

ORDINANCE NO. 2024-19

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FLAGSTAFF, AMENDING THE FLAGSTAFF CITY CODE, TITLE 3, BUSINESS REGULATIONS, SECTION 3-10-001-0008 LICENSE FEES AND TITLE 7, HEALTH AND SANITATION, CHAPTER 7-02 WASTEWATER REGULATIONS AND CHAPTER 7-03 WATER REGULATIONS, BY ADOPTING BY REFERENCE THAT CERTAIN DOCUMENT ENTITLED “*WATER SERVICES RATES CODE CHANGES*”; PROVIDING FOR PENALTIES, REPEAL OF CONFLICTING ORDINANCES, SEVERABILITY, AND ESTABLISHING AN EFFECTIVE DATE

RECITALS:

WHEREAS, ARS §§9-511, 9-511.01 *et. seq.* provides authority for municipalities to adjust water, wastewater, and reclaimed water utility rates and fees and water and wastewater capacity charges, and

WHEREAS, water and wastewater capacity charges are established for the purpose of charging the cost of additional system capacity to new customers; and

WHEREAS, service charges and fees are established to charge the user of a specific service the cost of delivering the specific service; and

WHEREAS, the City of Flagstaff (“City”) has found that it is necessary to update, adjust and increase water, wastewater, and reclaimed water service fees and charges in order to provide for the present cost of maintaining service levels and system capacity; and

WHEREAS, the City wishes to change language in the City Code, (1) Title 3, Business Regulations, Section 3-10-001-0008 License Fees and (2) Title 7, Health and Sanitation, Chapter 7-02 Wastewater Regulations, and Chapter 7-03 Water Regulations, to water, wastewater, and reclaimed water utility rates and fees and water and wastewater capacity charges in order to revise and update the City Code, and

WHEREAS, the City has finds that the updates, adjustments and increases to: the water, wastewater, and reclaimed water utility rates and fees and water and wastewater capacity charges are all just and reasonable.

ENACTMENTS:

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

SECTION 1. That certain document known as “*Water Services Rates Code Changes*”, one(1) paper copy and (1) electronic copy of which are on file in the office of the City Clerk of the City of Flagstaff, Arizona, has been declared a public record by Resolution No. 2024-30 of the City of Flagstaff, Arizona, is hereby referred to, adopted and made a part hereof as if fully set out in this ordinance.

SECTION 2. Repeal of Conflicting Ordinances

All ordinances and parts of ordinances in conflict with the provisions of the code adopted herein are hereby repealed.

SECTION 3. Severability

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

SECTION 4. Clerical Corrections

The City Clerk is hereby authorized to correct clerical and grammatical errors, if any, related to this ordinance, and to make formatting changes appropriate for purposes of clarity, form, or consistency with the Flagstaff City Code.

SECTION 5. Effective Date:

This Ordinance shall be effective September 1, 2024 following adoption by the City Council.

PASSED AND ADOPTED by the City Council of the City of Flagstaff this 2nd day of July, 2024.

MAYOR

ATTEST:

CITY CLERK

APPROVED AS TO FORM:

CITY ATTORNEY