

ORDINANCE NO. O2014.25

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEMPE, ARIZONA, AMENDING CHAPTER 27, ARTICLE II, DIVISION 4, TEMPE CITY CODE, RELATING TO SEWER DEVELOPMENT FEES; AND AMENDING CHAPTER 33, ARTICLE IV, TEMPE CITY CODE, RELATING TO WATER DEVELOPMENT FEES.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF TEMPE, ARIZONA, as follows:

Section 1. That Chapter 27, Article II, Division 4, Section 27-213 of the Tempe City Code is hereby amended to read as follows:

Sec. 27-213. Fee schedule; collection; exemptions; disposition.

(a) The sewer development fee to be charged by the city is established by the city council (Appendix A of this code) and it may be amended by resolution of the city council.

(b) The fee imposed by this division shall be collected by the community development director, who shall be charged with the administration of this division. The fee for each dwelling unit or, in the case of commercial and industrial construction, the fee for each connection shall be collected by the community development director prior to the issuance of a building permit, and the fee with respect to any mobile home or recreation vehicle space shall be collected prior to the issuance of a construction permit for the development of a mobile home or recreation vehicle park. The community development director shall not issue a building permit or construction permit until the fees required by this division have been paid.

(c) Any separate water meter installed for irrigation purposes only will not be included in the calculation of the sewer development fee. In addition, no sewer development fee will be collected for the installation of fire lines not served by a water meter or unmetered fire taps to the water main for residential fire sprinkler systems.

(d) All revenue received from the sewer development fee shall be deposited in a utility revenue account to be used for capital expansion and enlargement of the city sanitary sewer system and/or for the retirement of debt service, both principal and interest, related to sanitary sewer system development.

(e) Multiple water meters used to serve a single service, or a single occupancy building, are not permitted unless approved by the community development director. If multiple meters are approved, the sewer development fees charged will be equivalent to the fee charged for a single meter installation based on demand requirements.

(F) THE FEE IMPOSED BY THIS DIVISION SHALL BE COLLECTED FOR THE REMODEL, EXPANSION, OR RECONSTRUCTION OF AN EXISTING DETACHED DWELLING UNIT ONLY IF ANY OF THE FOLLOWING APPLY:

- (1) THE NEW METER IS LARGER THAN 1 INCH.
- (2) THE REMODEL, EXPANSION, OR RECONSTRUCTION CREATES ONE OR MORE ADDITIONAL DWELLING UNITS.

Section 2. That Chapter 33, Article IV, Section 33-93 of the Tempe City Code is hereby amended to read as follows:

Sec. 33-93. Schedule; exemptions; disposition.

(a) The water development fee to be charged by the city is established by council (see Appendix A).

(b) The fee imposed by this article shall be collected by the community development director, who shall be charged with the administration of this article. The fee for each dwelling unit or, in the case of commercial and industrial construction, the fee for each connection shall be collected by the community development director prior to the issuance of a building permit, and the fee with respect to any mobile home or recreation vehicle space shall be collected prior to the issuance of a construction permit for the development of a mobile home or recreation vehicle park. The community development director shall not issue a building permit or construction permit until the fees required by this article have been paid.

(c) No water development fee will be collected for the installation of fire lines, providing such line is not served by an individual water meter. A tap to the water main for a residential fire sprinkler system may be installed without payment of a water development fee as follows:

- (1) An unmetered fire tap of a minimum three-quarter (3/4) inch diameter may be installed to connect a residential fire sprinkler system to the city's water main when fire protection is being added to an existing single-family residence that is already connected to the city's water distribution system;
- (2) The city will provide a fire tap to the residential sprinkler system for the fee specified in Appendix A, and will install a copper service line to the resident's property boundary nearest the city's water main;
- (3) The resident shall pay all tap fees and inspection fees associated with installing the fire tap to the city's water main;
- (4) The resident shall cause an approved backflow prevention device to be installed in conformance with Tempe Standard Detail T-210 on the residential fire service line at the resident's expense;

- (5) The resident shall schedule and pay for an annual inspection of the backflow prevention device by a certified backflow tester or inspector, and shall submit the annual inspection report to the public works department backflow prevention staff. The first annual report is due no later than twelve (12) months after installation of the device;
- (6) The resident shall own and maintain the entire fire service line from the point of use in their residential fire sprinkler system to the tap on the city's water main;
- (7) The resident shall pay a monthly fire service line fee, in the amount specified in Appendix A, to be added to the base charge on the resident's monthly water bill;
- (8) No person shall use a fire tap to access water for any purpose that is not a fire emergency. Using a fire tap to access water for any purpose that is not a fire emergency is a violation of this article; and
- (9) If a person violates any provision of this article, the public works director may issue a written notice of violation and an order to cease and desist. All violations under this article are subject to a civil penalty in an amount not to exceed one thousand dollars (\$1,000) per day of violation.

(d) All revenue received from the water development fee shall be deposited in a utility revenue account to be used for capital expansion and enlargement of the city water system or for the retirement of debt service, both principal and interest, related to water system development.

(e) Multiple water meters used to serve a single service, or a single occupancy building, are not permitted unless approved by the community development director. If multiple meters are approved, the water development fees charged will be equivalent to the fee charged for a single meter installation based on demand requirements.

(F) THE FEE IMPOSED BY THIS ARTICLE SHALL BE COLLECTED FOR THE REMODEL, EXPANSION, OR RECONSTRUCTION OF AN EXISTING DETACHED DWELLING UNIT ONLY IF ANY OF THE FOLLOWING APPLY:

- (1) THE NEW METER IS LARGER THAN 1 INCH.
- (2) THE REMODEL, EXPANSION, OR RECONSTRUCTION CREATES ONE OR MORE ADDITIONAL DWELLING UNITS.

Section 3. Pursuant to the Tempe City Charter, Section 2.12, ordinances are effective thirty (30) days after adoption.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF TEMPE,
ARIZONA this ____ day of _____, 2014.

Mark W. Mitchell, Mayor

ATTEST:

Brigitta M. Kuiper, City Clerk

APPROVED AS TO FORM:

Judith R. Baumann, City Attorney