

ORDINANCE NO. 2025-03

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FLAGSTAFF, AMENDING THE FLAGSTAFF CITY CODE, TITLE 13-09-002-0012, PRIVATE PRESSURE WASTEWATER MAINS AND SERVICES, BY ADOPTING BY REFERENCE THAT CERTAIN DOCUMENT ENTITLED “2025 – PRESSURE WASTEWATER CODE AMENDMENT”; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES, SEVERABILITY, AUTHORITY FOR CLERICAL CORRECTIONS, AND ESTABLISHING AN EFFECTIVE DATE

RECITALS:

WHEREAS, the City of Flagstaff wishes to amend provisions in Chapter 13-09-002-0012 related to pressure wastewater mains and services; and

WHEREAS, pursuant to A.R.S. § 9-240(5) a municipality may provide pipelines and infrastructure for wastewater, including improvements and updates to the types of wastewater mains and services; and

WHEREAS, pursuant to A.R.S. § 9-511 a municipality may engage in the business of a utility, including the reception and treatment of wastewater, and improving or adding different types of wastewater mains and services; and

WHEREAS, pursuant to A.R.S. § 9-511.01 a municipality may provide funding for proper maintenance of all types of wastewater mains and services, including updating and constructing additional infrastructure to become part of the City’s wastewater mains and services; and

WHEREAS, Flagstaff City Code Section 13-09-002-0012 provides information and regulations regarding pressure wastewater mains and services which the Flagstaff City Council desires to amend; and

WHEREAS, the Council has read and considered the staff report prepared by Water Services; and

WHEREAS, that certain document known as “*2025 – Pressure Wastewater Code Amendment*”, one (1) paper copy and one (1) electronic copy of which are on file with the City Clerk in compliance with A.R.S. § 44-7041, was declared to be a public record by Resolution No. 2025-09.

ENACTMENTS:

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

SECTION 1. The foregoing recitals are incorporated as if fully set forth herein.

SECTION 2. That certain document known as “*2025 – Pressure Wastewater Code Amendment*”, 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, and which document is declared a public record by Resolution No.

2025-09 of the City of Flagstaff, Arizona, is hereby referred to, adopted and made a part hereof as if fully set out in this ordinance and its provisions are hereby declared to amend the Flagstaff City Code, replacing and superseding the existing relevant provisions of the City Code, as set forth therein.

SECTION 3. The amendment will not be detrimental to the public interest, health, safety, convenience, or welfare of the City, and will add to the public good as described in the General Plan.

SECTION 4. The amendment is internally consistent with other applicable provisions of the Flagstaff City Code.

SECTION 5. Repeal of Conflicting Ordinances

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

SECTION 6. 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 7. 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 8. Effective Date

This Ordinance shall be effective thirty (30) days following adoption by the City Council.

PASSED AND ADOPTED by the City Council of the City of Flagstaff this 4th day of March 2025.

MAYOR

ATTEST:

CITY CLERK

APPROVED AS TO FORM:

CITY ATTORNEY