ORDINANCE 2006 - 52

AN ORDINANCE OF THE BOARD OF SUPERVISORS OF PIMA COUNTY, ARIZONA; RELATING TO WASTEWATER; AMENDING VARIOUS PROVISIONS OF PIMA COUNTY CODE, TITLE 13, CHAPTER 24, SANITARY SEWER USER 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:

13.24.020 Definitions.

The following definitions apply throughout this chapter:

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19. "Sanitary sewer" means a separate sanitary sewer (and not a combined sewer) for conveyance of sanitary sewage or industrial wastewaters, and into which there is no intentional admission of storm, surface or ground water, or of industrial wastes toxic to treatment processes unless authorized by the Department.

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SECTION 2. *Amendment.* The Pima County Code, Title 13, Chapter 24, Section 030(A) 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:

$$\text{Residential Monthly User Fee} = (F \times R) + A$$

$$\text{High Strength Class Monthly User Fee} = F \times (R \times HS) + A$$

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 = $5.72 Flat service fee for all users to be reviewed every four years beginning in 2009.

R = $1.251 User fee basic rate.

1. From the effective date of the Ordinance to December 31, 2006, the User fee basic rate (R) per one hundred cubic feet (ccf) of monthly residential wastewater flow contributions = $1.251.

2. From January 1, 2007, the User fee basic rate (R) per one hundred cubic feet (ccf) of monthly residential wastewater flow contributions = $1.326.

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SECTION 3. *Amendment.* The Pima County Code, Title 13, Chapter 24, Section 040 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 and is based on the following:

1. The projected annual expenses for the wastewater system for fiscal year 2006-2007 are $107,043,736 (including operations and maintenance ($64,539,080), debt service ($16,437,409), capitalized purchases ($ 3,299,378) and depreciation ($22,767,870); the portion to be financed with collected user fees is $68,670,362.

B. A flat service fee shall be levied upon each sewer account to recover fixed system costs and costs not proportional to flow. This service fee shall be $5.72 per month.

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.

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SECTION 4. *Amendment.* The Pima County Code, Title 13, Chapter 24, Section 090(D) is hereby amended as follows:

13.24.090 Billing.

D. In all of the above instances at the discretion of the Department, a closed circuit television inspection may be required in lieu of a dye test.

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SECTION 5. *Amendment.* The Pima County Code, Title 13, Chapter 24, Section 180 is hereby amended as follows:

13.24.180 Rate schedule--Table.

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	August 11, 2006 Rate (Dollars per Ccf)	January 1, 2007 Rate (Dollars per Ccf)
–	Residential/All other Customer Classes	1.00	$1.251	$1.326
3C	Auto Body and Fender Repair	2.10	2.627	2.785
3K	Mortuary	1.09	1.364	1.445
3N	Laundromat	1.09	1.364	1.445
4E	Pet Clinic	1.20	1.501	1.591
4G	Restaurant with seating and china	2.03	2.540	2.692
4H	Restaurant, fast food	2.32	2.902	3.076
5A	Car Wash, self-service	1.19	1.489	1.578
5C	Bottling Company	1.68	2.102	2.228
5F	Printing; Copying	1.01	1.264	1.339
5G	Electrical Component Manufacturer	1.14	1.426	1.512
5I	Industrial Laundry	1.06	1.326	1.406
5J	Bakery	3.63	4.541	4.813
5K	Miscellaneous Food Processor	2.33	2.915	3.090
5L	Chemical, Pharmaceutical	1.25	1.564	1.658
5M	Meat Packing	2.38	2.977	3.156
5S	Car Wash, full service	1.23	1.539	1.631

SECTION 6. *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 7. *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 8. *Effective Date.* This Ordinance shall become effective 31 days after its adoption by the Board of Supervisors.

PASSED AND ADOPTED by the Board of Supervisors, Pima County, Arizona, this 11th **day of** July **, 2006.**

Chairman, Pima County Board of Supervisors

ATTEST:

Clerk of the Board

APPROVED AS TO FORM:

July 28, 2006

Deputy County Attorney

APPROVED AS TO CONTENT:

for Mike Gritzuk

Director, Wastewater Management Department

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