident	Non-Resident	Commercial
Sports Complex – All Complexes				
Corner Flags (rental)	Per Set of 4		\$10	
Field Lighting (minimum 2 hours)	Per Field/ Per Hour		\$15	
Field Preparation – standard	Per Field		\$100	
Field Preparation – custom			\$150	
International/Standard Field (min. 2 hours)	Per Field/ Per Hour		\$30	
Parking Lot – individual spaces	Per Space/ Per Day		\$2	
Special Use Fee – Designated area (min. 2 hours)	Per Hour		\$25	
Tournament Vendor Fee (2 days)	Per Tournament		\$100	
Sports Complex – Scottsdale Sports Complex				
Entire Complex (fields, parking lots, patio – minimum 2 days)	Per Day		\$2,500	
5K Racecourse (half-day only)	Per Half Day		\$750	
Parking Lots (stand-alone)				
Southeast	Per Day		\$500	
Southwest			\$400	
Northwest			\$300	
Northeast			\$120	
5K Event Vendor (half-day only)	Per Event		\$25	
Sports Complex – Bell94				
Entire Complex (fields, parking lots, patio – minimum 2 days)	Per Day		\$1,800	
Sports Complex - Reata				
Entire Complex (fields, parking lots, patio – minimum 2 days)	Per Day		\$1,500	

Section 5. Formula Fee Schedule

The formulas listed below indicate how the City determines rates and fees for the activities referenced and relate directly to the City’s costs for providing the activities. Costs are rounded to the next highest dollar where applicable. Program staffing expenses may include related benefit and fringe costs.

Discounted fees and/or incentive programs may be established by the Department Representative for promotion and marketing of fee-based programs and activities when total revenue exceeds or is equal to the direct programming costs outlined in the program area’s cost recovery criteria.

Standard non-resident fee rates are calculated as a 50% increase to the resident rate, when resident and non-resident rates apply.

Adaptive Recreation Program. Adaptive Recreation program registration fees are based on up to 50% recovery of the program's direct costs, including costs for instructors, supplies, admission fees, program staffing, and equipment.

- **Formula:** Up to 50% of the total direct costs divided by the minimum number of expected registered participants. The standard non-resident fee rate applies to non-residents.

Additional Staffing Fee. The Additional Staffing fee applies when additional staff assistance is required for an event or activity. The fee is based on a minimum of 100% recovery of the directly related additional staff cost. (2-hour minimum applies.)

- **Formula:** Total cost of the staff hours including related benefit and fringe expenses. An overtime rate will be calculated for staff working beyond forty hours in a week, at the current overtime rate for the qualified employee.

Adult Sports Leagues. Adult Sports Leagues include sports leagues geared toward participants 18 years of age and older (i.e., softball, basketball, volleyball, flag football, kickball, tennis). Program registration fees are based on a minimum of 110% recovery of direct costs, including but not limited to the following:

- Staffing: program staffing, site supervisors, officials, and scorekeepers.
- Supplies and Equipment: sports equipment, awards, chalk and paint, and office supplies.
- Field/Facility: field and facility operation and maintenance costs, including field preparation and light fees where applicable.
- **Formula:** Minimum of 110% of total costs divided by the number of expected team or individual registrations for a program division, plus a processing fee.

Aquatics & Fitness Family Passes. Aquatics & Fitness Family Passes are valid at the City's aquatic centers for unlimited visits for four family members during public recreational open swimming, lap swimming, and fitness center hours from Memorial Day through Labor Day. "Family" is defined as immediate family members. The passes can be used at the locations indicated on the pass. The Family Pass value is realized when a family of four attends an aquatic and fitness facility more than twice per week for more than ten weeks of the fourteen-week season.

- **Family Pass Formula:** Two adult and two youth daily admission fees, as applicable, added together and multiplied by 20 (2 visits per week for 10 weeks). Fees for additional resident family member passes are \$80 for McDowell Mountain Ranch (MMR) and \$20 for all other aquatic centers (adult or child). The standard non-resident fee rate applies to all additional non-resident family members.
- **Family Pass Preseason Sale:** The Family Pass is discounted during the Preseason Sale which runs annually from April 1 – May 31. Standard pricing goes into effect June 1.
 - Discounts: 40% off the standard price of Chaparral, Cactus, and Eldorado aquatic center passes and 60% off the standard price of MMR passes. The fee for additional resident family members is \$20 per person. The standard non-resident fee rate applies to all additional non-resident family members.

Aquatics & Fitness Punch Passes. Prepaid punch passes are offered at all aquatic and fitness centers for convenience.

- **Formula:** Current daily admission fee, as applicable, times the number of punches.
 - Discounts: Prepaid punch passes of 30 visits will be discounted by 20%. This pass is nonrefundable.

Aquatics Learn to Swim Classes. Learn to Swim class fees are based on a minimum of 100% recovery of direct costs, including program staffing, supplies, and equipment.

- **Formula:** Total costs divided by the minimum number of expected registrations. The standard non-resident fee rates apply to non-residents.

Aquatics Partner Team Non-resident Participant Fee. Fees are paid semi-annually to the city by partner teams and are calculated by multiplying the adult non-resident daily lap swim fee by the number of months the facilities are used by team, multiplied by the number of non-resident team members.

- **Formula example:** \$6 daily rate x 6 months use x 100 non-resident participants = \$3,600

Aquatics Pool Cleaning. Fees are based on a minimum of 110% recovery of the directly related Aquatic Technician maintenance staff cost plus associated cost of pool cleaning, based on the current hourly overtime rate (1-hour minimum applies).

- **Formula:** Staff time x current overtime rate + pool cleaning costs x a minimum 110%

Aquatics Recreation Teams, Exercise, Fitness, Water Safety, and Specialty Classes. Fees are based on a minimum of 110% recovery of the direct costs, including program staffing, supplies, and equipment costs.

- **Formula:** A minimum of 110% of the total direct costs divided by the minimum number of expected registrations. The standard non-resident fee rates apply to non-residents.

Classes and Excursions. Class and excursion fees are based on a minimum of 110% recovery of the direct costs including program staff, instructor, supplies, equipment, van rental, fuel, mileage, and entrance fees, plus a processing fee. The standard non-resident fee rates apply to non-residents.

- **Formula:** Total direct costs multiplied by the class revenue recovery rate, divided by the minimum number of expected registrations, plus a processing fee.

Club SAR Membership. Membership to Club SAR is based on a minimum of 110% recovery of direct costs including staffing, supplies, contractual, commodity, and capital expenses (equipment and maintenance costs).

- **Formula:** Minimum of 110% of total direct costs divided by projected number of adult members
 - Annual membership rates are rounded to the nearest \$5 increment.
 - Youth membership rates (14-17 years of age) are set at one-half of the membership rate for an adult.
 - Adult and youth daily admission passes are available and referenced in the fee table above.
 - Standard Non-resident fee rates apply to Non-residents.

Facility & Equipment Damage or Loss Fee. Facility and equipment damage and loss fees are based on 100% recovery of directly related costs to replace or repair. This fee is assessed if loss or damages are incurred beyond normal wear and tear by the licensee or any member of the group subject to the issued permit.

- **Formula:** Total cost to repair or replace facility equipment or damage.

Individual Class Drop-In Fee. Individual class drop-in fees are based on a minimum 110% recovery of direct instructor costs and are available for some session registration-based classes. Designation of available classes is determined on a programmatic basis by the Department Representative. The minimum drop-in fee is \$3 and standard non-resident fee rates apply to non-residents.

- **Formula:** Hourly cost of applicable instructor rate divided by the course minimum x the cost recovery rate, rounded up to the nearest dollar, plus \$2 processing fee.

McCormick-Stillman Railroad Park Birthday Party. Birthday Party fees are based on a minimum of 100% recovery of the direct costs, including cost of tickets, program staff, supplies, and equipment.

- **Formula:** Minimum of 100% direct costs divided by the maximum recommended number of child participants.

Note: Birthday parties are intended for children aged 3-years and up. It is recommended that not more than 20 children attend a party. An added fee is charged for each child above 20, as well as for a second "birthday party child".

Partner Youth Organizations and Aquatics Partner/Contracted Teams. Reduced rates are calculated as follows, as allowed for in the Reduced or No-Fee classification.

- **Youth Aquatics Facility Allocation Partner/Contracted Teams Room Rental Rate**
Formula: 25% of the set fee for an indoor facility medium-sized room reservation, per hour of use.
- **Youth Sports Field Allocation Partner Primary Season Daytime Field Rental Rate**
Formula: 50% of the Resident set fee..
- **Youth Sports Field Allocation Partner Primary Season Evening Field Rental Rate**
Formula: 50% of the Resident set fee..
- **Youth Sports Field Allocation Partner Non-Primary Season Daytime Field Rental Rate**
Formula: 75% of the Resident set fee.
- **Youth Sports Field Allocation Partner Non-Primary Season Evening Field Rental Rate**
Formula: 75% of the Resident set fee.

Processing Fee. The Processing fee aims to recover 100% of the Leisure Education system-wide costs of registration system fees, part time staffing, recreation brochures, and facility reservation guides, and is based on the prior fiscal year's expenses, registrations, and reservations. Processing fees are not applied to beer or alcohol permits. (Note: Processing fee is also referred to as administrative fee, registration fee, booking fee, and withdrawal fee.)

- **Formula:** Total costs divided by total number of system-wide reservations and registrations.

Program Trip. Program trip fees are based on 100% recovery of the direct costs of program staffing, supplies, equipment, transportation, and entry fees. The fee is not applicable for trips to City or

School District facilities and designated City-produced special events where the participant is registered in a City program that is going on the trip. Standard Non-resident fee rates apply to non-residents.

- **Formula:** Total cost of program staffing, contracted services, supplies, equipment, van rental, fuel, and entry fees: divided by the projected number of participants.

Note: The cost of transportation by City van is calculated as \$0.50 per rider, or the number of estimated round-trip miles multiplied by the City mileage reimbursement rate then divided by the projected number of participants, whichever is greater.

Retail Sales. Retail items are to be priced at a minimum of 110% of wholesale cost.

- **Formula:** Minimum of 110% of wholesale cost divided by product inventory.
 - Inventory reduction/promotional sales are allowed on a program basis as long as 110% of total inventory costs are recovered.

Staff Cleanup/Late Stay Fee. Up to 300% recovery of the directly related staff cost may be assessed when a reservation goes beyond its reserved time or if it is necessary for staff to clean up after a reserved use, as determined by Department Representative. The charge is assessed in hourly increments with a minimum of one hour.

- **Formula:** Total cost of the staff hours including related benefit and fringe expenses.

Tennis Lessons. Tennis lesson fees are based on a minimum of 110% recovery of the direct costs, including program staffing, instructors, court reservations, lights (if applicable), supplies, and equipment costs. Standard non-resident fee rates apply to non-residents.

- **Formula:** Minimum of 110% of total direct costs divided by the minimum number of projected registrations.

Youth Programming and Youth Drop-In After-School and Drop-In Summer Programs. Fees are based on a minimum of 100% recovery of the direct costs, and may include program staffing, supplies, snacks, transportation, and equipment. An administrative fee may be applied and will be determined by the Department Representative based on programmatic considerations. Any transportation costs and entrance fees for excursions will be included in the price of the program when applicable.

- **Formula:** Total direct costs divided by the projected number of participants plus any applicable administrative fees.

Youth Sports Activities. Youth sport activity fees are based on a minimum of 75% recovery of the direct costs, including program staffing, supplies, snacks, and equipment. An administrative fee may be applied and will be determined by the Department Representative based on programmatic considerations. 100% recovery of any jersey/t-shirt cost will be included in the price of the program when applicable.

- **Formula:** 75% of total direct costs divided by the projected number of participants plus any applicable administrative and jersey/t-shirt fees.

RESOLUTION NO. 13656

A RESOLUTION OF THE COUNCIL OF THE CITY OF SCOTTSDALE,
MARICOPA COUNTY, ARIZONA, AUTHORIZING AND APPROVING
ADJUSTMENTS TO THE PRESERVE DEPARTMENT SCHEDULE OF
RATES AND FEES TO BE EFFECTIVE JULY 1, 2026

WHEREAS, pursuant to Scottsdale Revised Code Section 20-52 and Scottsdale Revised Code Section 21-22, the Preserve Department presently collects (i) fees and charges for recreation and (ii) fees for certain services as authorized by the City Council in Resolution No. 13387, adopted on May 20, 2025, which addressed use fees for certain activities, miscellaneous fees, use priority policies, and methods for determining activity fees, effective as of July 1, 2025;

WHEREAS, the Preserve Department has reviewed these fees, charges, and related matters, and has determined certain fees and policies should be adopted; and

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Scottsdale, Maricopa County, Arizona, as follows:

Section 1. The City Council hereby authorizes and approves the Preserve Department Schedule of Rates and Fees for the amounts and policies stated in Exhibit "A", attached and by this reference made a part of this Resolution, all to be effective July 1, 2026, which shall supersede those currently in effect pursuant to Resolution No. 13387 as it applies to the rates and fees for the Preserve Department.

PASSED AND ADOPTED by the Council of the City of Scottsdale, Maricopa County, Arizona this ____ day of _____, 2026.

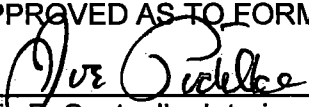
CITY OF SCOTTSDALE, an Arizona
municipal corporation

ATTEST:

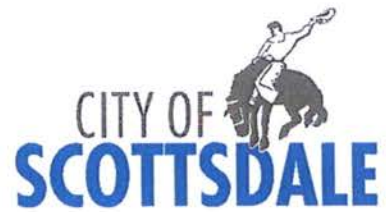
Ben Lane, City Clerk

Lisa Borowsky, Mayor

APPROVED AS TO FORM:



Luis E. Santaella, Interim, City Attorney
By: Joe Padilla, Deputy City Attorney



**CITY OF SCOTTSDALE
PRESERVE DEPARTMENT**

SCHEDULE OF RATES AND FEES

Effective July 1, 2026

Section 1. Purpose

Throughout its history, the City of Scottsdale ("City") has developed open space and facilities for public uses and purposes. This Schedule of Rates and Fees ("Schedule") is approved by City Council and provides guidance for rates and fees associated with the use of those City open spaces and facilities managed by the Preserve Department. A portion of the City's associated operating costs will be recovered for specified uses from customers benefitting directly from the use of the McDowell Sonoran Preserve.

The purpose of the McDowell Sonoran Preserve ("Preserve") is to preserve in perpetuity the Sonoran Desert and mountains to maintain scenic views; as a habitat for wildlife and desert plants; to protect archeological and historical resources and sites; and provide passive outdoor recreational opportunities for residents and visitors.

Use of the preserve for non-commercial passive recreation activities is free of charge. Special Use and Guiding permits are available for activities compatible with the purpose and management objectives of the Preserve. Special use and permit rates are reflected in this Schedule as set fees.

The priority of use of the Preserve is as follows:

1. Preservation of the Preserve's natural and cultural resources
2. General public, non-commercial passive recreation
3. Special Use and Guiding permitted activities
4. Use by City divisions for meetings and events

Section 2, Definitions

Commercial Use. Use by any individual, group, organization, or business, other than the City, whose objective is to conduct business, or an undertaking intended for economic profit or private gain, whether income is realized, directly or indirectly, in or upon facilities or open spaces designed to serve residents of the City and general public. This includes nonprofit organizations and educational groups that receive money from participants. Examples of commercial use activities include, but are not limited to:

- An event managed or administered by a promoter (i.e., weddings, competitive events, productions)
- Instructional classes (i.e., health/wellness lessons, boot camps, fitness training, private sessions)
- Commercially-led hikes, rides or races
- Professional filming and photography

Guiding. Planned and organized efforts to lead individuals or groups or otherwise provide services including but not limited to wayfinding, managing itineraries, giving interpretive information, or providing specialized gear, and with any form of compensation required, requested, or accepted.

Use Day. One paying customer entering the Preserve on one day.

Section 3. Fee Classifications and Policies

Permit and Use Fees are only issued for activities that are compatible with the purpose and management objectives of the Preserve, per Chapter 21 of the Scottsdale Revised Code (SRC). Permittees and users must abide by Chapter 21 of the SRC which outlines rules and regulations specific to the McDowell Sonoran Preserve, and all other applicable federal, state, county or municipal laws, rules or regulations.

Annual Guiding Permit

Yearly guiding permits issued to qualified applicants during the online application period, which is usually June 1 through July 1, and effective August 1 through July 31. Permits do not include use fees.

Special Use Permits

Special use permits are issued for various activities such as but not limited to ceremonies, filming, photography, and single-day guiding . All permit requests are considered on a case-by-case basis and do not include any applicable use fees.

Use Fee

A daily fee charged in conjunction with annual and special use permits when applicable. Fee is assessed per individual per use day.

Reduced or No Fee Classification

The Reduced or No Fee classification may include, but is not limited to:

- Reciprocal use or benefit provided for in an intergovernmental agreement or otherwise authorized in a City agreement or contract, or by the Preserve director or designee.
- City authorized agreements with the concurrence of the City Attorney's Office.
- Use of facilities or equipment by City staff and other City divisions for City purposes.

Permits or use fees subject to the Reduced or No Fee classification may still be responsible for obtaining and permit and/or payment of the processing fee and out-of-pocket expenses such as staffing.

Notwithstanding the foregoing, with the concurrence of the City Attorney's Office, the Department Representative may waive or reduce fees for organizations that provide services to those in need, provide services as a substitute for a City program, or otherwise contract or partner with the City.

Processing Fee. A non-refundable fee that may be charged for processing applications, reservations, permits, cancellations, withdrawals or other uses.

Section 4. Fee Schedule

Annual Permits/Use Fees		
Annual Guiding Permit & Use Fees	Per permit / per person per use day	\$150 Permit fee + \$5 per person per use day
Professional Family Photography Permit	Per Year	\$0
Daily Special Use Permits/Use Fees		
Single-Day Commercial Use/Guiding Permit & Use Fees	Per permit / per person per use day	\$50 Permit Fee + \$5 per person per use day
Ceremony Permit	Per event/per day	\$100
Professional Family Photography Permit	Per Day	\$0
Film Permit – Non-Reservable area - Commercial	Per Day	\$300
Daily Filming/Production Photography Staffing Fees	Per day	\$65

RESOLUTION NO. 13667

A RESOLUTION OF THE COUNCIL OF THE CITY OF SCOTTSDALE, MARICOPA COUNTY, ARIZONA, AUTHORIZING AND APPROVING THE SCOTTSDALE STADIUM AND INDIAN SCHOOL PARK PROFESSIONAL BASEBALL FACILITIES SCHEDULE OF PROGRAM CHARGES, RENTALS, AND EVENT FEES TO BE EFFECTIVE JULY 1, 2026 AND AUTHORIZING THE CITY MANAGER OR DESIGNEE TO EXECUTE SCOTTSDALE STADIUM AND INDIAN SCHOOL PARK USE AGREEMENTS WITH NEGOTIATED FEES OR FEES FOR AREAS NOT TYPICALLY RESERVED.

WHEREAS, pursuant to Scottsdale Revised Code Section 20-52, the Scottsdale Stadium and Indian School Park Professional Baseball Facilities presently collect certain program charges, rentals, and event fees, as authorized by the City Council in Resolution No. 13409, effective as of July 1, 2025;

WHEREAS, Resolution No. 13409 authorized the City Manager or designee, with the concurrence of the City Attorney's Office, to execute Scottsdale Stadium and Indian School Park use agreements that contain: (i) negotiated fees that are different from the amounts specified in Exhibit "A" of Resolution No. 13409 and (ii) fees for areas that have not typically been reservable by the public and are not included in Exhibit "A" of Resolution No. 13409;

WHEREAS, the Scottsdale Stadium Division of the Enterprise Operations Department has reviewed these fees, charges, and related matters, and has determined certain fees and policies should be adjusted; and

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Scottsdale, Maricopa County, Arizona, as follows:

Section 1. The City Council hereby authorizes and approves the Scottsdale Stadium and Indian School Park Professional Baseball Facilities Schedule of Program Charges, Rentals, and Event Fees to the amounts and policies stated in Exhibit "A," attached and by this reference made a part of this Resolution, all to be effective July 1, 2026, which shall supersede those currently in effect pursuant to Resolution No. 13409 as it applies to the rates and fees for Scottsdale Stadium and Indian School Park.

Section 2. The City Council hereby authorizes the City Manager or designee, with the concurrence of the City Attorney's Office, to execute Scottsdale Stadium and Indian School Park use agreements that contain: (i) negotiated fees that are different from the amounts specified in Exhibit "A" or different from any future Scottsdale Stadium or Indian School Park fees adopted by City Council and (ii) fees for areas that have not typically been reservable by the public and are not included in Exhibit "A" or different from any future Scottsdale Stadium or Indian School Park fees adopted by City Council.

PASSED AND ADOPTED by the Council of the City of Scottsdale, Maricopa County, Arizona this ____ day of _____, 2026.

CITY OF SCOTTSDALE, an Arizona
municipal corporation

ATTEST:

Ben Lane, City Clerk

Lisa Borowsky, Mayor

APPROVED AS TO FORM:

Lindsay Hampshire
Luis E. Santaella, Interim City Attorney
By: Lindsay Hampshire, Assistant City Attorney



**CITY OF SCOTTSDALE
ENTERPRISE OPERATIONS DEPARTMENT**

**SCOTTSDALE STADIUM & INDIAN SCHOOL
PARK PROFESSIONAL BASEBALL FACILITIES**

**SCHEDULE OF PROGRAM CHARGES,
RENTALS AND EVENT FEES**

Effective July 1, 2026

Purpose

Throughout its history, the City of Scottsdale ("City") has developed open space and facilities for public uses and purposes. The Scottsdale Stadium and Indian School Park Professional Baseball Facilities are within the Enterprise Operations Department. The Scottsdale Stadium and Indian School Park Professional Baseball Facilities Schedule of Program Charges, Rentals, and Event Fees, ("Schedule") is approved by City Council and provides the program charges, rentals, and event fees, associated with the use of Scottsdale Stadium and Indian School Park Professional Baseball Facilities.

The City's associated operating costs will be recovered from customers benefitting directly from the use of the facilities or participation in the programs or events. Scottsdale Stadium and Indian School Park Professional Baseball Facilities fees and charges are reflected in this Schedule as set fees or formula fees, and are reviewed periodically, per adopted City financial policy. The Enterprise Operations Representative, with the concurrence of the City Attorney's Office, may make exceptions to this policy when the exceptions are consistent with the purposes of this policy and community interests are served.

The priority of use of Enterprise Operations Department facilities is as follows:

1. Uses programmed by facility staff to serve the facility's targeted patrons, as identified by the facility manager and the Deputy City Manager.
2. Private uses where all the associated operating costs will be recovered from event producers at Scottsdale Stadium and all or part of the associated costs at Indian School Park Professional Baseball Facilities.

Definitions

Reservable and Non-Reservable Facilities. Enterprise Operations facilities are designated as reservable or non-reservable as determined by the Enterprise Operations Representative.

Fee Classifications and Policies

Stadium Fee Classification

A fee shall be charged to use Scottsdale Stadium facilities. All uses require a reservation and a facility use agreement containing terms and conditions governing such use and requiring the renter to follow the written rules and regulations of the Stadium. The stated fees are effective for proposals and contracts created while this policy is in effect, even if a revised policy is in effect by the time of the event.

Stadium fees are calculated to recover a minimum of 100% of the costs directly related to conducting the event, including but not limited to program staffing, contracted services, supplies, equipment, lighting, flooring, catering, and security, and are charged in addition to associated facility rental fees. Resident and non-resident fee classifications are not applicable at the Scottsdale

Stadium. Additional fees may be assessed with the approval of Enterprise Operations Representative and the concurrence of the City Attorney's Office.

The Enterprise Operations Representative, with the concurrence of the City Attorney's Office, may authorize the receipt of direct, in-kind services, promotion, or marketing services, in partial or full payment of fees, when reasonable and in the best interests of the City. The fair market value of the in-kind services, promotion, or marketing services received by the City shall be used to determine the extent to which fees are offset.

Indian School Park (ISP) Professional Baseball Facilities Fee Classification

A fee shall be charged to reserve Indian School Park (ISP) Professional Baseball Facilities. All uses require a reservation and a facility use agreement or permit containing terms and conditions governing such use and requiring the renter to follow the written rules and regulations of the ISP facilities.

ISP facility use fees are calculated to recover all or part of the costs directly related to conducting the activity, including but not limited to maintenance staffing, contracted services, supplies, equipment, and lighting, and are charged in addition to associated facility rental fees. Resident and Non-Resident fee classifications are not applicable at the ISP Professional Baseball Facilities. Additional fees may be assessed with the approval of the Enterprise Operations Representative and the concurrence of the City Attorney's Office.

The Enterprise Operations Representative, with the concurrence of the City Attorney's Office, may authorize the receipt of direct, in-kind services, promotion, or marketing services, in partial or full payment of fees, when reasonable and in the best interests of the City. The fair market value of the in-kind services, promotion, or marketing services received by the City shall be used to determine the extent to which fees are offset.

Daily Admission or "Gate" Fees

No "gate" or admission fees shall be allowed for games, practices, and/or tournaments held at Indian School Park Professional Baseball Facilities.

Pilot Fees

After review by the applicable board or commission, the Enterprise Operations Representative may authorize fees or charges for programs, facilities, equipment, and other charges at Scottsdale Stadium or Indian School Park Professional Baseball Facilities on a trial or pilot basis of approximately one year or less. Pilot periods assist the Enterprise Operations Department in assessing the success of new fees and determining whether to implement the fee on a long-term basis. Pilot fees must comply with all state law requirements; for example, providing all required notices and obtaining approval of the pilot fee by the applicable board or commission prior to fee implementation. The Enterprise Operations Representative may authorize, subject to compliance with state law and concurrence of the City Attorney's Office, one temporary extension of each pilot fee if further evaluation is needed before instituting the fee on a long-term basis. If implemented on a long-term basis, the fee is subject to approval by the City Council, which may be approved through the annual city budget process.

Set Fee Rates

Scottsdale Stadium Events – Facility Rental and Charges	1/2 Day (4 Hours) – Mon - Thurs.	Full Day (8 Hours) - Weekday Fee	Weekend, Friday - Sunday
Fieldhouse	N/A	\$3,625	\$4,830
Banyan Room	N/A	\$1,825	\$2,450
Press Level - Single Suites, Meetings	\$245	\$425	\$605
Press Level - All Suites/Rooms, Meetings	\$975	\$1,210	\$1,810
Team Store	\$425	\$605	\$975
Charros Lodge	N/A	\$1,825	\$1,1825
Main Field Rental – non-baseball	\$905	\$1,1825	\$1,825
Dugout & Home Plate Ceremonies	N/A	\$905	\$905
Full Facility	N/A	\$9,675	\$12,075
Field Lighting Fee	\$100 (per use)	\$100 (per use)	\$100 (per use)
First Base Patio	N/A	\$1,825	\$1,825
Left Field Berm	N/A	\$1,825	\$1,825
Lower-level Locker Room	N/A	\$700	\$700
Upper-Level Locker Room	N/A	\$1,050	\$1,300
Scottsdale Stadium Sports – Sports Rentals and Charges	1/2 Day (4 Hours) – Mon - Thurs.	Full Day (8 Hours) - Weekday Fee	Weekend, Friday - Sunday
Main Field Rental – Sports	\$725	\$1,450	\$1,450
Practice Field Rental	\$290	\$580	\$580
Field Lighting Fee	\$100 (per use)	\$100 (per use)	\$100 (per use)
Field Preparation Fee	\$75 (per use)	\$75 (per use)	\$75 (per use)
Batting Cage Rental	\$120	\$245	\$245
Facility Rental-Indian School Park Professional Baseball Facilities			Fee
Indian School Park Field (minimum 4 hours)	Per Field / Per Hour		\$60
Indian School Park Field Preparation	Per Field Prepped		\$75
Half Field (minimum 4 hours)	Per Hour		\$20
Indoor Hitting Tunnels	Per Day		\$240
	Per Hour		\$30
Outdoor Hitting Tunnels	Per Day		\$120
	Per Hour		\$15
Clubhouse Rental	Per Day		\$625
Field Lights (minimum 4 hours)	Per Hour		\$20

Formula Fee Rates

The formulas listed below indicate how the City determines rates and fees for the activities referenced and relate directly to the City's costs for providing the activities. Costs are rounded to the next highest dollar where applicable. Program staffing expenses may include related benefits and fringe costs.

Discounted fees and/or incentive programs may be established by the Enterprise Operations Representative for promotion and marketing of fee-based programs and activities when total revenue exceeds or is equal to the direct programming costs outlined in the program area's cost recovery criteria.

- **Formula:** Up to 50% of the total direct costs divided by the minimum number of expected registered participants.

Retail Sales. Retail items are to be priced at a minimum of 110% of wholesale cost. Inventory reduction/promotional sales are allowed on a program basis as long as 110% of total inventory costs are recovered.

Scottsdale Stadium Cleaning Fees. Cleaning fees are based on 100% recovery of contract costs and are charged per space, per event.

- **Formula:** 100% of current Scottsdale Stadium cleaning contract cost for space reserved.

Scottsdale Stadium Porter Fees. Porter fees are based on 100% recovery of contract costs and are charged per hour, per event.

- **Formula:** 100% of current Scottsdale Stadium contract cost per hour x number of hours worked.

RESOLUTION NO. 13668

A RESOLUTION OF THE CITY OF SCOTTSDALE, MARICOPA COUNTY, ARIZONA, AUTHORIZING AND APPROVING THE EVENT DIRECTIONAL STREET BANNER FEES TO BE EFFECTIVE JULY 1, 2026.

WHEREAS, in 2011, City Council authorized an Event Directional Banner Program that allowed special events to supply event banners to be hung in City-owned street light poles in certain areas of the City;

WHEREAS, the City wishes to increase the Event Directional Street Banner fees to account for the fact that vendor's rates to install the banners are higher than the amount currently charged by the City in fees.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Scottsdale, Maricopa County, Arizona as follows:

Section 1. The City Council hereby authorizes and approves Event Directional Street Banner fees as set forth in Exhibit "A," attached and by this reference made a part of this Resolution, all to be effective July 1, 2026.

PASSED AND ADOPTED by the City Council of the City of Scottsdale this _____ day of _____, 2026.

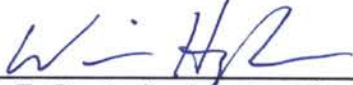
ATTEST:

CITY OF SCOTTSDALE, an
Arizona municipal corporation

Ben Lane, City Clerk

Lisa Borowsky, Mayor

APPROVED AS TO FORM:



Luis E. Santaella, Interim City Attorney
By: William Hylan, Deputy City Attorney

Rate and Fee Schedule

Rate or Fee Title	Rate or Fee Assessed	Proposed Rate or Fee
Horizontal Banner Fee	Per banner	\$200.00
Vertical Banner Fee	Per banner	\$33.00

RESOLUTION NO. 13665

A RESOLUTION OF THE COUNCIL OF THE CITY OF SCOTTSDALE, MARICOPA COUNTY, ARIZONA, AUTHORIZING AND APPROVING ADJUSTMENTS TO THE HUMAN SERVICES SCHEDULE OF PROGRAM CHARGES, RENTAL FEES, AND FINES TO BE EFFECTIVE JULY 1, 2026.

WHEREAS, pursuant to Scottsdale Revised Code Section 20-52, the Library and Human Services Department presently collects (i) fees and charges for recreation, libraries, and human services programs as authorized by the City Council in Resolution No. 13404, adopted on May 20, 2025, which addressed reservation and use fees for certain facilities and equipment, miscellaneous fees, use priority policies, and methods for determining activity fees, effective as of July 1, 2025;

WHEREAS, Human Services has reviewed these fees, charges, and related matters applicable to its activities and has determined certain fees and policies should be adjusted; and

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Scottsdale, Maricopa County, Arizona, as follows:

Section 1. The City Council hereby authorizes and approves Human Services to adjust its Schedule of Program Charges, Rental Fees, and Fines to the amounts and policies stated in Exhibit "A," attached and by this reference made a part of this Resolution, all to be effective July 1, 2026, which shall supersede those currently in effect pursuant to Resolution No. 13404 as it applies to the rates and fees for Human Services.

PASSED AND ADOPTED by the Council of the City of Scottsdale, Maricopa County, Arizona this ____ day of _____, 2026.


CITY OF SCOTTSDALE, an Arizona
municipal corporation

ATTEST:

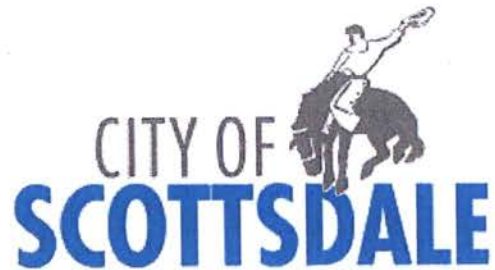
Ben Lane, City Clerk

Lisa Borowsky, Mayor

APPROVED AS TO FORM:



Luis E. Santaella, Interim City Attorney
By: Margaret Hirschak, Assistant City Attorney



**CITY OF SCOTTSDALE
HUMAN SERVICES**

**SCHEDULE OF PROGRAM CHARGES,
RENTAL FEES, AND FINES**

Effective July 1, 2026

Statement of Purpose

Throughout its history, the City of Scottsdale has developed open space and facilities for public uses and purposes. It is intended that many Human Services facilities will be open for drop-in use without charge, unless reserved. (Exceptions include commercial uses; auditoriums, kitchen facilities, and other facilities, as determined appropriate by the City Manager or designee currently responsible for the daily operations within Human Services).

For specified facilities and programs, a portion of the associated operating costs will be recovered from customers that benefit directly from the use of these facilities or participation in these programs. Human Services' fees and charges are reviewed periodically, per adopted financial policy.

The priority of the use of Human Services' public facilities is as follows:

1. The uses programmed by staff for that facility throughout the hours of operation of the facility to serve the targeted patrons of the facility, as identified by the facility manager and the Human Services representative.
2. Public uses where all or part of the associated operating costs will be recovered from customers that benefit directly from the use of these facilities or participation in these programs. This program charges, rental fees, and fines policy is established for facility reservation and use discounts for Scottsdale residents, as approved by the City Council. The Human Services representative may make exceptions to this policy when the exceptions are consistent with the purposes of this policy and community interests are served.
3. Use by City divisions for meetings and events during the times of normal operation when a room is not being used for a purpose programmed by staff for the patron population or reserved for a community activity.

Definition of Terms

Commercial Activity. Use by any individual, group, organization, or business whose objective is to conduct business, or an undertaking intended for economic profit or private gain, whether or not income is realized, directly or indirectly, in or upon facilities designed to serve residents of the City of Scottsdale and general public. Activities used to enhance the reputation or lead to income-generating work in the future are considered a commercial use. This includes nonprofit organizations and educational groups that receive money from participants in activities. Examples of commercial use include, but are not limited to:

- An event managed or administered by a promoter (concert, weddings).
- Instructional classes (health/wellness lessons, dog training, private sessions).
- Personal training instruction (boot camps, fitness instruction).
- An activity with or without an entry fee, which may result in an immediate or future profit (tax preparation, estate planning, investment education or counseling, sales promotion).
- Any fundraising event conducted by a for-profit or non-profit organization.
- All youth camps/clinics and fundraising events.

Exception to the commercial definition:

Youth (18 and under) related organizations and/or groups that are not part of an educational institution are excluded from commercial use fees for field and facility reservations utilized for practices and meetings. The appropriate resident, non-resident, league/tournament, or commercial fees will apply depending on the reservation request.

Daily Admission. All patrons entering a fee-based facility must check in at the front desk and pay the daily admission fee regardless of their intended facility use. Daily admission includes the use of all the amenities at the facility that are in operation. Re-entry to the facility on the same day that the daily admission is paid is permitted with a re-entry pass. Re-entry passes are issued at the front desk upon request when leaving the facility. Specific facility amenities that are available upon re-entry are subject to change and different hours of operation. Re-entry passes can only be redeemed at the facility that they were issued from on the same day.

Drop-in Use. Drop-in uses are without charge and are on a first-come, first-served basis, without having reserved the facility or space in advance. Advanced reservations, however, have a higher priority and will displace drop-in uses.

- Commercial uses are not permitted on a drop-in basis and require a facility use permit.
- Facilities that are unavailable for drop-in use include public swimming pools, auditoriums, kitchen facilities, Scottsdale Stadium, the Sports Complexes, WestWorld, designated ball fields, and other facilities, as determined appropriate by the Human Services representative.

Fee Assistance. The City of Scottsdale is able to provide fee assistance for selected fee-based recreation classes and programs. The fee assistance program is intended to serve Scottsdale residents who are determined to be eligible for assistance based on program guidelines and income threshold. Parks and Recreation administration staff will have eligibility criteria program guidelines on file in the Leisure Education/Facilities Booking Office, will require verification of eligibility criteria, and will oversee the approval process.

Non-profit. Refers to an organization that has been given tax-exempt status under section 501(c)(3) of the United States Internal Revenue Code. Proof of non-profit status, including such documents as the City may deem appropriate for such a determination, may be required by the City in considering an application for a facility reservation use permit.

Non-Resident. Anyone who does not live or own property within the corporate boundaries of the City of Scottsdale and pay property taxes to the City of Scottsdale.

Processing Fee. A non-refundable fee charged for processing an activity registration or a facility reservation request. There is no processing fee for beer/alcohol permits.

Refunds. Unless otherwise stated, all program refunds shall be prorated up to and including the 2nd class. No refunds after the 2nd class date. Classes priced at \$10 or less are nonrefundable.

Resident. Anyone who lives or owns property within the corporate boundaries of the City of Scottsdale and pays property taxes to the City of Scottsdale. Not all Scottsdale mailing addresses

meet these criteria. Proof of City of Scottsdale residency may be required to determine if an applicant is eligible for a particular program and the applicable fee.

Retail Sales. Items are to be priced at a minimum of 110% of cost. Inventory reduction/promotional sales are allowed on a program basis as long as 110% of total inventory costs are recovered.

Fee Classifications and Policies

Classifications for Indoor and Outdoor Facilities Charges

Human Services facilities are designated as reservable or non-reservable as determined by the Human Services representative.

Resident and Non-Resident Fee Classification

Uses of and reservations of use of a Human Services facility and/or equipment are subject to a resident or non-resident fee unless the Reduced or No Fee classification or Commercial Fee classification is more appropriate.

Reduced or No Fee Classification

Reduced or No Fee uses may include, but are not limited to:

- Facility reservations and youth programming that collaborate with Scottsdale Unified School District where expenses are shared between both agencies.
- City authorized sponsored, co-sponsored, and partner uses as outlined in and subject to the terms and conditions of the *City of Scottsdale Sponsorship Policy*, the *City of Scottsdale Co-Sponsorship Policy*, the *Youth Sports Field Allocation Policy*, and the *Youth Aquatic Facility Allocation Policy*.
- Public meetings with Federal and State Congressional Representatives when not, in the judgment of the City, related to elections for public office or ballot questions.
- Reciprocal use or benefit provided for in an intergovernmental agreement or otherwise authorized in a City agreement or contract.
- City authorized agreements.
- Use of facilities or equipment by City staff and other City divisions for City purposes.

Reservations subject to the Reduced or No Fee classification may still be responsible for the Processing Fee and "out-of-pocket" expenses, such as staffing, lighting, and utilities.

Notwithstanding the foregoing, the Human Services representative may waive or reduce fees for organizations that (i) provide services to those in need, (ii) provide services as a substitute for a City program, or (iii) otherwise contract or partner with the City.

Commercial Fee Classification

The commercial fee rate (including adherence to City of Scottsdale tax and license requirements) applies to requests by an individual, organization, or business to use a Human Services facility for a commercial activity whether income is realized at the time of the use. Certain facilities such as weight rooms and other facilities as determined by the Human Services representative may only be scheduled for commercial use outside of normal public use time or in designated low public use times or may not be available for commercial activities at all.

- Outdoor Park Commercial Use Fee. The Human Services reserves the right to assign designated commercial use areas in park outdoor facilities where the requested commercial use does not require a designated reservable facility. A commercial use permit is required, and permit fee will be charged for such reservation.

Pilot Fees for Human Services

The Human Services may authorize fees or charges for programs, facilities, equipment, and other charges within the Human Services conducted on a trial or “pilot” basis of approximately one year or less.

This pilot period can help the department assess the success of the fee and determine whether to implement on a long-term sustainable basis. Any pilot fee must comply with any state law requirements – e.g., for a new or increased fee, provide all required notices and review at the applicable board or commission meeting before the Human Services representative authorizes and implements the fee. The Human Services representative may authorize, subject to compliance with any state law requirements and receiving the concurrence of the City Attorney’s Office, one temporary extension of each pilot fee if it is determined that further evaluation is needed before instituting the fee on a long-term basis, which may be through the city budget process. If implemented on a long-term basis, the fee is subject to approval by the City Council.

Facility and Equipment Charges

The following table lists facilities and equipment charges for residents, non-residents, and commercial rates if applicable, unless the charge is modified as set forth in this policy.

Facilities and Equipment		Resident	Non-Resident	Commercial
Processing Fee				
Processing Fee Formula		See Processing Fee	See Processing Fee	See Processing Fee
Card Fee (excluding McDowell Mountain Ranch Skate Park)	Per Person	\$5	\$5	
Copy Machine Use	Per Copy	\$0.25	\$0.25	
Event Fast Pass	Per Person	\$10	\$10	
Fax Outgoing	Per Page	\$1	\$1	
Beer / Alcohol Permit (one or more persons)	Per Day	\$20	\$20	
Diversion Program Fee	Per Person	\$40		
Equipment Rental – Libraries & Senior Centers				
A/V Equipment	Per Event	\$75	\$75	\$75
Facility Room Rental-Indoor				
Extra Small (max capacity 20)	Per Hour	\$5	\$5	\$5
Small (less than 500sf; max capacity 30)	Per Hour	\$20	\$20	\$20
Medium (501-1000sf; max capacity 79)	Per Hour	\$25	\$25	\$25
Large (1001-2499sf; max capacity 149)	Per Hour	\$40	\$40	\$40
Extra Large (2500+sf; capacity 150+)	Per Hour	\$60	\$60	\$60
Kitchen	Per Day	\$25	\$25	\$25

Facilities and Equipment		Resident	Non-Resident	Commercial
Commercial Kitchen – 1 hour minimum	Per Hour	\$15	\$30	\$60
Facility Rental-Outdoor				
Court/Volleyball – Grass Reservation	Per Day	\$5	\$5	\$5
Court/Volleyball – Sand	Per Hour	\$16	\$16	\$16
Field/Baseball/Soccer/Softball – Daytime	Per Hour	\$10	\$20	\$40
Field/Baseball/Soccer/Softball – Evening (after 6pm)	Per Hour	\$25	\$35	\$55
Field Preparation – Standard	Per Day	\$35	\$35	\$35
Field Preparation – Custom	Per Day	\$50	\$50	\$50
Film Permit Fee - Non-Reservable Area	Per Day	\$30	\$45	\$300
Youth Sports Field Allocation Partner – Field Rental Fee – Daytime	Per Hour/ Per Field	50% of Resident Rate for Field/ Baseball/Soccer/Softball Rental - Daytime		
Youth Sports Field Allocation Partner – Field Rental Fee – Evening (after 6pm)	Per Hour/ Per Field	50% of Resident Rate for Field/Baseball/ Soccer/Softball Rental – Evening (after 6pm)		
Small Patio (less than 500 sf)	Per hour	\$20	\$20	\$20
Medium Patio (501-1000sf)	Per hour	\$25	\$25	\$25
Large Ramada – Sept-May	Per Rental	\$65	\$65	\$65
Medium Ramada – Sept-May	Per Rental	\$50	\$50	\$50
Small Ramada – Sept-May	Per Rental	\$30	\$30	\$30
All reservable ramadas and picnic areas for a group of 500 or more – Sept-May	Per Day	\$300	\$600	\$1,200
Picnic Area – Sept-May	Per Rental	\$20	\$20	\$20
Large Ramada – Jun-Aug	Per Rental	\$33	\$33	\$33
Medium Ramada – Jun-Aug	Per Rental	\$25	\$25	\$25
Small Ramada – Jun-Aug	Per Rental	\$15	\$15	\$15
Facility Rental-Outdoor				
All reservable ramadas and picnic areas for a group of 500 or more – Jun-Aug	Per Day	\$150	\$300	\$600
Picnic Area – Jun-Aug	Per Rental	\$10	\$10	\$10
Multiuse Path	Per Day	\$250	\$250	\$250
Disc Golf Course	Per Day			\$120
Outdoor Event	Per Event/ Per Location			\$120
Park Commercial Use Area Permit	Per Area/Per Year			\$500
Parking Lot	Hourly or Daily	\$50/Hour \$320/Day	\$50/Hour \$320/Day	\$62/ Hour \$400/Day
Facility Rental-Senior Centers				
Senior Center Fitness Center Daily Admission	Per Day	\$3	\$4.50	

Formula Schedule for Programming, Activity, and Event Fees

The formulas shown below indicate how fees are to be determined for the programs and activities shown. The formulas relate directly to the City's costs for providing the activities. Costs are rounded to the next highest dollar where applicable. Program staff costs include the related benefit costs.

Discounted fees and/or incentive program may be established by the Human Services representative for promotion and marketing of fee-based programs and activities if total revenue is equal to the directly related programming costs outlined in the program area recovery criteria.

Where indicated below, fees reflect the resident fee and the fees for non-resident are 50% higher than for residents.

Processing Fee. The Processing fee is a minimum of 100% recovery of the Leisure Education system-wide related costs including registration system fees, part time staff costs, recreation brochure costs, and facility reservation guide costs. The total amount is divided by the total parks and recreation reservations and system-wide registrations. (Note: Processing fee is also referred to as administrative fee, registration fee, booking fee, and withdrawal fee.)

Classes and Excursions.

- **Classes:** The fee for classes is based on a minimum of 110% recovery of the directly related costs including program staff, instructor, supplies, equipment, van rental and fuel, mileage, and entrance fee, multiplied by the recovery percentage and then divided by the minimum number of expected registrations.
- **Senior Excursions:** The Senior Center Excursion Program registration fee is based on up to 50% recovery of the direct costs for senior citizen programs participants, including transportation, staffing and event admission fees costs. The fee is calculated as up to 50% of the total cost for transportation, staffing and event admission fees divided by the minimum number of expected registered participants.
- A processing fee and a non-resident fee (50% additional) are added to the classes and program registration fees.

Additional Staffing Fee. The fee is based on a minimum of 100% recovery of the directly related additional staff cost. This fee is for additional staff assistance required for an event and/or activity. Requests for additional staff must be for a minimum of two hours.

- The fee is the total cost for the staff including the related benefit cost. An overtime rate will be calculated for staff working beyond forty hours in a week.

$\$XX.XX/hr. \text{ pay rate} + \$XX.XX/hr. \text{ benefit cost} = \$XX.XX/hr. \text{ staffing cost (rounded to next highest dollar)}$.

Facility & Equipment Damages Fee. The fee is based on a 100% recovery of directly related facility and equipment damage costs. This fee is assessed if damages are incurred beyond normal wear and tear by the licensee or any member of the group subject to the permit.

Staff Cleanup/Late Stay Fee. 300% of the directly related staff cost may be assessed when a reservation goes beyond its reserved time or if it is necessary for staff to clean up after a reserved use. The charge will be assessed in hourly increments with a minimum of one hour.

Human Services Court-Directed Program Fee. This program is administered jointly by the Human Services and the City Court as part of Court-directed sentencing and referrals to include screening, assessment, evaluations, referrals, classes, and counseling services. One part of the program will involve on-site DUI screenings to address court customers' and citizens' treatment needs individually through a cost-avoidance system where the offender pays for the services. The Human Services will assess participants a fee equal to a minimum of 110% recovery of direct- and indirect-related program costs including staffing, contractual, commodity, and capital outlay expenses divided by the projected number of participants.

Human Services – Online Drug and Alcohol Education Class Fee. \$160 per online class. Youth and Family Services is a licensed Behavioral Health Agency with the Arizona Department of Health. Under this licensure, Youth and Family Services is approved to provide human services needs to adult clients needing services. Those services consist of alcohol, drug, anger management, DUI, and domestic violence screenings for defendants needing to comply with court orders. This fee allows Youth and Family Services to offer online drug/alcohol education classes in addition to the screenings.

Individual Class Drop-In Fee. This fee applies to classes which are available for registration for an entire class session. Not all classes will be available for drop-in attendance. Designation of classes that are available is determined on a programmatic basis. A non-resident fee (50% additional) is added to the program registration fee. The Drop-In Fee is a minimum of 110% recovery of the average direct instructor cost per class divided by course minimum, rounded up to the nearest dollar, plus \$2 convenience fee. The minimum Drop-In Fee is \$3.

Program Trip (separate from Senior Excursion program). The fee is based on 100% recovery of the directly related program staff, supplies, equipment, transportation, and entry fee costs. It is inapplicable to trips to City or School District facilities, and designated City-produced special events where the participant has registered for a City program and is going on the trip with that program.

The fee is calculated as the total cost for the program staff, contracted service, supplies, equipment, van rental and fuel, and entry fee, divided by the projected number of participants. A non-resident fee (50% additional) is added to the program registration fee.

Note: Transportation by City van is calculated as the greater of the following:

- 50 cents/rider; or
- The number of miles estimated round trip, multiplied by the City mileage reimbursement rate then divided by the projected number of participants.

Senior Services Fitness Center Membership. The fee is based on a minimum of 110% recovery of directly related costs including staffing, fitness supplies and equipment, contractual, commodity, and capital expenses (equipment and maintenance costs), divided by the projected number of fitness center members. A non-resident fee (50% additional) is included in the membership cost. Membership rates will be rounded to the nearest \$5 increment.

RESOLUTION NO. 13660

A RESOLUTION OF THE COUNCIL OF THE CITY OF SCOTTSDALE, MARICOPA COUNTY, ARIZONA, AUTHORIZING AND APPROVING ADJUSTMENTS TO THE LIBRARY SCHEDULE OF PROGRAM CHARGES, RENTAL FEES, AND FINES TO BE EFFECTIVE JULY 1, 2026.

WHEREAS, pursuant to Scottsdale Revised Code Section 20-52, the Library and Human Services Department presently collects (i) fees and charges for recreation, libraries, and human services programs as authorized by the City Council in Resolution No. 13404, adopted on May 20, 2025, which addressed reservation and use fees for certain facilities and equipment, miscellaneous fees, use priority policies, and methods for determining activity fees, effective as of July 1, 2025;

WHEREAS, the Library has reviewed these fees, charges, and related matters applicable to its activities and has determined certain fees and policies should be adjusted; and

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Scottsdale, Maricopa County, Arizona, as follows:

Section 1. The City Council hereby authorizes and approves the Library to adjust its Schedule of Program Charges, Rental Fees, and Fines to the amounts and policies stated in Exhibit "A," attached and by this reference made a part of this Resolution, all to be effective July 1, 2026, which shall supersede those currently in effect pursuant to Resolution No. 13404 as it applies to the rates and fees for the Library.

PASSED AND ADOPTED by the Council of the City of Scottsdale, Maricopa County, Arizona this ____ day of _____, 2026.


CITY OF SCOTTSDALE, an Arizona
municipal corporation

ATTEST:

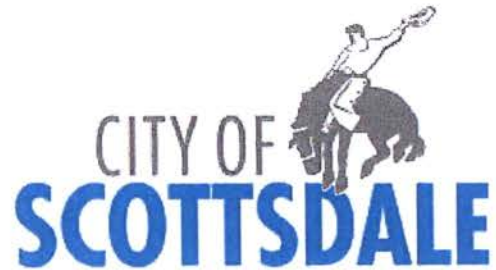
Ben Lane, City Clerk

Lisa Borowsky, Mayor

APPROVED AS TO FORM:



Luis E. Santaella, Interim City Attorney
By: Margaret Hirschak, Assistant City Attorney



**CITY OF SCOTTSDALE
LIBRARY**

**SCHEDULE OF PROGRAM CHARGES,
RENTAL FEES, AND FINES**

Effective July 1, 2026

Statement of Purpose

Throughout its history, the City of Scottsdale has developed open space and facilities for public uses and purposes. It is intended that many Library and facilities will be open for drop-in use without charge, unless reserved. (Exceptions include commercial uses; library auditoriums, and other facilities, as determined appropriate by the City Manager or designee currently responsible for the daily operations within Library).

For specified facilities and programs, a portion of the associated operating costs will be recovered from customers that benefit directly from the use of these facilities or participation in these programs. Library fees and charges are reviewed periodically, per adopted financial policy.

The priority of the use of Library public facilities is as follows:

1. The uses programmed by staff for that facility throughout the hours of operation of the facility to serve the targeted patrons of the facility, as identified by the facility manager and the Library representative.
2. Public uses where all or part of the associated operating costs will be recovered from customers that benefit directly from the use of these facilities or participation in these programs. This program charges, rental fees, and fines policy is established for facility reservation and use discounts for Scottsdale residents, as approved by the City Council. The Library representative may make exceptions to this policy when the exceptions are consistent with the purposes of this policy and community interests are served.
3. Use by City divisions for meetings and events during the times of normal operation when a room is not being used for a purpose programmed by staff for the patron population or reserved for a community activity.

Definition of Terms

Commercial Activity. Use by any individual, group, organization, or business whose objective is to conduct business, or an undertaking intended for economic profit or private gain, whether or not income is realized, directly or indirectly, in or upon facilities designed to serve residents of the City of Scottsdale and general public. Activities used to enhance the reputation or lead to income-generating work in the future are considered a commercial use. This includes nonprofit organizations and educational groups that receive money from participants in activities. Examples of commercial use include, but are not limited to:

- An event managed or administered by a promoter (concert, weddings).
- Instructional classes (health/wellness lessons, dog training, private sessions).
- Personal training instruction (boot camps, fitness instruction).
- An activity with or without an entry fee, which may result in an immediate or future profit (tax preparation, estate planning, investment education or counseling, sales promotion).
- Any fundraising event conducted by a for-profit or non-profit organization.
- All youth camps/clinics and fundraising events.

Exception to the commercial definition:

Youth (18 and under) related organizations and/or groups that are not part of an educational institution are excluded from commercial use fees for field and facility reservations utilized for practices and meetings. The appropriate resident, non-resident, league/tournament, or commercial fees will apply depending on the reservation request.

Daily Admission. All patrons entering a fee-based facility must check in at the front desk and pay the daily admission fee regardless of their intended facility use. Daily admission includes the use of all the amenities at the facility that are in operation. Re-entry to the facility on the same day that the daily admission is paid is permitted with a re-entry pass. Re-entry passes are issued at the front desk upon request when leaving the facility. Specific facility amenities that are available upon re-entry are subject to change and different hours of operation. Re-entry passes can only be redeemed at the facility that they were issued from on the same day.

Drop-in Use. Drop-in uses are without charge and are on a first-come, first-served basis, without having reserved the facility or space in advance. Advanced reservations, however, have a higher priority and will displace drop-in uses.

- Commercial uses are not permitted on a drop-in basis and require a facility use permit.
- Facilities that are unavailable for drop-in use include public swimming pools, library auditoriums, kitchen facilities, Scottsdale Stadium, the Sports Complexes, WestWorld, designated ball fields, and other facilities, as determined appropriate by the Library representative.

Fee Assistance. The City of Scottsdale is able to provide fee assistance for selected fee-based recreation classes and programs. The fee assistance program is intended to serve Scottsdale residents who are determined to be eligible for assistance based on program guidelines and income threshold. Parks and Recreation administration staff will have eligibility criteria program guidelines on file in the Leisure Education/Facilities Booking Office, will require verification of eligibility criteria, and will oversee the approval process.

Non-profit. Refers to an organization that has been given tax-exempt status under section 501(c)(3) of the United States Internal Revenue Code. Proof of non-profit status, including such documents as the City may deem appropriate for such a determination, may be required by the City in considering an application for a facility reservation use permit.

Non-Resident. Anyone who does not live or own property within the corporate boundaries of the City of Scottsdale and pay property taxes to the City of Scottsdale.

Processing Fee. A nonrefundable fee charged for processing an activity registration or a facility reservation request. There is no processing fee for beer/alcohol permits.

Refunds. Unless otherwise stated, all program refunds shall be prorated up to and including the 2nd class. No refunds after the 2nd class date. Classes priced at \$10 or less are nonrefundable.

Resident. Anyone who lives or owns property within the corporate boundaries of the City of Scottsdale and pays property taxes to the City of Scottsdale. Not all Scottsdale mailing addresses

meet these criteria. Proof of City of Scottsdale residency may be required to determine if an applicant is eligible for a particular program and the applicable fee.

Retail Sales. Items are to be priced at a minimum of 110% of cost. Inventory reduction/promotional sales are allowed on a program basis as long as 110% of total inventory costs are recovered.

Fee Classifications and Policies

Classifications for Indoor and Outdoor Facilities Charges

Library facilities are designated as reservable or non-reservable as determined by the Library representative.

Resident and Non-Resident Fee Classification

Uses of and reservations of use of a Library facility and/or equipment are subject to a resident or non-resident fee unless the Reduced or No Fee classification or Commercial Fee classification is more appropriate. (Resident and non-resident fees are not applicable to Library fines and fees.)

Reduced or No Fee Classification

Reduced or No Fee uses may include, but are not limited to:

- Facility reservations and youth programming that collaborate with Scottsdale Unified School District where expenses are shared between both agencies.
- City authorized sponsored, co-sponsored, and partner uses as outlined in and subject to the terms and conditions of the *City of Scottsdale Sponsorship Policy*, the *City of Scottsdale Co-Sponsorship Policy*, the *Youth Sports Field Allocation Policy*, and the *Youth Aquatic Facility Allocation Policy*.
- Public meetings with Federal and State Congressional Representatives when not, in the judgment of the City, related to elections for public office or ballot questions.
- Reciprocal use or benefit provided for in an intergovernmental agreement or otherwise authorized in a City agreement or contract.
- City authorized agreements.
- Use of facilities or equipment by City staff and other City divisions for City purposes.

Reservations subject to the Reduced or No Fee classification may still be responsible for the Processing Fee and "out-of-pocket" expenses, such as staffing, lighting, and utilities.

Notwithstanding the foregoing, the Library representative may waive or reduce fees for organizations that (i) provide services to those in need, (ii) provide services as a substitute for a City program, or (iii) otherwise contract or partner with the City.

Commercial Fee Classification

The commercial fee rate (including adherence to City of Scottsdale tax and license requirements) applies to requests by an individual, organization, or business to use a Library facility for a commercial activity whether income is realized at the time of the use. Certain facilities such as weight rooms and other facilities as determined by the Library representative may only be scheduled

for commercial use outside of normal public use time or in designated low public use times or may not be available for commercial activities at all.

- **Outdoor Park Commercial Use Fee.** The Library reserves the right to assign designated commercial use areas in park outdoor facilities where the requested commercial use does not require a designated reservable facility. A commercial use permit is required, and permit fee will be charged for such reservation.

Pilot Fees for Library

The Library may authorize fees or charges for programs, facilities, equipment, and other charges within the Library department conducted on a trial or “pilot” basis of approximately one year or less.

This pilot period can help the department assess the success of the fee and determine whether to implement on a long-term sustainable basis. Any pilot fee must comply with any state law requirements – e.g., for a new or increased fee, provide all required notices and review at the applicable board or commission meeting before the Library representative authorizes and implements the fee. The Library representative may authorize, subject to compliance with any state law requirements and receiving the concurrence of the City Attorney’s Office, one temporary extension of each pilot fee if it is determined that further evaluation is needed before instituting the fee on a long-term basis, which may be through the city budget process. If implemented on a long-term basis, the fee is subject to approval by the City Council.

Facility and Equipment Charges

The following table lists facilities and equipment charges for residents, non-residents, and commercial rates if applicable, unless the charge is modified as set forth in this policy.

Facilities and Equipment		Resident	Non-Resident	Commercial
Processing Fee				
Processing Fee Formula		See Processing Fee	See Processing Fee	See Processing Fee
Card Fee (excluding McDowell Mountain Ranch Skate Park)	Per Person	\$5	\$5	
Copy Machine Use	Per Copy	\$0.25	\$0.25	
Event Fast Pass	Per Person	\$10	\$10	
Fax Outgoing	Per Page	\$1	\$1	
Beer / Alcohol Permit (one or more persons)	Per Day	\$20	\$20	
Diversion Program Fee	Per Person	\$40		
Equipment Rental – Libraries & Senior Centers				
A/V Equipment	Per Event	\$75	\$75	\$75
Facility Room Rental-Indoor				
Extra Small (max capacity 20)	Per Hour	\$5	\$5	\$5
Small (less than 500sf; max capacity 30)	Per Hour	\$20	\$20	\$20
Medium (501-1000sf; max capacity 79)	Per Hour	\$25	\$25	\$25
Large (1001-2499sf; max capacity 149)	Per Hour	\$40	\$40	\$40

Facilities and Equipment		Resident	Non-Resident	Commercial
Extra Large (2500+sf; capacity 150+)	Per Hour	\$60	\$60	\$60
Kitchen	Per Day	\$25	\$25	\$25
Facility Rental-Outdoor				
Small Patio (less than 500 sf)	Per hour	\$20	\$20	\$20
Medium Patio (501-1000sf)	Per hour	\$25	\$25	\$25
Large Ramada – Sept-May	Per Rental	\$65	\$65	\$65
Medium Ramada – Sept-May	Per Rental	\$50	\$50	\$50
Small Ramada – Sept-May	Per Rental	\$30	\$30	\$30
All reservable ramadas and picnic areas for a group of 500 or more – Sept-May	Per Day	\$300	\$600	\$1,200
Picnic Area – Sept-May	Per Rental	\$20	\$20	\$20
Large Ramada – Jun-Aug	Per Rental	\$33		
Medium Ramada – Jun-Aug	Per Rental	\$25		
Small Ramada – Jun-Aug	Per Rental	\$15	\$15	\$15
Facility Rental-Outdoor			\$25	\$25
All reservable ramadas and picnic areas for a group of 500 or more – Jun-Aug	Per Day	\$150	\$300	\$600
Picnic Area – Jun-Aug	Per Rental	\$10	\$10	\$10
Multiuse Path	Per Day	\$250	\$250	\$250
Outdoor Event	Per Event/ Per Location			\$120
Park Commercial Use Area Permit	Per Area/Per Year			\$500
Parking Lot	Hourly or Daily	\$50/Hour \$320/Day	\$50/Hour \$320/Day	\$62/Hour \$400/Day

Scottsdale Public Library Fines and Fees. The following table lists Scottsdale Public Library fines and fees for residents, non-residents, and commercial rates, if applicable.

Scottsdale Public Library Fines and Fees		Rate		
Interlibrary Loan Materials Overdue	Per Day	\$1		
Account Balance Minimum when Customers Cannot Check Out Items	Minimum	\$10		
Damaged/Lost Supplemental Materials/Contents	Per Item	\$5		
Lost or Damaged Book Club to Go Tote Bags	Per Bag	\$20		
Lost or Damaged Library Materials, Kit/Kit Contents Replacement*	Per item damaged/lost materials, kit contents or full kit	Actual cost of item or if multiple items, the average item cost of kit contents. If the material or equipment is provided to the Library by a non-City of Scottsdale partner, the fee charged will be up to the cost of the materials paid for by the partner organization.		
Customer Account Sent to a Collection Agency Threshold	Minimum	\$25		
Collection Agency Fee	Per Borrower	\$15		
Non-Resident Library Card Annual Fee	Annually	\$43		
Returned Check and Credit Card Chargebacks		\$25		
Interlibrary Loan Request Charge		No charge-except for any charges the lending library may assess, usually between \$5-\$20		
Interlibrary Loan Not Picked Up	Per Item	\$1		
Lost Interlibrary Loan		Cost assessed by the lending library		
Black & White Print/Copy	Per Page	8.5 x 11 = \$0.25 8.5 x 14 = \$0.50 11 x 17 = \$0.50		
Color Print/Copy	Per Page	8.5 x 11 = \$1.00 8.5 x 14 = \$1.75 11 x 17 = \$1.75		
3D-Printer Print Job Fee	Per Gram	\$0.10		
Black & White Microfilm/Microfiche Copy	Per Page	\$0.25		
*Missing disc of multi-disc set (if replaceable)	Per Disc	\$10		
Scottsdale Public Library Room Rental		Resident	Non-Resident	Commercial
	Capacity			
Civic Center				
Auditorium	280	\$70/hour	\$100/hour	\$180/hour
Copper Gallery	75	\$25/hour	\$25/hour	\$25/hour
Platinum Room	15/25	\$10/hour	\$10/hour	\$10/hour
SHC Program Room	18/28	\$5/hour	\$5/hour	\$5/hour
Kitchen		\$25/day	\$25/day	\$25/day

Scottsdale Public Library Room Rental		Resident	Non-Resident	Commercial
	Capacity			
Mustang				
Auditorium	140	\$50/hour	\$70/hour	\$120/hour
Book Discussion Room	25/40	\$20/hour	\$20/hour	\$20/hour
Arabian				
Collaboration Room	12/18	\$5/hour	\$5/hour	\$5/hour
Meeting Room 1	18/28	\$5/hour	\$5/hour	\$5/hour
Meeting Room 2	18/28	\$5/hour	\$5/hour	\$5/hour
Appaloosa				
Meeting Room 1	25/40	\$20/hour	\$20/hour	\$20/hour
Meeting Room 2	25/40	\$20/hour	\$20/hour	\$20/hour
Exclusive Use – Meeting Rooms 1 & 2	50/80	\$25/hour	\$25/hour	\$25/hour
Library A/V Fee		\$75/event	\$75/event	\$75/event

Formula Schedule for Programming, Activity, and Event Fees

The formulas shown below indicate how fees are to be determined for the programs and activities shown. The formulas relate directly to the City’s costs for providing the activities. Costs are rounded to the next highest dollar where applicable. Program staff costs include the related benefit costs.

Discounted fees and/or incentive program may be established by the Library representative for promotion and marketing of fee-based programs and activities if total revenue is equal to the directly related programming costs outlined in the program area recovery criteria.

Where indicated below, fees reflect the resident fee and the fees for non-residents are 50% higher than for residents.

Processing Fee. The Processing fee is a minimum of 100% recovery of the Leisure Education system-wide related costs including registration system fees, part time staff costs, recreation brochure costs, and facility reservation guide costs. The total amount is divided by the total parks and recreation reservations and system-wide registrations. (Note: Processing fee is also referred to as administrative fee, registration fee, booking fee, and withdrawal fee.)

Classes and Excursions.

- *Classes:* The fee for classes is based on a minimum of 110% recovery of the directly related costs including program staff, instructor, supplies, equipment, van rental and fuel, mileage, and entrance fee, multiplied by the recovery percentage and then divided by the minimum number of expected registrations.
- *Senior Excursions:* The Senior Center Excursion Program registration fee is based on up to 50% recovery of the direct costs for senior citizen programs participants, including transportation, staffing and event admission fees costs. The fee is calculated as up to 50% of the total cost for transportation, staffing and event admission fees divided by the minimum number of expected registered participants.
- A processing fee and a non-resident fee (50% additional) are added to the classes and program registration fees.

Additional Staffing Fee. The fee is based on a minimum of 100% recovery of the directly related additional staff cost. This fee is for additional staff assistance required for an event and/or activity. Requests for additional staff must be for a minimum of two hours.

- The fee is the total cost for the staff including the related benefit cost. An overtime rate will be calculated for staff working beyond forty hours in a week.

$\$XX.XX/\text{hr. pay rate} + \$XX.XX/\text{hr. benefit cost} = \$XX.XX/\text{hr. staffing cost}$ (rounded to next highest dollar).

Facility & Equipment Damages Fee. The fee is based on a 100% recovery of directly related facility and equipment damage costs. This fee is assessed if damages are incurred beyond normal wear and tear by the licensee or any member of the group subject to the permit.

Staff Cleanup/Late Stay Fee. 300% of the directly related staff cost may be assessed when a reservation goes beyond its reserved time or if it is necessary for staff to clean up after a reserved use. The charge will be assessed in hourly increments with a minimum of one hour.

Individual Class Drop-In Fee. This fee applies to classes which are available for registration for an entire class session. Not all classes will be available for drop-in attendance. Designation of classes that are available is determined on a programmatic basis. A non-resident fee (50% additional) is added to the program registration fee. The Drop-In Fee is a minimum of 110% recovery of the average direct instructor cost per class divided by course minimum, rounded up to the nearest dollar, plus \$2 convenience fee. The minimum Drop-In Fee is \$3.

Program Trip (separate from Senior Excursion program). The fee is based on 100% recovery of the directly related program staff, supplies, equipment, transportation, and entry fee costs. It is inapplicable to trips to City or School District facilities, and designated City-produced special events where the participant has registered for a City program and is going on the trip with that program.

The fee is calculated as the total cost for the program staff, contracted service, supplies, equipment, van rental and fuel, and entry fee, divided by the projected number of participants. A non-resident fee (50% additional) is added to the program registration fee.

Note: Transportation by City van is calculated as the greater of the following:

- 50 cents/rider; or
- The number of miles estimated round trip, multiplied by the City mileage reimbursement rate then divided by the projected number of participants.

RESOLUTION NO. 13666

A RESOLUTION OF THE CITY OF SCOTTSDALE, MARICOPA COUNTY, ARIZONA, INCREASING POLICE DEPARTMENT HOURLY FEES FOR OFF DUTY OFFICERS AND INCREASING VEHICLE USE FEES.

WHEREAS, the Scottsdale Police Department fills requests to hire off-duty employees to work police related duties such as security and traffic control at events or unique situations; and

WHEREAS, it benefits the City for police employees to fill these requests, as City police employees are familiar with the City and its activities, and have a direct line of communication in case further assistance is necessary; and

WHEREAS, City police employees often utilize City police vehicles to fulfill their duties, whereby the City incurs maintenance costs; and

WHEREAS, the Scottsdale Police Department has reviewed these fees and has determined that they should be adjusted;

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Scottsdale, Maricopa County, Arizona, as follows:

Section 1. Effective July 1, 2026, the Scottsdale Police Department is authorized to increase fees for off duty police employees and vehicle use fees in the amounts set forth in Exhibit "A", attached and by reference made part of this Resolution, all to be effective July 1, 2026.

PASSED AND ADOPTED by the Council of the City of Scottsdale, Maricopa County, Arizona this ____ day of _____, 2026.

CITY OF SCOTTSDALE, an Arizona
municipal corporation

ATTEST:

Ben Lane, City Clerk

Lisa Borowsky, Mayor

APPROVED AS TO FORM:



Luis E. Santaella, Interim City Attorney
By: James Heard, Assistant City Attorney



**Written Report: Data Supporting New or Increased Rates/Fees
For FY 2026/27**

DEPARTMENT
Police Department

RATE/FEE TITLE(S)
Off-Duty Officer Rate Adjustment

DIVISION
Uniformed Services

REQUEST
Increase

BACKGROUND

As a service to the Community, the Scottsdale Police Department fulfills requests to hire Off-duty sworn employees for police related duties such as security and traffic control at events or in unique situations (e.g., construction zones) within the city. Current Off-duty rates are \$75 per hour for Officers, \$85 per hour for Sergeants, and \$95 per hour for Lieutenants. The proposed increase to the Off-duty rate will provide officers with a more competitive hourly wage compared to surrounding valley agencies. Off-duty employment is strictly regulated by the Police Department to ensure there are no conflicts of interest and that all activities align with City values. Upon job completion, the Department invoices the private employer (requestor) and receives payment for each officer, as well as any other applicable fees owed to the City.

ANALYSIS/ASSESSMENT - JUSTIFICATION FOR PROPOSED CHANGE(S)

The Off-duty fee for Police Department staff has not been updated since FY2024/2025. Since the last update of this fee, sworn officers have received pay increases in addition to the fixed step pay increments. Based on comparisons of other local peer agencies, Scottsdale's current Off-duty rates place the city in the lower half of the regional market for sworn officer services. Increasing the Off-duty rate table to \$85/\$95/\$105 for Officers/Sergeants/Lieutenants will align Scottsdale's rates with or above peer agencies. The Department also recommends a corresponding increase to the Holiday Off-duty rate at 1-1/2 times the proposed regular Off-duty rate, which remains consistent with our current practice.

Rate or Fee Title	Rate or Fee Assessed	Forecasted Annual Participation	Current Rate or Fee	Current Annual Revenue	Proposed Rate or Fee	Proposed Rate or Fee Change	Estimated Annual Revenue Change
Off-Duty Officer	Per Hour	N/A	\$75	\$0	\$85	\$10	\$0
Off-Duty Sergeant	Per Hour	N/A	\$85	\$0	\$95	\$10	\$0
Off-Duty Lieutenant	Per Hour	N/A	\$95	\$0	\$105	\$10	\$0
Off-Duty Officer - Holiday	Per Hour	N/A	\$112.50	\$0	\$127.50	\$15	\$0
Off-Duty Sergeant - Holiday	Per Hour	N/A	\$127.50	\$0	\$142.50	\$15	\$0
Off-Duty Lieutenant - Holiday	Per Hour	N/A	\$142.50	\$0	\$157.50	\$15	\$0
Total				\$0			\$0



**Written Report: Data Supporting New or Increased Rates/Fees
For FY 2026/27**

DEPARTMENT
Police Department

RATE/FEE TITLE(S)
Vehicle Use Fee

DIVISION
Uniformed Services

REQUEST
Increase

BACKGROUND

As a service to the Community, the Scottsdale Police Department fulfills requests to hire Off-duty sworn and professional staff employees for police related duties such as traffic control at events or in unique situations within the city. In addition to personnel services, police vehicles are often required to ensure these duties are fulfilled effectively. Because these vehicles incur costs which are not accounted for in salaries alone, a vehicle fee is charged to recover some of the costs associated with the use of city owned vehicles. The current vehicle fee is \$7 per hour and we propose an increase to \$8 per hour.

ANALYSIS/ASSESSMENT - JUSTIFICATION FOR PROPOSED CHANGE(S)

Our current vehicle fee of \$7 an hour ranks us in the lower half among comparable agencies. Increasing our vehicle fee from \$7 to \$8 an hour would rank us among the upper half and bring us into alignment with comparable agencies.

Rate or Fee Title	Rate or Fee Assessed	Forecasted Annual Participation	Current Rate or Fee	Current Annual Revenue	Proposed Rate or Fee	Proposed Rate or Fee Change	Estimated Annual Revenue Change
Vehicle Use Fee	Per hour	3,571	\$7	\$25,000	\$8	\$1	\$3,571

Public Hearing and Adoption of FY 2026/27 Rates and Fees



City Council Meeting
May 19, 2026

FY 2026/27 PROPOSED RATE & FEE CHANGES

Present in
Detail
March 3, 2026

60-Day
Posting
Compliance

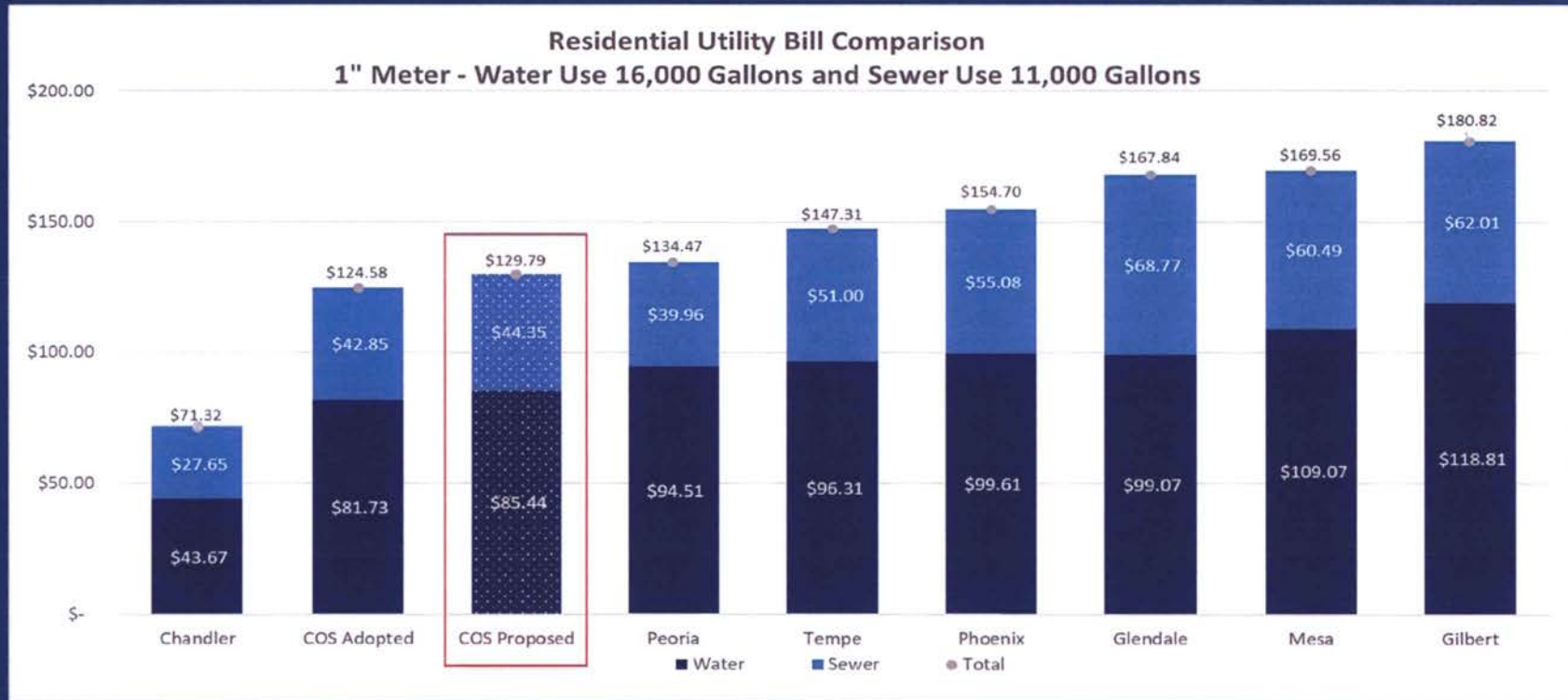
15-Day
Posting
Compliance

Public Hearing
& Adoption
May 19, 2026

Summary of Major Fee Changes

- Water/Water Reclamation
 - Water fee increase of 4.5% (\$6.3M additional revenue)
 - Sewer fee increase of 3.5% (\$2.0M additional revenue)
 - Miscellaneous Service Charges (\$0.1M additional revenue)

ENTERPRISE FUNDS – WATER RESOURCES



Summary of Major Fee Changes

- Water/Water Reclamation
 - Water fee increase of 4.5% (\$6.3M additional revenue)
 - Sewer fee increase of 3.5% (\$2.0M additional revenue)
 - Miscellaneous Service Charges (\$0.1M additional revenue)
- Solid Waste
 - Residential rate increase of 2% (\$0.7M additional revenue)
 - Commercial rate increase of 4% (\$0.2M additional revenue)

Summary of Fee Changes

- Planning and Development
 - Eliminate, add, or modify fees based on state mandate or non-use (\$85,038 additional revenue)
- Parks and Recreation
 - Replace year-round YSFA partner rental rates with seasonal rates; make permanent the pilot McCormick-Stillman Railroad Park Roundhouse entry fee (\$79,573 additional revenue)
- Preserve
 - Eliminate the annual professional photography permit (-\$3,900 in reduced revenue)

Summary of Fee Changes

- Scottsdale Stadium
 - Inflation adjustments; First Base Patio fee made permanent; new Left Field Berm Patio & Locker Room fees; Banyan Room fee eliminated (**\$90,895 additional revenue**)
- Tourism & Events
 - Increase to Banner Install/Removal fees (**\$12,300 additional revenue**)
- Library & Human Services
 - New room booking, collection agency, and 3-D printing fees (**\$17,000 additional revenue**)
- Police Department
 - Increase to Off-Duty Officer pay and Off-Duty Vehicle Use fee (**\$3,571 additional revenue**)

FY 2026/27 Recommendations – Rates and Fees

- Adopt **Resolution No. 13658 and Ordinance No. 4708**, amending Scottsdale Revised Code, Chapter 49, Water, Sewer and Sewage Disposal sewer/water reclamation rates and miscellaneous rates and charges, and adjusting water rate (volumetric and base) charges.
- Adopt **Ordinance No. 4709**, amending Scottsdale Revised Code Chapter 24, Solid Waste Management by adjusting solid waste rates and charges.
- Adopt **Resolution No. 13661**, authorizing and approving adjustments to the Planning & Development Services Department fees and charges.
- Adopt **Resolution No. 13655**, authorizing and approving the Parks and Recreation Department schedule of rates and fees.
- Adopt **Resolution No. 13656**, authorizing and approving adjustments to the Preserve Department schedule of rates and fees.
- Adopt **Resolution No. 13667**, authorizing and approving the Scottsdale Stadium and Indian School Park professional baseball facilities schedule of program charges, rentals, and event fees, and authorizing the City Manager or designee to execute Scottsdale Stadium and Indian School Park use agreements with negotiated fees or fees for areas not typically reserved.
- Adopt **Resolution No. 13668**, authorizing and approving the event directional street banner fees in the Tourism & Events Department.
- Adopt **Resolution No. 13665**, authorizing and approving adjustments to the Human Services schedule of program charges, rental fees, and fines.
- Adopt **Resolution No. 13660**, authorizing and approving adjustments to the Library Department schedule of program charges, rental fees, and fines.
- Adopt **Resolution No. 13666**, increasing Police Department hourly fees for off duty officers and increasing vehicle use fees.

The following slides are from the March 3, 2026, proposed rates and fees discussion. They are included as a resource only.

FY 2026/27 PROPOSED RATE & FEE CHANGES

Present in
Detail

60-Day
Posting
Compliance

Public Hearing
& Adoption
May 19, 2026

ENTERPRISE FUNDS

PROPOSED RATE & FEE CHANGES



Annual Review of Rates & Fees per Financial Policy No. 9.02



Ensure Rates & Fees Recover All Direct/Indirect Cost of Service, Debt Service and Provide Adequate Funding for Future Capital Needs



Proposed Rate & Fee Changes submitted by:

- Water Resources
- Solid Waste

OTHER OPERATING FUNDS

PROPOSED RATE & FEE CHANGES



Periodic Review of Rates & Fees per
Financial Policy No. 4.05



Rates & Fees Based on Acceptable
Recovery Rates for Direct/Indirect Cost
of Service



Proposed Rate &
Fee Changes
Submitted by:

- Planning & Dev. Services
- Parks & Recreation
- Scottsdale Stadium
- Tourism & Events
- Library & Human Services
- Police

FY 2025/26 FORECASTED REVENUE CHANGES

OTHER OPERATING FUNDS

General Fund	Revenue
Planning & Dev. Services	\$85,038
Parks & Recreation & Preserve	\$1,000
Library & Human Services	\$17,000
Police	\$3,571
Tourism & Events	\$12,300
General Fund Total	\$118,909

Special Programs Fund	Revenue
Parks & Recreation & Preserve	\$79,573

Stadium Facility Fund	Revenue
Scottsdale Stadium	\$90,895

ENTERPRISE FUNDS

Enterprise Funds	Revenue
Water Resources	\$8,372,783
Solid Waste	\$827,694
Enterprise Funds Total	\$9,200,477



FY 26/27 PROPOSED RATE & FEE CHANGES Scottsdale Water Resources

City Council
March 3, 2026

ENTERPRISE – WATER RESOURCES

Revenue Proposals

Proposed

- Water fees increase **(4.5%)** – Effective November 1, 2026
 - 3.5% Operating/Maintenance and Capital
 - 1.0% to assist in funding additional water sources and supply
- Sewer fees increase **(3.5%)** – Effective July 1, 2026
- Misc. service charges, changes vary by type – Effective July 1, 2026

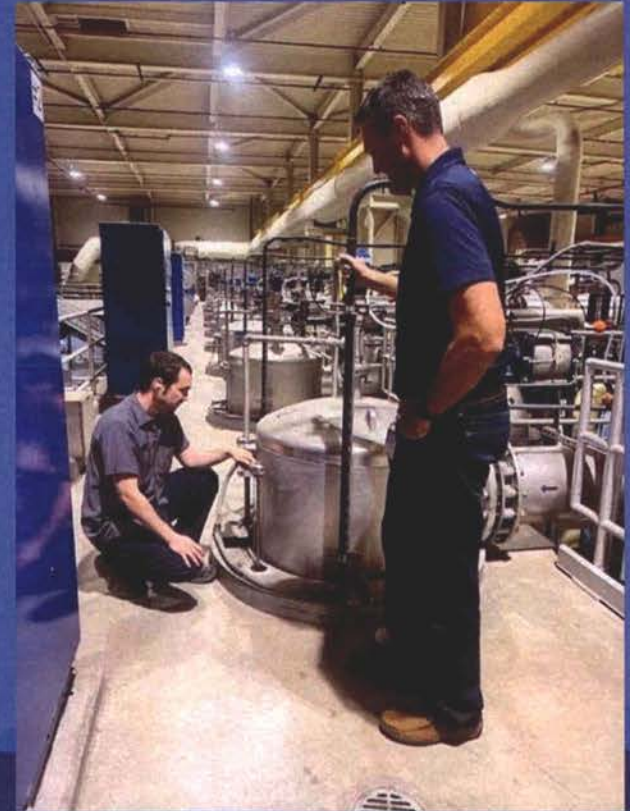
ENTERPRISE – WATER RESOURCES

Significant Cost Drivers

💧 Operations

Significant increases over the last four years in:

- Raw Water - 6%
- Personnel Services – 8%
- Electricity – 34%
- Chemicals – 8%



ENTERPRISE – WATER RESOURCES

Significant Cost Drivers

💧 CIP

- Drought driven improvements
 - ASR well 53a : ~\$9.0M
 - Automated meter programs : ~\$4M
- Lift Station modifications and improvements
 - Two Lift Stations : ~\$18.2 M
- Booster Pump modifications and improvements
 - BPS-55 : ~\$17.1 M

ENTERPRISE – WATER RESOURCES

Water Rates

Base Fees (All Customers)		
	Current	Proposed
5/8" Meter	\$15.75	\$16.46
3/4" Meter	\$21.85	\$22.83
1" Meter	\$31.45	\$32.87
1.5" Meter	\$62.90	\$65.73
2" Meter	\$78.70	\$82.24
3" Meter	\$173.05	\$180.84
4" Meter	\$275.35	\$287.74
6" Meter	\$550.50	\$575.27
8" Meter	\$943.65	\$986.11

Proposed Implementation Date Water November 1, 2026



ENTERPRISE – WATER RESOURCES

Water Rates

Residential Use Including Landscaping Volume Charges (Rates Per 1K Gallons)

Tier	Current	Proposed	From	To
1	\$1.72	\$1.80	0	5,000
2	\$3.24	\$3.39	5,001	12,000
3	\$4.75	\$4.96	12,001	20,000
4	\$6.27	\$6.55	20,001	30,000
5	\$8.05	\$8.41*	Over 30,000	

Proposed Implementation Date | Water November 1, 2026

*Rate applicable to commercial and residential water haulers and hydrant meters.



ENTERPRISE – WATER RESOURCES

Water Rates

Commercial Use Including Landscaping Volume Charges (Rates Per 1K Gallons)

Tier	Current	Proposed	From	To
1	\$1.72	\$1.80	0	5,000
2	\$3.24	\$3.39	5,001	12,000
3	\$4.75	\$4.96	12,001	20,000
4	\$6.27	\$6.55	Over 20,000	

Proposed Implementation Date | Water November 1, 2026



ENTERPRISE – WATER RESOURCES

Sewer Rates

Base Fees (All Customers)		
	Current	Proposed
5/8" Meter	\$8.20	\$8.49
3/4" Meter	\$8.20	\$8.49
1" Meter	\$8.20	\$8.49
1.5" Meter	\$49.20	\$50.92
2" Meter	\$114.80	\$118.82
3" Meter	\$147.60	\$152.77
4" Meter	\$216.40	\$223.97
6" Meter	\$410.00	\$424.35
8" Meter	\$574.00	\$594.09

Proposed Implementation Date July 1, 2026



ENTERPRISE – WATER RESOURCES

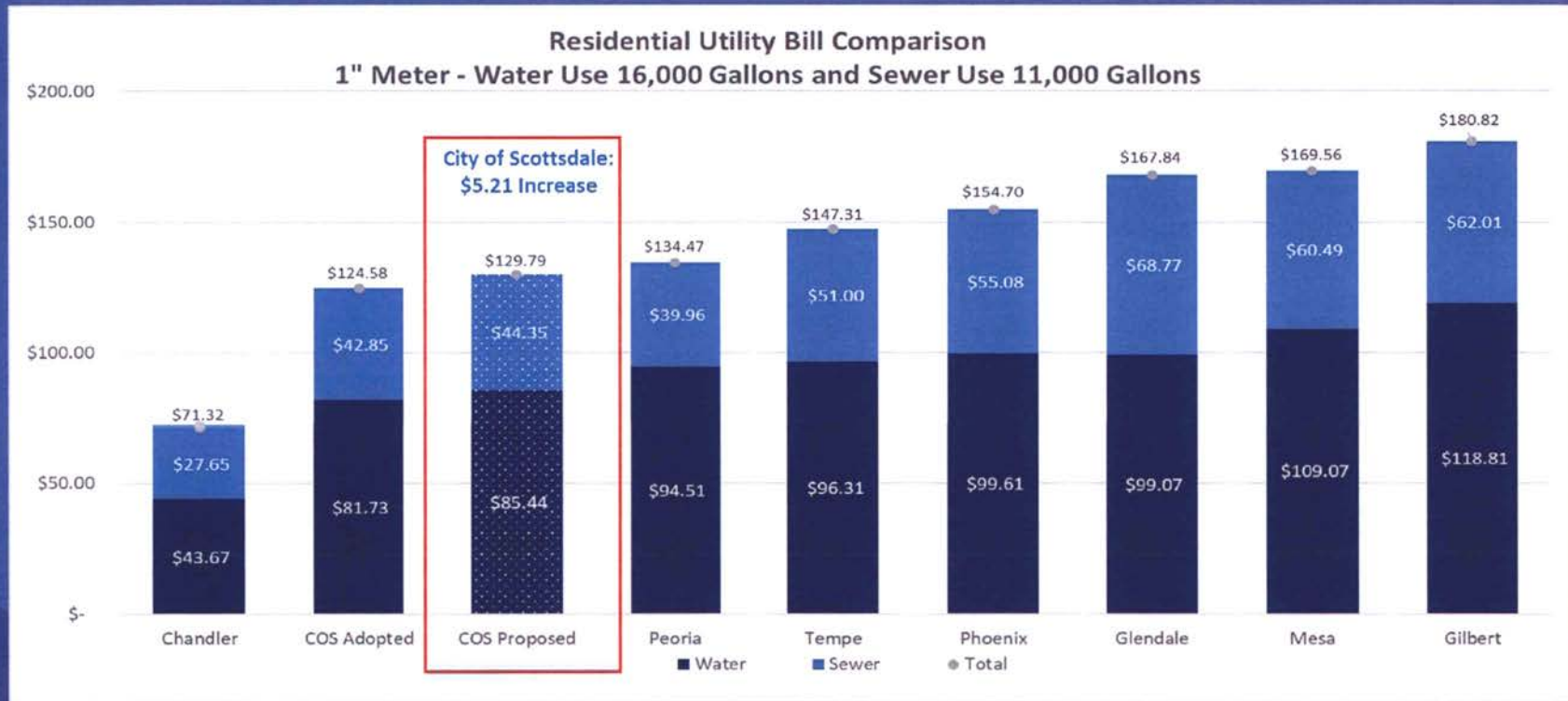
Miscellaneous Service Charges

Service Charges	Est. # Of Sales	FY 2025/26 Fee	Proposed FY 2026/27 Fee	Increase Amt	Est. Revenue Change
Meter and Service Lines (All Sizes)	163	\$2,400 - \$4,790	\$2,790 - \$4,960	Various	\$62,030
Bulk Water Rate	3	\$2.42	\$2.53	\$0.11	\$2,753
Additional Water Fund Revenue					\$64,783

Proposed Implementation Date July 1, 2026

ENTERPRISE – WATER RESOURCES

Utility Comparison



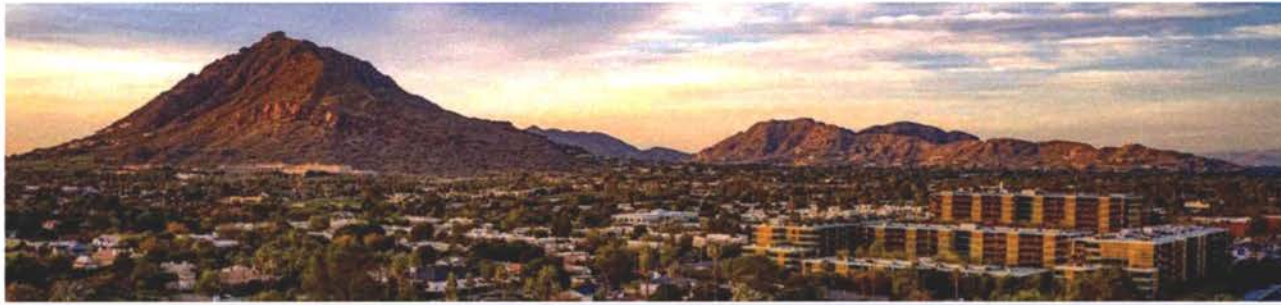
FY 2026/27 Enterprise Funds Solid Waste



Solid Waste: Rate Analysis



BURNS  **MCDONNELL**



SOLID WASTE RATE ANALYSIS

Austin - Buckeye - Casa Grande - Coolidge - Dallas - Denver - Fort Worth - Glendale
- Goodyear - Houston - Kansas City - Phoenix - Queen Creek - Tempe - Tucson

Solid Waste: Rate Study Objectives

- **Determine the total cost of providing solid waste and recycling services**
- **Allocate costs to the appropriate customer classes**
- **Design rates that safeguard the financial integrity of the operation**

Solid Waste: Proposed FY 2026/27 Rates

	Type	FY 2025/26 Rate	FY 2026/27 Rate	% Increase
RESIDENTIAL	First Can	\$31.78*	\$32.42*	2.0%
	Additional Can	\$16.13	\$16.45	2.0%
COMMERCIAL				
Front Load	2 Cubic Yard	\$117.52	\$122.22	4.0%
	3 Cubic Yard	\$126.42	\$131.48	4.0%
	4 Cubic Yard	\$135.74	\$141.17	4.0%
	5 Cubic Yard	\$144.29	\$150.06	4.0%
	6 Cubic Yard	\$153.19	\$159.32	4.0%
	8 Cubic Yard	\$166.31	\$172.97	4.0%
Roll-Off (incl. 3 tons)		\$651.05	\$677.09	4.0%
Holiday Park		\$119.83	\$124.63	4.0%
Recycling Carts	90 Gallon	\$14.30	\$14.87	4.0%
	300 Gallon	\$46.77	\$48.64	4.0%
Container Recycling	2 Cubic Yard	\$93.00	\$96.72	4.0%
	3 Cubic Yard	\$97.74	\$101.65	4.0%
	4 Cubic Yard	\$102.51	\$106.61	4.0%
	6 Cubic Yard	\$112.00	\$116.48	4.0%
	8 Cubic Yard	\$121.52	\$126.39	4.0%

* Total current rate of \$31.78 includes \$0.08 fee paid to the State of Arizona section 49.836 and proposed rate of \$32.42 also includes \$0.08 fee paid to the State of Arizona section 49.836

Solid Waste: Revenue Estimates

Revenue	Estimated Revenue (Current)	% Change	Estimated Revenue (Increase)
Residential Rates	\$33,345,913	2.0%	\$671,293
Commercial Front Load Refuse Rates*	\$3,028,161	4.0%	\$121,238
Commercial Roll Off	\$512,376	4.0%	\$20,493
Commercial Front Load Recycling	\$140,195	4.0%	\$5,611
Commercial Side Load Recycling	\$116,363	4.0%	\$4,647
Miscellaneous Charges	\$146,194	Varies	\$4,411
Total Rates	\$37,289,202		\$827,694

*Includes Holiday Park
Rounding difference may occur.



Solid Waste: Recycling Costs

Recycling Charges (per ton) : January 2023 - December 2025



Base Processing Fee – The fee imposed by the City of Phoenix and/or Republic Services without credits applied for recycling revenue based on the current market conditions.

Revenue Share per Ton – The Rev Share/Ton or Blended Rate, is the revenue Phoenix and/or Republic Services receives from marketing the individual commodities based on the market conditions.

Charge – Rebate/(Payable) – The base processing fee with the Rev Share/Ton applied. This is the net amount the City of Scottsdale pays/(earns) for recycling processing per ton.

Cost per Ton 5 Year Averages : Refuse vs Recycling

FY21/22 Cost per Ton

Refuse: \$27.77
Recycling: \$17.16

FY22/23 Cost per Ton

Refuse: \$30.30
Recycling: \$34.32

FY 23/24 Cost per Ton

Refuse: \$31.21
Recycling: \$11.74

FY24/25 Cost per Ton

Refuse: \$32.15
Recycling: \$6.21

FY25/26 Cost per Ton

Refuse: \$33.02
Recycling: \$38.00

5 Year Cost per Ton Averages

Refuse: \$30.89
Recycling: \$21.49

Solid Waste: Valley Rate Comparison



FY 2026/27 Non-Enterprise Planning & Development Services

Planning & Development Services

- Propose **No** increase in rates & fees
- Fees **Added or Modified** due to **new State mandates** including adjustments to Land Division actions and new case types:
 - Elimination/adjustment of land division review fees (preliminary/final plats)
 - New case types:
 - ✓ ADUs
 - ✓ Multi-Family Conversion (Adaptive Reuse)
 - ✓ Middle Housing
- Removal of fees associated with cost recovery for antiquated requests
 - Compact Discs/Custom CDs
 - Hard Copies – General Plan, Zoning & Stormwater Ordinances

Planning & Development Services

New Case Types – State Mandated

Program/Fee	Fee Assessed	Current Fee FY2025/26	Proposed Fee FY 2026/27	Increase per user	Revenue Change
Accessory Dwelling Units (ADUs)	per rate or fee	\$0.00	\$131	New Fee	\$2,620
Multi-Family Conversion (Adaptive Reuse)	per rate or fee	\$0.00	\$2,309	New Fee	\$4,618
Middle Housing	per rate or fee	\$0.00	\$2,309	New Fee	\$11,545

Planning & Development Services

Land Division Fees – Elimination/Modification – State Mandated

Program/Fee	Fee Assessed	Current Fee FY2025/26	Proposed Fee FY 2026/27	Increase per user	Revenue Change
Development Review - Land Division Major Subdivision (Preliminary Plat)	Per rate or fee	\$3656 + \$20 Per lot	\$0	Eliminate	(\$23,576)
Development Review - Land Division Minor Subdivision	Per rate or fee	\$1825+ \$20 Per lot	\$0	Eliminate	(\$24,305)
Plat Fees - Land Combination Residential	Per rate or fee	\$863	\$0	Eliminate	(\$4,315)
Plat Fee - Land Combination Commercial	per rate or fee	varies	\$0	Eliminate	(\$12,299)
Preliminary Plat	per rate or fee	\$0.00	\$1500 + \$100 per lot	Modified	\$52,500
Plat Fee - Final Plat	per rate or fee	\$0	\$3000 + \$250 per lot	Modified	\$76,250
Plat Fee - Certificate of Correction	per rate or fee	\$121 per hour	\$1,000	Flat Fee	\$2,000
Grand Total					\$85,038

Planning & Development Services

Eliminate Antiquated Administrative Fees

Program/Fee	Fee Assessed	Current Fee FY 2025/26	Proposed Fee FY 2026/27	Increase per user	Revenue Change
Compact Discs - Custom CD	per rate or fee	\$0	\$0	Eliminate	\$0
Ordinance Zoning Book	per rate or fee	\$0	\$0	Eliminate	\$0
Ordinance Floodplain Book	per rate or fee	\$0	\$0	Eliminate	\$0
General Plan - CD ROM	per rate or fee	\$0	\$0	Eliminate	\$0
General Plan - Summary Map	per rate or fee	\$0	\$0	Eliminate	\$0
General Plan - Book	per rate or fee	\$0	\$0	Eliminate	\$0

FY 2026/27 Non-Enterprise Parks & Recreation and Preserve

Parks & Recreation and Preserve

Parks & Recreation

Youth Sports Field Allocation Partner Team Rates

- Scottsdale Parks & Recreation partners with several youth sports organizations that meet criteria identified in the division's Youth Sports Field Allocation (YSFA) Policy
- Updates to the YSFA Policy were approved by the Parks & Recreation Commission in April 2025, which included updates to partner field rental rates
- **Proposal:** Eliminate current year-round partner rates and introduce new primary and non-primary season partner rates that align with new YSFA Policy
 - Former policy structure: Partners pay 50% of resident field rental rates year-round
 - New policy structure:
 - Partners pay 50% of resident field rental rates during primary season
 - Partners pay 75% of resident field rental rates during non-primary season

Parks & Recreation & Preserve

Program/Fee	Fee Assessed	Current Fee FY 2025/26	Proposed Fee FY 2026/27	Estimated Revenue
YSFA Partner Primary Season Daytime Field Rental	Per hour	N/A	50% of Resident Rate	\$68,200
YSFA Partner Primary Season Evening Field Rental	Per hour	N/A	50% of Resident Rate	\$170,500
YSFA Partner Non-primary Season Daytime Field Rental	Per hour	N/A	75% of Resident Rate	\$68,205
YSFA Partner No-primary Season Evening Field Rental	Per hour	N/A	75% of Resident Rate	\$170,513
Grand Total				\$477,418

Estimated \$79,573 increase in partner field rental revenue within the Special Programs Fund for FY 2026/27

Parks & Recreation and Preserve

McCormick-Stillman Railroad Park

Roundhouse Entry Fee

- McCormick-Stillman Railroad Park Roundhouse indoor play facility opened August 2025 with pilot entry fees implemented
- **Proposal:** Formalize entry fee at current pilot rate of \$6 (or two ride tickets) per one-hour entry play session; first accompanying adult admitted free
- Pilot program has been well received and supports affordability, benchmarking, and cost recovery

Parks & Recreation & Preserve

Program/Fee	Fee Assessed	Current Fee FY 2025/26	Proposed Fee FY 2026/27	Estimated Revenue	Revenue Change
Roundhouse Entry	Per hour	\$6.00 (pilot fee)	\$6.00	\$863,928	\$0

Increase of \$0 to Special Revenue for FY 2026/27

Parks & Recreation and Preserve

McDowell Sonoran Preserve

Single Day Commercial Use/Guiding Permit Per Person Fee

- Applies to commercial and guided activities in the McDowell Sonoran Preserve (events, tours, guiding services, group activities)
- Proposal: Increase per-person fee to support full cost recovery
- Current fee: \$5 per participant → Proposed fee: \$7 per participant
- Addresses increased labor and technology costs and aligns with regional benchmarking while maintaining no Preserve entry fee

Parks & Recreation & Preserve

Program/Fee	Fee Assessed	Current Fee FY 2025/26	Proposed Fee FY 2026/27	Estimated Revenue	Revenue Change
Single Day Commercial Use/Guiding Permit Per Person Fee	Daily	\$5.00/person	\$7.00/person	\$3,500	\$1,000

Increase of \$1,000 to General Fund for FY 2026/27

Parks & Recreation and Preserve

McDowell Sonoran Preserve

Annual Professional Photography Permit

- Applies to professional photography activities within the McDowell Sonoran Preserve for personal-use photography sessions
- Clerical update only – no fee change proposed
- Adds a dedicated permit line item to the Preserve fee schedule for clarity and consistency following 2025 organizational changes
- Annual permit fee of \$300 previously approved by the McDowell Sonoran Preserve Commission (2017 and 2020)

Parks & Recreation & Preserve

Program/Fee	Fee Assessed	Current Fee FY 2025/26	Proposed Fee FY 2026/27	Estimated Revenue	Revenue Change
Annual Professional Photography Permit	Daily	\$300	\$300	\$3,900	\$0

Increase of \$0 to General Fund for FY 2026/27 – Clerical Change Only

FY 2026/27 - Enterprise Operations Scottsdale Stadium

Scottsdale Stadium

Scottsdale Stadium has not raised its base rates since Summer 2023. The proposed fee increase is 5%.

The proposed fees are due to increasing costs for operating and renting out the stadium. The consumer price index has increased annually an average of 3% since 2023. Custodial costs increased 10% in 2023 and 6.5% in 2024. Fees have been rounded to whole numbers closest to 5% for each item.

Scottsdale Stadium

Program/Fee	Fee Assessed	Current Fee FY 2025/26	Proposed Fee FY 2026/27	Estimated Revenue	Revenue Change
Fieldhouse- Full Day Weekend	per day	\$4,600	\$4,830	\$48,300	\$2,300
Fieldhouse- Full Day Weekday	per day	\$3,450	\$3,625	\$54,375	\$2,625
Banyan Room- Full Day Weekend	per day	\$2,300	\$2,425	\$24,250	\$1,250
Banyan Room- Full Day Weekday	per day	\$1,725	\$1,825	\$23,725	\$1,300
Banyan Room- Half Day Weekday	per half day	\$805	\$0	\$0	-\$4,025
Press Level- Single Suites, Meetings- Full Day Weekend	per day	\$575	\$605	\$1,815	\$90
Press Level- Single Suites, Meetings- Full Day Weekday	per day	\$402.50	\$425	\$1,275	\$67.50
Press Level- Single Suites, Meetings- Half Day Weekday	per half day	\$230	\$245	\$490	\$30
Press Level- All Suites/Rooms, Meetings - Full Day Weekend	per day	\$1,725	\$1,810	\$18,100	\$850
Press Level- All Suites/Rooms, Meetings - Full Day Weekday	per day	\$1,150	\$1,210	\$12,100	\$600

Program/Fee	Fee Assessed	Current Fee FY 2025/26	Proposed Fee FY 2026/27	Estimated Revenue	Revenue Change
Press Level All Suites/Rooms, Meetings - Half Day Weekday	per half day	\$920	\$975	\$2,925	\$165
Team Store- Full Day Weekend	per day	\$920	\$975	\$2,925	\$165
Team Store- Full Day Weekday	per day	\$575	\$605	\$1,815	\$90
Team Store- Half Day Weekday	per half day	\$402	\$425	\$1,275	\$67.50
Charro Lodge - Full Day Weekend	per day	\$1,725	\$1,825	\$10,950	\$600
Charro Lodge - Full Day Weekday	per day	\$1,725	\$1,825	\$10,950	\$600
Main Field Rental-Non-Baseball-Full Day Weekend	per day	\$1,725	\$1,825	\$9,125	\$500
Main Field Rental- Non-Baseball- Full Day Weekday	per day	\$1,725	\$1,825	\$9,125	\$500
Main Field Rental- Non-Baseball- Half Day Weekday	per half day	\$862.50	\$905	\$1,810	\$85
Dugout & Home Plate Ceremonies	per day	\$862.50	\$905	\$1,810	\$85
Full Facility- Weekend	per day	\$11,500	\$12,075	\$12,075	\$575
Full Facility - Weekday	per day	\$9,200	\$9,675	\$9,675	\$475

Program/Fee	Fee Assessed	Current Fee FY 2025/26	Proposed Fee FY 2026/27	Estimated Revenue	Revenue Change
First Base Patio- Full Day Weekend [New fee, currently a pilot fee]	per day	\$0.00	\$1,825	\$18,250	\$18,250
First Base Patio- Full Day Weekday [New fee, currently a pilot fee]	per day	\$0.00	\$1,825	\$18,250	\$18,250
Left Field Berm Patio- Full Day Weekend [New Fee]	per day	\$0.00	\$1,825	\$18,250	\$18,250
Left Field Berm Patio- Full Day Weekday [New Fee]	per day	\$0.00	\$1,825	\$18,250	\$18,250
Lower Level Locker Room [New Fee]	per day	\$0.00	\$700	\$2,100	\$2,100
Upper Level Locker Room- Full Day Weekend [New Fee]	per day	\$0.00	\$1,300	\$2,600	\$2,600
Upper Level Locker Room - Full Day Weekday [New Fee]	per day	\$0.00	\$1,050	\$2,100	\$2,100
Main Field Rental - Sports- Full Day Weekend	per day	\$1,380	\$1,450	\$14,500	\$700
Main Field Rental Sports- Full Day Weekday	per day	\$1,380	\$1,450	\$14,500	\$700
Main Field Rental Sports- Half Day Weekday	per half day	\$690	\$725	\$3,625	\$175
Practice Field Rental- Full Day Weekend	per day	\$552	\$580	\$2,900	\$140
Practice Field Rental- Full Day Weekday	per day	\$552	\$580	\$2,900	\$140

Program/Fee	Fee Assessed	Current Fee FY 2025/26	Proposed Fee FY 2026/27	Estimated Revenue	Revenue Change
Practice Field Rental- Half Day Weekday	per half day	\$276	\$290	\$1,450	\$70
Batting Cage Rental- Full Day Weekend	per day	\$230	\$245	\$1,225	\$75
Batting Cage Rental- Full Day Weekday	per day	\$230	\$245	\$1,225	\$75
Batting Cage Rental- Half Day Weekday	per half day	\$115	\$120	\$600	\$25
Grand Total				\$381,615	\$90,895

FY 2026/27 - Enterprise Operations Tourism & Events

Tourism & Events – Event Directional Banner Fees

As adopted by City Council in January 2011, city staff established an Event Directional Banner Program that allowed special events to supply event banners to be hung on city owned street light poles in Old Town, North Scottsdale, and two horizontal banners across Scottsdale Road in Old Town.

The city contracts with a third-party for banner placement.

Currently, the horizontal banner fee for rental clients is \$150 per banner and the vertical banner fee is \$25 per banner.

The proposed banner fees will phase-in a 3-year cost recovery approach to reach 100% cost recovery by FY 2028/29.



Tourism & Events – Event Directional Banner Fees

Program/Fee	Fee Assessed	Current Fee FY 2025/26	Proposed Fee FY 2026/27	Estimated Revenue	Revenue Change
Horizontal Banner Fee	Per banner	\$150	\$200	\$4,400	\$1,100
Vertical Banner Fee	Per banner	\$25	\$33	\$46,200	\$11,200
Grand Total				\$50,600	\$12,300

FY 2026/27 Non-Enterprise Library Systems

Library Systems

Facility Booking Fees

- Establish the Civic Center Library Platinum and the Arabian Branch Collaboration facility rental fees.
 - The proposed fees would come by formally adding these existing meeting room spaces to the city and library's Facility Rental Rates and Fees Schedule of available meeting rooms for the public to rent.
 - Result of these additions would generate revenue.

Miscellaneous Fees

- Re-establish the Collection Agency Fee.
 - The proposed \$15 fee would be passed on to patrons who have not returned long overdue library materials. (over 45 days after final notice)
 - The \$15 fee would cover 128% of the collection agency expenses (\$11.73), allow for inflation, potential increases to postage costs, material replacement costs, and staff time offsets.
 - Result of this addition would provide some cost recovery revenue and the return of library materials.
- 3D Printer Usage Fee
 - The proposed fee would be based .10 cents per gram, per patron print job.
 - Result of this addition would generate some revenue and cost recovery.

Library Systems

Program/Fee	Fee Assessed	Current Fee FY 2025/26	Proposed Fee FY 2026/27	Estimated Revenue	Revenue Change
Platinum Room Civic Center Library	Per Rental	N/A	\$10.00/hr.	\$5,000	\$5,000
Collaboration Room Arabian Library	Per Rental	N/A	\$5.00/hr.	\$2,500	\$2,500
Collection Agency Fee	Per Borrower with Long Overdue Materials	N/A	\$15.00	\$9,000	\$9,000
3D-Printer Print Job Fee	Per 3D-Print Job	N/A	\$0.10 per gram	\$500	\$500
Grand Total				\$17,000	\$17,000

FY 2026/27 Non-Enterprise Police Department

Public Safety - Police

Off-Duty Officer Rate Adjustment

- As a service to the community, the Scottsdale Police Department fills requests to hire off-duty sworn employees to work police-related duties. The proposed increase aligns with a competitive hourly rate in comparison to surrounding valley agencies. Please see next slide for detailed proposed rates.

The Police Aide (PA) rate will remain unchanged at \$75 per hour (reg) \$113 per hour (holiday); the proposed adjustment applies only to sworn officer pay.

Vehicle Use Fee Rate Adjustment

- As a service to the Community, the Scottsdale Police Department fulfills requests to hire Off-duty sworn and professional staff employees for police related duties within the City. In addition to personnel services, police vehicles are often required to ensure these duties are fulfilled effectively. The Vehicle Use Fee aids in recovering some of the costs associated with the use of City owned vehicles and the proposed increase would bring the rate into alignment with comparable valley agencies. Please see next slide for detailed proposed rates.

Public Safety - Police

Program/Fee	Fee Assessed	Current Fee FY 2025/26	Proposed Fee FY 2026/27	Increase per User	Revenue Change
Off-Duty Officer	Per Hour	\$75	\$85	\$10	N/A
Off-Duty Sergeant	Per Hour	\$85	\$95	\$10	N/A
Off-Duty Lieutenant	Per Hour	\$95	\$105	\$10	N/A
Off-Duty Officer - Holiday	Per Hour	\$113	\$128	\$15	N/A
Off-Duty Sergeant - Holiday	Per Hour	\$128	\$143	\$15	N/A
Off-Duty Lieutenant - Holiday	Per Hour	\$143	\$158	\$15	N/A
Vehicle Use Fee	Per Hour	\$7	\$8	\$1	\$3,571
Grand Total					\$3,571

Note: Police Aide (PA) rate remains unchanged at \$75/hour (reg) \$113/hour (holiday). Proposed adjustments apply to sworn officer classifications and vehicle use fees only.

Questions?