**ORDINANCE 2010- 11**

**AN ORDINANCE OF THE BOARD OF SUPERVISORS OF PIMA COUNTY, ARIZONA; RELATING TO WASTEWATER; AMENDING PIMA COUNTY CODE, TITLE 13, CHAPTER 24, SANITARY SEWER USER FEES AND TITLE 13, CHAPTER 20, SANITARY SEWER CONSTRUCTION, CONNECTIONS AND FEES**

BE IT ORDAINED BY THE PIMA COUNTY BOARD OF SUPERVISORS:

**SECTION 1.** *Amendment.* The Pima County Code, Title 13, Chapter 24, is hereby amended as follows:

**13.24.030**

**Fee calculation.**

A. A monthly fee shall be levied and collected from all users for the service of sanitary sewage collection, treatment and disposal provided through the wastewater system. User fees are calculated according to the following rate formulas for all customers:

Residential Monthly User Fee = (F x R) + A

High Strength Class Monthly User Fee =

F x (R x HS) + A

Where F = Monthly wastewater flow contribution to the public sanitary sewer equal to:

One hundred percent of the metered monthly water consumption; or

The user class average flow for contributors whose water consumption is not metered; or

One hundred percent of the wastewater flow measured by:

Direct meter reading, or

The difference in direct wastewater flow meter readings, or

A combination of direct wastewater flow meter readings and metered monthly water consumption, or

Other acceptable methods.

Where wastewater flow contribution is based on metered monthly water consumption or user class average flow, this amount shall not exceed the average amount of the months of December, January, and February, computed in the same manner.

HS = High Strength Factor determined and based on the wastewater strength of a given class relative to residential wastewater strength as defined in this chapter.

A = 9.82* Standard service fee.

R = User fee volume rate.

1. From the effective date of the Ordinance through June 30, 2010, the user fee volume rate (R) per one hundred cubic feet (ccf) of monthly residential wastewater flow contributions = $2.406, The user fee volume rate will rise to $2.647 on July 1, 2010, to $2.912 on July 1, 2011, to $3.203 on July 1, 2012, and to $3.523 on July 1, 2013.

* Staff note: This number will rise to $10.46 effective July 1, 2010 followed by an increase to $11.14 on July 1, 2011, to $11.86 on July 1, 2012, and to $12.63 on July 1, 2013.

B. The monthly volume of discharge for all users served by a private water company is presumed to be one hundred percent of the average water use as reflected by the billings for the months of December, January and February.

C. If neither direct metered wastewater flow data nor metered water use data is available for a user, the discharge shall be estimated using the average unit discharge associated with that user's class.

D. Consistent with governing regulations of the United States Environmental Protection Agency, the Director has determined that certain classes of users discharge wastewater that contains higher concentrations of chemical oxygen demand or suspended solids or both when compared to the composite strength of wastewater discharge from all residential users, and that accordingly impose additional costs on the operation and maintenance of the system.

1. A user found to discharge wastewater containing a higher concentration of chemical oxygen demand or suspended solids or both when compared to the composite strength of wastewater discharges from residential users and who is currently not assigned to a user class will be assessed a rate based on the concentrations of chemical oxygen demand and suspended solids as these rates are defined in 13.24.180.

E. In addition to any user fees established by this chapter, a user who is detected discharging any toxic wastes into the sanitary sewerage system in violation of Chapter 13.36 of the Pima County Code shall be subject to the increased cost of the treatment of the prohibited substance. This provision shall not preclude the director from imposing the additional penalties provided in Chapter 13.36 of the Pima County Code.

**SECTION 2.** *Amendment.* The Pima County Code, Title 13, Chapter 24, is hereby amended as follows:

**13.24.040**

**Rate schedule.**

A. The user fee rate for customers identified with each user class shall be as shown in the rate schedule codified at the end of this chapter. Each user fee rate was determined in accordance with Section 13.24.030.

B. A service fee, codified in the service fee schedule at the end of this chapter, shall be levied upon each sewer account to recover fixed system costs and costs not proportional to flow. The standard service fee shall be $9.82 per month until June 30, 2010. On July 1, 2010, the service fee will rise to $10.46 followed by an increase to $11.14 on July 1, 2011, to $11.86 on July 1, 2012, and to $12.63 on July 1, 2013.

C. The above-referenced rates and charges shall be reflected in sewer user bills beginning with the first billing cycle after the effective date of the ordinance.

**SECTION 3.** *Amendment.* The Pima County Code, Title 13, Chapter 24, is hereby amended as follows:

**13.24.180**

**Volume Rate and Service Fee schedules-Tables.**

**A. Volume Rate**

The volumetric portions of monthly bills are computed and charged to wastewater customers by user class as set forth in the table below, and are based on the average wastewater strengths shown:

| Class | Class Name | High-Strength Factor | Jan. 1, 2010 Rate (dollars per ccf) | July 1, 2010 Rate (dollars per ccf) | July 1, 2011 (dollars per ccf) | July 1, 2012 (dollars per ccf) | July 1, 2013 (dollars per ccf) |
|---|---|---|---|---|---|---|---|
| 1 | Residential/All other customer classes | 1.00 | $2.406 | $2.647 | $2.912 | $3.203 | $3.523 |
| 1A | Residential/All other customer classes | 1.00 | 0.602 | 0.662 | 0.728 | 0.801 | 0.881 |

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| 1B | Residential/All other customer classes | 1.00 | 1.202 | 1.324 | 1.456 | 1.602 | 1.762 |
| 1C | Residential/All other customer classes | 1.00 | 1.804 | 1.985 | 2.184 | 2.402 | 2.642 |
| 3C | Auto body and fender repair | 2.10 | 5.053 | 5.559 | 6.115 | 6.726 | 7.398 |
| 3K | Mortuary | 1.09 | 2.623 | 2.885 | 3.174 | 3.491 | 3.840 |
| 3N | Laundromat | 1.09 | 2.623 | 2.885 | 3.174 | 3.491 | 3.840 |
| 4E | Pet clinic | 1.20 | 2.888 | 3.176 | 3.494 | 3.844 | 4.228 |
| 4G | Restaurant, with seating and china | 2.03 | 4.884 | 5.373 | 5.911 | 6.502 | 7.152 |
| 4H | Restaurant, fast food | 2.32 | 5.582 | 6.141 | 6.756 | 7.431 | 8.173 |
| 5A | Car wash, self-service | 1.19 | 2.863 | 3.150 | 3.465 | 3.812 | 4.192 |
| 5C | Bottling company | 1.68 | 4.043 | 4.447 | 4.892 | 5.381 | 5.919 |
| 5F | Printing; copying | 1.01 | 2.430 | 2.673 | 2.941 | 3.235 | 3.558 |
| 5G | Electrical component manufacturer | 1.14 | 2.743 | 3.018 | 3.320 | 3.651 | 4.016 |
| 5I | Industrial laundry | 1.06 | 2.551 | 2.806 | 3.087 | 3.395 | 3.734 |
| 5J | Bakery | 3.63 | 8.736 | 9.609 | 10.571 | 11.627 | 12.788 |
| 5K | Miscellaneous food processor | 2.33 | 5.607 | 6.168 | 6.785 | 7.463 | 8.209 |
| 5L | Chemical, Pharmaceutical | 1.25 | 3.008 | 3.309 | 3.640 | 4.004 | 4.404 |
| 5M | Meat packing | 2.38 | 5.727 | 6.300 | 6.931 | 7.623 | 8.385 |
| 5S | Car wash, full service | 1.23 | 2.959 | 3.256 | 3.582 | 3.940 | 4.333 |

## B. Service Fee

The service fee added to each monthly bill is charged to wastewater customers by user class as set forth in the table below:

| Class | Class Name | Service Fee effective January 1, 2010 | Service Fee effective July 1, 2010 | Service Fee effective July 1, 2011 | Service Fee effective July 1, 2012 | Service Fee effective July 1, 2013 |
|---|---|---|---|---|---|---|
| 1 | Residential/All other customer classes | $9.82 | 10.46 | 11.14 | 11.86 | 12.63 |
| 1A | Residential/All other customer classes | 2.45 | 2.62 | 2.79 | 2.97 | 3.16 |
| 1B | Residential/All other customer classes | 4.91 | 5.23 | 5.57 | 5.93 | 6.32 |
| 1C | Residential/All other customer classes | 7.36 | 7.85 | 8.36 | 8.90 | 9.47 |
| 3C | Auto body and fender repair | 9.82 | 10.46 | 11.14 | 11.86 | 12.63 |
| 3K | Mortuary | 9.82 | 10.46 | 11.14 | 11.86 | 12.63 |
| 3N | Laundromat | 9.82 | 10.46 | 11.14 | 11.86 | 12.63 |
| 4E | Pet clinic | 9.82 | 10.46 | 11.14 | 11.86 | 12.63 |
| 4G | Restaurant, with seating and china | 9.82 | 10.46 | 11.14 | 11.86 | 12.63 |
| 4H | Restaurant, fast food | 9.82 | 10.46 | 11.14 | 11.86 | 12.63 |
| 5A | Car wash, self-service | 9.82 | 10.46 | 11.14 | 11.86 | 12.63 |
| 5C | Bottling company | 9.82 | 10.46 | 11.14 | 11.86 | 12.63 |
| 5F | Printing; copying | 9.82 | 10.46 | 11.14 | 11.86 | 12.63 |
| 5G | Electrical component manufacturer | 9.82 | 10.46 | 11.14 | 11.86 | 12.63 |
| 5I | Industrial laundry | 9.82 | 10.46 | 11.14 | 11.86 | 12.63 |
| 5J | Bakery | 9.82 | 10.46 | 11.14 | 11.86 | 12.63 |
| 5K | Miscellaneous food processor | 9.82 | 10.46 | 11.14 | 11.86 | 12.63 |
| 5L | Chemical, Pharmaceutical | 9.82 | 10.46 | 11.14 | 11.86 | 12.63 |
| 5M | Meat packing | 9.82 | 10.46 | 11.14 | 11.86 | 12.63 |
| 5S | Car wash, full service | 9.82 | 10.46 | 11.14 | 11.86 | 12.63 |

**SECTION 4.** *Amendment.* The Pima County Code, Title 13, Chapter 20, is hereby amended as follows:

**13.20.045**

**Connection fees.**

A. Connection Fee Rates. Except as otherwise provided in this section, persons installing fixtures tributary to the public sanitary sewer system shall pay the following connection fee:

1. Residential:

a. From the effective date of the Ordinance through June 30, 2010, the residential connection fee will be $233.30 per fixture unit equivalent.
b. From July 1, 2010 through June 30, 2011, the residential connection fee will be $248.46 per fixture unit equivalent.
c. From July 1, 2011 through June 30, 2012, the residential connection fee will be $264.61 per fixture unit equivalent.
d. From July 1, 2012 through June 30, 2013, the residential connection fee will be $281.81 per fixture unit equivalent.
e. Beginning July 1, 2013, the residential connection fee will be $2300.13 per fixture unit equivalent.

2. Commercial and Industrial:

a. From the effective date of the Ordinance through June 30, 2010, the commercial and industrial connection fee will be $466.71 per fixture unit equivalent.
b. From July 1, 2010 through June 30, 2011, the commercial and industrial connection fee will be $497.05 per fixture unit equivalent.
c. From July 1, 2011 through June 30, 2012, the commercial and industrial connection fee will be $529.36 per fixture unit equivalent.
d. From July 1, 2012 through June 30, 2013, the commercial and industrial connection fee will be $563.77 per fixture unit equivalent.
e. Beginning July 1, 2013, the commercial and industrial connection fee will be $600.42 per fixture unit equivalent.

**SECTION 5.** *Severability.* If any provision of this Ordinance, or the application of any provision thereof is determined by a court of law to be invalid, the invalidity of that provision shall not affect other provisions or the application of this ordinance which can be given effect without the provision determined to be invalid, and to this end the provisions of this Ordinance are severable.

**SECTION 6.** *County Officers and Employees.* The various County officers and employees are authorized and directed to perform all acts necessary or desirable to give effect to this Ordinance.

**SECTION 7.** *Effective Date.* This Ordinance shall become effective 31 days after it is adopted by the Board of Supervisors.

**PASSED AND ADOPTED BY THE BOARD OF SUPERVISORS OF PIMA COUNTY, ARIZONA.**

**PIMA COUNTY BOARD OF SUPERVISORS**

Chairman MAR 09 2010

**ATTEST:**

Clerk of the Board

Dated: MAR 09 2010

**APPROVED AS TO CONTENT:**

Director, Regional Wastewater Reclamation Dept.

**APPROVED AS TO FORM:**

Deputy County Attorney