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PIMA CO CLERK OF THE BOARD
PICKUP



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PICK UP
AMOUNT PAID: \$0.00

ORDINANCE NO. 2012- 45

AN ORDINANCE OF THE BOARD OF SUPERVISORS OF PIMA COUNTY, ARIZONA; AMENDING THE PIMA COUNTY CODE, TITLE 13, CHAPTER 20, SANITARY SEWER CONSTRUCTION, CONNECTIONS AND FEES BY MAKING PREVIOUS REVISIONS RETROACTIVE AND INSTITUTING A LIMITED NEW REFUND/CREDIT PROGRAM

BE IT ORDAINED BY THE PIMA COUNTY BOARD OF SUPERVISORS:

SECTION 1. Subsection 13.20.045 of the Pima County Sanitary Sewer Construction Code is hereby amended as follows to add a new subsection 'M' making the connection fee changes adopted May 15, 2012 retroactive to that date:

M. Retroactive Applicability of Fee Changes

1. The Connection Fee rates of subsection A, above, are retroactively effective to May 15, 2012.
2. The Director will develop and implement procedures for refunding connection overpayments made by Applicants made from May 15, 2012 through June 30, 2012.
3. Refund applications must be submitted no later than December 31, 2012.
4. Unless specifically extended by action of the Board of Supervisors, this subsection will cease to have effect on December 31, 2012.

SECTION 2. Subsection 13.20.020(11) of the Pima County Sanitary Sewer Construction Code is hereby amended as follows to add a new subsection 'N' setting forth a connection fee credit program for persons who paid connection fees from January 1, 2012 through May 14, 2012 :

N. Credit Program for Certain Connection Fee Payments

1. The Director will develop and implement procedures for issuing connection fee credits to Applicants who paid connection fees during the period starting on January 1, 2012 and ending May 14, 2012.
2. The Department is authorized to issue non-transferable credits to these Applicants in an amount equal to fifty percent of the connection fee actually paid less the connection fee due under the current fee system.

$$\text{Credit} = 0.5 * (\text{Fee actually paid} - \text{Fee due under current system})$$

3. Connection Fee Credit applications must be submitted by eligible Applicants no later than November 20, 2012 and no earlier than the date the Department posts credit applications and procedures on the County web site.

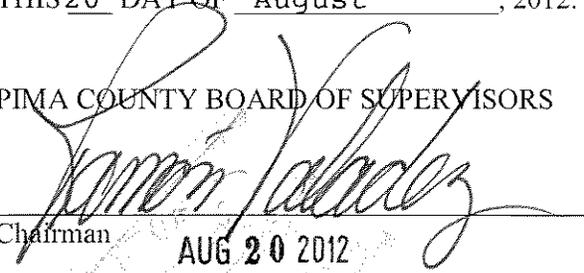
4. Connection Fee Credits issued to Residential Applicants will be useable for twelve (12) months following credit agreement approval.
5. Connection Fee Credits issued to Commercial/Industrial/Multi-Family Applicants will be useable for eighteen (18) months following credit agreement approval.
6. All credit agreements issued pursuant to this subsection must be approved by action of the Board of Supervisors.
7. Credits may be applied to connection fees paid from July 1, 2012 to the date of credit agreement approval. The Applicant must submit a letter to the department requesting use of the credits in this period. Credits will be recovered in the form of a refund.
8. Connection fee credits issued pursuant to this subsection are not transferable once issued. If Applicant was acting as an agent for a principal when paying connection fees, Applicant may, when applying for connection fee credits under this subsection, designate said principal as proper recipient of the credits.
9. Unless specifically extended by action of the Board of Supervisors, this subsection will cease to have effect on December 31, 2012 provided, however, that Connection Fee Credits issued under this subsection will, in accordance with an approved credit agreement, survive the termination of this subsection.

SECTION 3. The various County officers and employees are authorized and directed to perform all acts necessary or desirable to give effect to this Ordinance.

SECTION 4. This Ordinance shall become effective 31 days after its adoption.

PASSED AND ADOPTED BY THE BOARD OF SUPERVISORS OF PIMA COUNTY, ARIZONA,
THIS 20 DAY OF August, 2012.

PIMA COUNTY BOARD OF SUPERVISORS


Chairman

AUG 20 2012

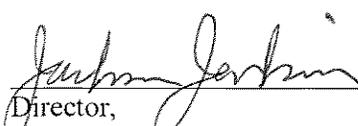
ATTEST:


Clerk of the Board

Dated: _____

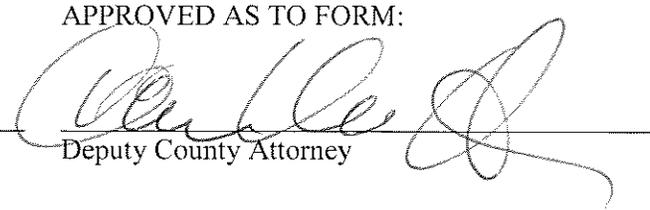
AUG 20 2012

APPROVED AS TO CONTENT:


Director,

Regional Wastewater Reclamation Department

APPROVED AS TO FORM:


Deputy County Attorney