

ORDINANCE NO. 2020-13

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FLAGSTAFF, AMENDING THE FLAGSTAFF CITY CODE, TITLE 7 HEALTH AND SANITATION, SECTION 7-03 WATER SYSTEM REGULATIONS, SECTION 7-03-001-0010, SUBSECTION A WATER RATES, TO ESTABLISH A NEW WATER RESOURCES INFRASTRUCTURE PROTECTION THROUGH WILDLAND FIRE MANAGEMENT FEE; PROVIDING FOR PENALTIES, REPEAL OF CONFLICTING ORDINANCES, SEVERABILITY, AND ESTABLISHING AN EFFECTIVE DATE

RECITALS:

WHEREAS, the Flagstaff City Council has determined that approval of a new Water Resources Infrastructure Protection through Wildland Fire Management is necessary in order to continue efforts to protect water services;

WHEREAS, on March 17, 2020 the Flagstaff City Council adopted Resolution No. 2020-11 providing notice of intent to adopt a new Water Resources Infrastructure Protection through Wildland Fire Management and has published such resolution in a newspaper of general circulation of the City all in accordance with A.R.S. § 9-511.01 for changes in water services rates;

WHEREAS, on April 17, 2020 notice of a proposed new Water Resources Infrastructure Protection through Wildland Fire Management Fee was posted on the home page of the City of Flagstaff website, along with a written report and data to support the fee, and notice has been distributed through City social media, in accordance with A.R.S. § 9-499.15 at least 60 days prior to approval of any new or increased fee;

WHEREAS, on June 2 and June 16, 2020 a public hearing was held regarding the proposed new Water Resources Infrastructure Protection through Wildland Fire Management Fee;

ENACTMENTS:

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF FLAGSTAFF AS FOLLOWS:

SECTION 1. In General.

The Flagstaff City Code, Title 7 Health and Sanitation, Chapter 7-03 City Water System Regulations, Section 7-03-001-0010, Subsection A Water Rates Volume Charge Table is hereby amended as follows (deletions shown as stricken, additions shown in capitalized, underlined text):

7-03-001-0010 WATER RATES

A. Inside City Limits: The following monthly charges shall be effective with bills rendered on and after January 1, 1991.

Applicable sales taxes will be in addition to these charges.

Charge per one thousand (1,000) gallons of measured or estimated water use per month.

VOLUME CHARGE

Monthly Water Use Gallons	Volume Charge \$/1,000 gal				
Single Family - Block Rate					
Single Family	7-1-16	1-1-17	1-1-18	1-1-19	1-1-20
Tier 1 (0-3,500)	\$2.89	\$3.02	\$3.15	\$3.29	\$3.44
Tier 2 (3,501-6,200)	\$3.75	\$3.91	\$4.09	\$4.26	\$4.45
Tier 3 (6,201-11,500)	\$5.77	\$6.03	\$6.29	\$6.57	\$6.86
Tier 4 (Over 11,500)	\$11.55	\$12.05	\$12.59	\$13.14	\$13.72
Multi-family, Apts., Mobile home	\$3.72	\$3.88	\$4.05	\$4.23	\$4.42
Commercial, Schools	\$3.95	\$4.12	\$4.30	\$4.49	\$4.69
Northern Arizona University	\$3.62	\$3.78	\$3.95	\$4.12	\$4.30
Manufacturing	\$3.89	\$4.07	\$4.24	\$4.43	\$4.63
Lawn Meters	\$3.95	\$4.12	\$4.30	\$4.49	\$4.69
Hydrant meter	\$6.03	\$6.30	\$6.58	\$6.87	\$7.17
Standpipe – Water haulers	\$6.03	\$6.30	\$6.58	\$6.87	\$7.17

Energy Component:

Charge per one thousand (1,000) gallons, applied to all customer classes (refer to subsection (D) of this section)

Energy component cost will be calculated annually based on a one (1) year rolling average of water related energy costs as per subsection (D) of this section.

WATER RESOURCES AND INFRASTRUCTURE PROTECTION THROUGH WILDLAND FIRE MANAGEMENT COMPONENT:

IN ADDITION TO ALL VOLUME CHARGES, EACH CUSTOMER SHALL PAY AN ADDITIONAL FEE BASED ON WATER CONSUMPTION AS FOLLOWS:

EFFECTIVE 8-1-20 \$0.52 PER 1,000 GALLONS

EFFECTIVE 7-1-22 \$0.53 PER 1,000 GALLONS

THIS FEE SHALL BE USED TO PROTECT FLAGSTAFF ALL WATER RESOURCES AND INFRASTRUCTURE FROM WILDLAND FIRES INCLUDING WATER, WASTEWATER, RECLAIMED WATER AND STORMWATER.

SECTION 2. Penalties.

Any person convicted of a violation of this ordinance is guilty of a misdemeanor and shall be fined a sum not to exceed two thousand five hundred dollars (\$2,500.00) and may be sentenced to confinement in jail for a period not to exceed ninety (90) days for any one offense, all in accordance with the Flagstaff City Code Chapter 1-04. Any violation which is continuing in nature shall constitute a separate offense on each successive date the violation continues, unless otherwise provided.

SECTION 3. Repeal of Conflicting Ordinances.

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

SECTION 4. Severability.

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

PASSED AND ADOPTED by the City Council of the City of Flagstaff this 16th day of June, 2020.

MAYOR

ATTEST:

CITY CLERK

APPROVED AS TO FORM:

CITY ATTORNEY