

ORDINANCE NO. 4889-1427

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF PRESCOTT, YAVAPAI COUNTY, ARIZONA, DELETING TITLE 2, DEPARTMENTS, CHAPTER 2-1-22 "UTILITIES DIVISION; SEWER BUY-IN FEES" IN ITS ENTIRETY AND RELOCATING AND AMENDING SAME TO REFLECT NEW WASTEWATER DEVELOPMENT FEES TO BE PLACED IN PRESCOTT CITY CODE, TITLE 3, BUILDING REGULATIONS, CHAPTER 3-14-13; AMENDING TITLE 3, BUILDING REGULATIONS, CHAPTER 3-14, "DEVELOPMENT FEES" BY DELETING CERTAIN LANGUAGE AND SECTIONS AND ADDING NEW LANGUAGE AND SECTIONS; AMENDING TITLE 2, DEPARTMENTS, CHAPTER 2-1-12(I) TO RECONCILE INTERNAL CODE REFERENCES AND ADDING ADDITIONAL LANGUAGE; AMENDING TITLE 2, DEPARTMENTS, CHAPTER 2-1-15 "UTILITIES DIVISION; SEWER CONNECTIONS" BY ADDING ADDITIONAL LANGUAGE; AND AUTHORIZING THE MAYOR AND CITY COUNCIL TO EXECUTE ALL NECESSARY DOCUMENTS

RECITALS:

WHEREAS, the City Council of the City of Prescott wishes to amend certain portions of City Code, concerning development fees, to reflect revised development fees, adopted pursuant to Resolution Number 4225-1434; and

WHEREAS, the City Council desires to locate all development fees charged by the City into one Title and Chapter in the City Code for public convenience; and

WHEREAS, the City Council desires to clarify the City Code concerning the implementation of development fees and to update the City Code to reflect the most recent changes to Arizona Revised Statutes Section 9-463.05; and

WHEREAS, it is in the best interest of the health, safety and welfare of the City of Prescott to amend the City Code to reflect the revised development fees, to comply with the provisions of Arizona Revised Statutes Section 9-463.05 and to reconcile internal code references.

ENACTMENTS:

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

SECTION 1. THAT, Title 2, Departments, Chapter 2-1-12, Utilities Division; Water Service Connection And Meter Installation Charges, is hereby amended as follows:

(l) Additional Fees:

1. That in the event that an irrigation meter is installed, or a meter placed upon vacant property, OR ANY OTHER METER, without the issuance of a building permit, or a meter upsized without the issuance of a building permit, then and in that event the applicant must pay to the City, in addition to all other fees required by this section, a fee equivalent to those fees which would have been levied pursuant to Sections ~~3-14-13~~ 3-14-11 and ~~3-14-14~~ 3-14-12.

2. In the event of a charge pursuant to this subsection for an upsized meter, the applicant shall be assessed the difference between the fees which would have been levied pursuant to Sections ~~3-14-13~~ 3-14-11 and ~~3-14-14~~ 3-14-12 for the upsized meter versus the fees which would have been assessed for the existing meter according to the fee schedule in effect at the time of the application for the upside meter.

SECTION 2. THAT Title 2, Departments, Chapter 1-15, Utilities Division; Sewer Connections, is hereby amended as follows:

2-1-15 UTILITIES DIVISION; SEWER CONNECTIONS:

All connections to the City's main sewer lines shall require the issuance of a permit by the Public Works Department. Said permit will be issued upon the payment of the sewer service fees and all other charges herein required by this chapter AND CHAPTER 3-1-13. A separate sewer connection to the main sewer line shall be constructed for every separate building except as provided in the plumbing code adopted by the City and any exception requires the written permission of the Building Official and the Public Works Director. No person having a sewer service connection shall otherwise permit a connection to that sewer service connection by another person or user whether gratuitously or for charges.

All sewer connections shall be approved by the City and the actual tap into the main sewer shall be accomplished by City personnel, unless otherwise approved in writing by the superintendent of utilities, in which event the sewer tap connection fee shall be waived. (Ord. 4856-1313, 5-28-2013)

SECTION 3. THAT Title 2, Departments, Chapter 2-1-22, Public Works Department, Utilities Division; Sewer Buy-In-Fees (PCC 2-1-22) of the Prescott City Code is deleted in its entirety and the numbering of the sections following the deleted 2-1-22 shall be renumbered sequentially to reflect the deleted section, e.g. the current 2-1-23 shall now be numbered 2-1-22, and all of the Sections following same shall be renumbered sequentially to reflect the deletion.

~~2-1-22 UTILITIES DIVISION; SEWER BUY-IN FEES:~~

~~There shall be a mandatory charge for connections being served by any of the City's wastewater treatment plant systems that are owned, operated and maintained by the~~

~~City. This charge shall be the equivalent of the customer's share of the costs to the City for the wastewater treatment plant systems, lift stations, and certain interceptor lines.~~

~~(A) Residential: The charge shall be fifty six dollars (\$56.00) per fixture unit for a residential connection to the sewer system. Single family residences, mobile homes, condominiums, apartments, and hotel/motels shall be classified as residential.~~

~~1. Number: The following shall be the number of fixture units per plumbing fixture:~~

Fixture Residential Use	Number of Fixture Units
Bar Sink	1
Bathtub (with or without shower)	2
Floor drains	2
Laundry tub or clothes washer (each pair of faucets)	2
Lavatory	1
Shower (each head)	2
Sink or dishwasher	2
Water Closet	3

~~2. Permit Fee: A fee of five dollars (\$5.00) per residential permit shall be charged in addition to the fees charged in subsection (A)1 of this section.~~

~~(B) Commercial: The charge shall be fifty six dollars (\$56.00) per fixture unit for a commercial connection to the sewer system. "Commercial connection" is hereby defined as any connection other than residential.~~

~~1. Commercial Number: The following shall be the number of fixture units per plumbing fixture:~~

Fixture Commercial Use	Number of Fixture Units
Bar Sink	2
Bathtub (with or without shower)	4
Dental unit or cuspidor	4
Drinking fountain (each head)	4
Laundry tub or clothes washer (each pair of faucets)	4
Lavatory	2
Lavatory (dental)	4
Shower (each head)	4
Sink (flushing rim, clinic)	10

Fixture-Commercial Use	Number of Fixture Units
Sink (washup, circular spray)	4
Sink (washup, each set of faucets)	2
Sink or dishwasher	4
Urinal (flush tank)	3
Urinal (pedestal or similar type)	10
Urinal (stall)	6
Urinal (wall)	6
Water closet (flush tank)	6
Water closet (flushometer valve)	10
2-inch floor drains	4
3-inch floor drains	4
4-inch floor drains	4
All other traps of fixtures based upon trap size	

~~2. Permit Fee: A fee of five dollars (\$5.00) per commercial permit shall be charged in addition to the fees charged in subsection (B)1 of this section.~~

~~(C) Addition or Remodeling: Fees for connection made to the sewer system under any of the above classifications contained in subsection (A) or (B) of this section where connection is for the purpose of addition or remodeling shall be in accordance with the sewer buy-in fees stated in subsection (A) or (B) of this section, except that charges shall be made only for the number of fixture units in the addition or remodeling construction.~~

~~(D) Charges Due and Payable: Charges and/or fees imposed under this section shall be due and payable when construction permits for units are issued.~~

~~(E) Connection to City Main Line Sewer: For each sewer tap connection to a City main line sewer, there shall be a connection charge in the amount of two hundred dollars (\$200.00) to cover the labor and material costs incurred by the City for making the actual main line sewer tap connection.~~

~~(F) Change of Use: In the event of a change of use of a structure from residential to commercial purposes, there shall be paid to the City additional connection fees required in subsection (B) of this section, with a credit to be given for any connection fees which would have been assessed for that structure pursuant to subsection (A) of this section.~~

~~(G) Fees Nontransferable: All fees paid pursuant to this section shall apply to the real property upon which the structure containing the fixture units is located. Connection~~

~~fees are not transferable between properties. Structures moved from one location to another location must pay new connection fees for the new location, with a credit to be given for any connection fees previously paid for that location.~~

~~(H) Connection Fees Waived: The City Manager is hereby authorized to waive the provisions of subsection (G) of this section regarding transfer of connection fees between properties in the event that the City Manager determines that compliance with subsection (G) of this section would result in gross inequity in a particular situation. (Ord. 4856-1313, 5-28-2013)"~~

SECTION 3. THAT, Title 3, Building Regulation, Chapter 3-3-14, Development Fees, is hereby amended as follows:

CHAPTER 3-14: DEVELOPMENT FEES

SECTIONS:

- 3-14-1: DEFINITIONS:
- 3-14-2: DEVELOPMENT FEES FOR FIRE:
- 3-14-3: DEVELOPMENT FEES FOR POLICE:
- 3-14-4: ~~DEVELOPMENT FEES FOR PARKS [RESERVED FOR FUTURE USE/PARKS]:~~
- 3-14-5: ~~DEVELOPMENT FEES FOR RECREATION:~~
- 3-14-65: ~~DEVELOPMENT FEES FOR LIBRARY [RESERVED FOR FUTURE USE/LIBRARY]:~~
- 3-14-76: RESTRICTED USE OF FEES:
- 3-14-87: IMPOSITION OF FEES:
- 3-14-98: EXEMPTION FROM FEES:
- 3-14-109: DETERMINATION OF CLASSIFICATION:
- 3-14-110: ~~DEVELOPMENT FEES FOR STREETS [RESERVED FOR FUTURE USE/STREETS]:~~
- 3-14-12: ~~DEVELOPMENT FEES FOR PUBLIC BUILDINGS:~~
- 3-14-1311: DEVELOPMENT FEES FOR WATER RESOURCES:
- 3-14-1412: DEVELOPMENT FEES FOR WATER SYSTEM IMPACTS:
- 3-14-1513: ~~RESERVED FOR FUTURE USE~~DEVELOPMENT FEES FOR WASTEWATER IMPACTS:
- 3-14-14: NON-REFUNDABLE DEVELOPMENT FEES
- 3-14-15 NON-TRANSFERABILITY OF DEVELOPMENT FEES

3-14-1 DEFINITIONS:

(A) Residential Unit: A room or group of rooms within a building containing cooking accommodations, and used or designed or intended for use or occupancy

by an individual or individuals as common living quarters. An apartment, manufactured home, modular home and mobile home shall be considered a residential unit, but a hotel room or motel room is not considered a residential unit under the provisions of this chapter. (Ord. 3310, 1-24-1995, eff. 4-24-1995)

3-14-2 DEVELOPMENT FEES FOR FIRE:

~~(A) New residential construction within the city limits shall be assessed the sum of five hundred twenty five dollars (\$525.00) per residential unit. (Ord. 4173, 11-27-2001, eff. 3-1-2002; Ord. 4557, 09-26-2006, eff. 12-25-2006)~~

~~(B) Fees collected pursuant to this section may only be used for upgrades and expansions to existing capital facilities of the fire department, and additional capital facilities for the fire department, as may be authorized pursuant to Arizona Revised Statutes section 9-463.05. (Ord. 3310, 1-24-1995, eff. 4-24-1995)~~

(A) ANY NEW DEVELOPMENT IDENTIFIED IN THE TABLE BELOW SHALL PAY THE CORRESPONDING FIRE AND EMS DEVELOPMENT FEE:

CATEGORY	FEE	ASSESSMENT
SINGLE-FAMILY RESIDENTIAL	\$319.33	HOUSING UNIT
MULTI-FAMILY RESIDENTIAL	\$319.33	HOUSING UNIT
RETAIL	\$363.53	1,000 SQUARE FEET
INDUSTRIAL	\$255.54	1,000 SQUARE FEET
OFFICE	\$717.91	1,000 SQUARE FEET
HOTEL / MOTEL	\$217.64	1,000 SQUARE FEET

(B) FEES COLLECTED PURSUANT TO THIS SECTION MAY ONLY BE USED CONSISTENT WITH PROJECTS IDENTIFIED IN THE CITY'S MOST RECENT INFRASTRUCTURE IMPROVEMENT PLAN ("IIP"), AND FOR PURPOSES PERMITTED BY ARIZONA REVISED STATUTES SECTION 9-463.05.

(C) CHANGE OF USE: IN THE EVENT OF A CHANGE OF USE OF A STRUCTURE, THERE SHALL BE PAID TO THE CITY ADDITIONAL DEVELOPMENT FEES REQUIRED IN SUBSECTION (A) OF THIS SECTION.

3-14-3 DEVELOPMENT FEES FOR POLICE:

~~(A) New residential construction within the city limits shall be assessed the sum of five hundred eighty nine dollars (\$589.00) per residential unit. (Ord. 4173, 11-27-2001, eff. 3-1-2002; Ord. 4557, 09-26-2006, eff. 12-25-2006)~~

~~(B) Fees collected pursuant to this section may only be used for upgrades and~~

~~expansions to existing capital facilities of the police department, and additional capital facilities for the police department, as may be authorized pursuant to Arizona Revised Statutes section 9-463.05. (Ord. 3310, 1-24-1995, eff. 4-24-1995)~~

(A) ANY NEW USES IDENTIFIED IN THE TABLE BELOW SHALL PAY THE CORRESPONDING POLICE DEVELOPMENT FEE:

CATEGORY	FEE	ASSESSMENT
SINGLE-FAMILY RESIDENTIAL	\$113.78	HOUSING UNIT
MULTI-FAMILY RESIDENTIAL	\$113.78	HOUSING UNIT
RETAIL	\$129.53	1,000 SQUARE FEET
INDUSTRIAL	\$91.06	1,000 SQUARE FEET
OFFICE	\$255.81	1,000 SQUARE FEET
HOTEL / MOTEL	\$77.55	1,000 SQUARE FEET

(B) FEES COLLECTED PURSUANT TO THIS SECTION MAY ONLY BE USED CONSISTENT WITH PROJECTS IDENTIFIED IN THE CITY'S MOST RECENT INFRASTRUCTURE IMPROVEMENT PLAN ("IIP"), AND FOR PURPOSES PERMITTED BY ARIZONA REVISED STATUTES SECTION 9-463.05.

(C) CHANGE OF USE: IN THE EVENT OF A CHANGE OF USE OF A STRUCTURE, THERE SHALL BE PAID TO THE CITY A DIFFERENTIAL DEVELOPMENT FEE REQUIRED IN SUBSECTION (A) OF THIS SECTION.

3-14-4 [RESERVED FOR FUTURE USE/PARKS] DEVELOPMENT FEES FOR PARKS:

~~(A) New residential construction within the city limits shall be assessed the sum of seven hundred fifteen dollars (\$715.00) per residential unit. (Ord. 4173, 11-27-2001, eff. 3-1-2002)~~

~~(B) Fees collected pursuant to this section may only be used for upgrades and expansions to existing capital facilities of the city park system, and additional capital facilities for the city park system, as may be authorized pursuant to Arizona Revised Statutes section 9-463.05. (Ord. 3310, 1-24-1995, eff. 4-24-1995)~~

3-14-5 DEVELOPMENT FEES FOR RECREATION:

~~(A) Reserved (Ord. 4173, 11-27-2001, eff. 3-1-2002; Ord. 4812-1212, eff. 12-22-2011)~~

~~(B) Fees collected pursuant to this section may only be used for upgrades and expansions to existing capital facilities of the city recreational system, and additional capital facilities for the city recreational system, as may be authorized pursuant to Arizona Revised Statutes section 9-463.05. (Ord. 3310, 1-24-1995, eff. 4-24-1995)~~

3-14-65 [RESERVED FOR FUTURE USE/LIBRARY]DEVELOPMENT FEES FOR LIBRARY:

~~(A) New residential construction within the city limits shall be assessed the sum of two hundred fifty three dollars (\$253.00) per residential unit. (Ord. 4173, 11-27-2001, eff. 3-1-2002)~~

~~(B) Fees collected pursuant to this section may only be used for upgrades and expansions to existing capital facilities of the city library system, and additional capital facilities for the city library system, as may be authorized pursuant to Arizona Revised Statutes section 9-463.05. (Ord. 3310, 1-24-1995, eff. 4-24-1995)~~

3-14-76 RESTRICTED USE OF FEES:

All development fees collected in accordance with this chapter shall be placed in a separate fund and accounted for separately, and may only be used for the purposes as set forth in this chapter. Notwithstanding the foregoing, the city council reserves the right to amend this chapter, subject to compliance with Arizona Revised Statutes section 9-463.05. (Ord. 3310, 1-24-1995, eff. 4-24-1995)

3-14-87 IMPOSITION OF FEES:

(A) All fees imposed pursuant to this chapter shall be payable ~~in full prior to the issuance of~~ AT THE TIME OF OBTAINING a building permit ~~or permit for installation by the city of Prescott,~~ OR AS OTHERWISE ALLOWED UNDER A VALID DEVELOPMENT AGREEMENT AND CONSISTENT WITH THE PROVISIONS OF ARIZONA REVISED STATUTES SECTION 9-463.05.

(B) The city manager and applicant for a building permit may agree upon the dedication of land or other capital improvements in lieu of a fee required pursuant to this chapter, provided that the value of such space and improvements, as determined by the city manager, is substantially equal to or greater than the amount of fee required by this chapter; and in the event the dedications referred to above do not substantially equal in value the amount of fees required by this chapter, as determined by the city manager, the city manager may accept such dedications in partial payment of such fees and collect the remainder thereof in cash. IN THE EVENT THAT AN OFF-SET OR AGREEMENT IS REACHED PURSUANT TO THIS SECTION, THE CITY SHALL REIMBURSE THE DEVELOPMENT FEE FUND IN AN AMOUNT EQUAL TO THE DEVELOPMENT FEE, CONSISTENT WITH ARIZONA REVISED STATUTES SECTION 9-463.05. (Ord. 3310, 1-24-1995, eff. 4-24-1995)

~~(C) The development fees in this chapter will automatically adjust for inflation using the Engineering News Record 20 City Construction Cost Index (ENR CCI) on the first day of each fiscal year. The city shall provide public notice of the annual adjustments at least thirty days in advance of their effective date, pursuant to 9-463.05(F), as amended. (Ord. 4665, 10-28-2008, eff. 7-11-2009)~~

3-14-98 EXEMPTION FROM FEES:

The following shall be exempted from the payment of any fees imposed by this chapter:

(A) Alterations or expansions of existing residential structures where no additional residential units are created AND WHERE NO ADDITIONAL DEMAND FOR SERVICES IS CREATED BY THE ALTERATION OR EXPANSION.

(B) The residential construction of any accessory buildings or structures, provided that no additional residential units are created AND WHERE NO ADDITIONAL DEMAND FOR SERVICES IS CREATED BY THE ACCESSORY BUILDING OR STRUCTURES.

(C) The replacement of a destroyed or partially destroyed building or structure with a new building or structure of the same size and use AND WHERE NO ADDITIONAL DEMAND FOR SERVICES IS CREATED BY THE NEW BUILDING OR STRUCTURE. (Ord. 3310, 1-24-1995, eff. 4-24-1995)

3-14-109 DETERMINATION OF CLASSIFICATION:

(A) In the event that it is unclear as to whether a proposed use of a structure is residential as defined in section 3-14-1 of this chapter, then and in that event the city manager is hereby empowered to designate the status of that structure or use, provided, however, that all future identical uses shall be accorded the same designation. Any such designation shall be deemed conclusive and final. (Ord. 3310, 1-24-1995, eff. 4-24-1995)

(B) THE CITY MANAGER IS AUTHORIZED TO DETERMINE THE BUSINESS CLASSIFICATION (RETAIL, INDUSTRIAL, OFFICE, AND/OR HOTEL/MOTEL) FOR APPLICATION OF NON-RESIDENTIAL DEVELOPMENT FEES.

~~3-14-1110 [RESERVED FOR FUTURE USE/STREETS] DEVELOPMENT FEES FOR STREETS:~~

~~(A) New residential construction within the city limits shall be assessed the sum of four hundred sixty nine dollars (\$469.00) per residential unit.~~

~~(B) Fees collected pursuant to this section may only be used for upgrades and expansions to existing city streets, and for the acquisition and/or construction of additional city streets, as may be authorized pursuant to Arizona Revised Statutes section 9-463.05. (Ord. 4173, 11-27-2001, eff. 3-1-2002)~~

~~3-14-12 DEVELOPMENT FEES FOR PUBLIC BUILDINGS:~~

~~(A) Reserved (Ord. 4812-1212, eff. 12-22-2011)~~

~~(B) Fees collected pursuant to this section may only be used for upgrades and expansions to existing public buildings, and the acquisition and/or construction of~~

~~additional public buildings which may be required, as may be authorized pursuant to Arizona Revised Statutes section 9-463.05. (Ord. 4173, 11-27-2001, eff. 3-1-2002)~~

3-14-1311 DEVELOPMENT FEES FOR WATER RESOURCES:

(A) All new construction to be connected to the city's water system, within or outside the City limits, shall be assessed the following development fee for water resources:

Meter (inches)	Size
5/8 x 3/4	\$ 4,944.71
1	8,257.73
1 1/2	16,465.84
2	26,355.26

METER SIZE	FEE
5/8-INCH	\$1,481.06
3/4-INCH	\$2,221.59
1-INCH	\$2,468.43
1.5-INCH	\$4,936.87
2-INCH	\$7,898.99
3-INCH	\$14,810.60
4-INCH	\$24,684.33
6-INCH	\$49,368.67
8-INCH	\$78,989.87

(B) In the event that a one inch meter is required solely as a result of a residential unit being equipped with an automatic fire sprinkler system, the development fee to be assessed pursuant to this section shall be based on a 5/8 x 3/4" meter size, provided, however, that this subsection shall not apply to residences 5,000 square feet or more in size.

(C) In the event that an upsizing of meter size is required as a result of remodeling, renovation or expansion of a structure, the development fee to be assessed pursuant to this Section shall be the difference between the CURRENT development fee for the upsized meter versus the CURRENT development fee for the existing meter.

~~(D) For water meters and/or service lines greater than two inches (2"), and for meters utilized for irrigation only, the development fees to be assessed pursuant to this section shall be determined by the Public Works Director on the basis of projected water use stated in gallons per day, using the following formula: Development fee = fee~~

for ~~(5/8 x 3/4") meter x (applicant's projected gallons per day [GPD] water use/residential equivalent unit water use of 235 GPD).~~

~~(E) For water meters for multi-family residential projects the development fee shall be calculated using the following formula: Water Resources Development Fee = (Water Resources Development Fee for 5/8" x 3/4" Meter) x (Number of Residential units) x 60%.~~

(FD) The development fees to be assessed pursuant to this section shall be offset by any WATER RESOURCE DEVELOPMENT fees paid by an applicant pursuant to PCC Section 2-1-12-(I).

~~(GE) Fees collected pursuant to this section may only be used for the acquisition, operations and maintenance of additional water resources, as IDENTIFIED IN THE CITY'S MOST RECENT INFRASTRUCTURE IMPROVEMENT PLAN ("IIP") may be AND authorized pursuant to Arizona Revised Statutes section 9-463.05.~~

(Ord. 4390, 4-13-04; Ord. 4523, 2-7-06, eff. 5-08-06; Ord. 4665, 10-28-2008, eff. 7-11-2009; Ord. 4665 suspended by Ord. 4721-1018, eff. 03-23-2010)

3-14-1412 DEVELOPMENT FEES FOR WATER SYSTEM IMPACTS:

(A) All new construction to be connected to the city's water system, within or outside the City limits shall be assessed the following development fee for water system impacts:

Meter (inches)	Size
5/8 x 3/4	\$ 5,389.02
1	8,999.74
1 1/2	17,945.39
2	28,723.43

WATER SERVICE AREA	5/8-INCH METER FEE
A	\$826.92
B	\$2,263.08
C	\$2,389.04
D	\$2,332.22
E	\$4,089.67
F	\$2,734.40
G	\$3,595.11
H	\$3,461.44
I	\$3,233.13
J	\$4,072.13

(B) WATER SYSTEM DEVELOPMENT FEES WILL BE INCREASED FOR 3/4-INCH AND LARGER METER SIZES BASED ON THE FOLLOWING TABLE:

METER SIZE	CAPACITY RATIO
5/8-INCH	1.000
3/4-INCH	1.500
1-INCH	1.667
1.5-INCH	3.333
2-INCH	5.333
3-INCH	10.000
4-INCH	16.667
6-INCH	33.333
8-INCH	53.333

(C) In the event that a one inch meter is required solely as a result of a residential unit being equipped with an automatic fire sprinkler system, the development fee to be assessed pursuant to this section shall be based on a 5/8 x 3/4" meter size, provided, however, that this subsection shall not apply to residences 5,000 square feet or more in size.

(D) In the event that an upsizing of meter size is required as a result of remodeling, renovation or expansion of a structure, the development fee to be assessed pursuant to this Section shall be the difference between the CURRENT development fee for the upsized meter versus the CURRENT development fee for the existing meter. ~~according to the fee schedule in effect at the time of the application for the upsized meter.~~

~~(D) For water meters and/or service lines greater than two inches (2"), and for meters utilized for irrigation only, the development fees to be assessed pursuant to this section shall be determined by the Public Works Director on the basis of projected water use stated in gallons per day, using the following formula: Development fee = (fee for 5/8 x 3/4" meter x (applicant's projected gallons per day [GPD] water use/residential equivalent unit water use of 235 GPD)~~

(E) The development fees to be assessed pursuant to this section shall be offset by any WATER SYSTEM IMPACT fees paid by an applicant pursuant to PCC Section 2-1-12-(I).

(F) Fees collected pursuant to this section may only be used for purposes related to the City's water production, treatment, transmission and distribution system, as IDENTIFIED IN THE CITY'S MOST RECENT INFRASTRUCTURE IMPROVEMENT PLAN ("IIP") ~~may be~~ AND authorized pursuant to Arizona Revised Statutes sSection 9-463.05, as amended.

(Ord. 4523, 2-7-06, eff. 5-08-06; Ord. 4665, 10-28-2008, eff. 7-11-2009; Ord. 4665 suspended by Ord. 4721-1018, eff. 03-23-2010)

3-14-1513 RESERVED FOR FUTURE USE DEVELOPMENT FEES FOR WASTEWATER IMPACTS

(Ord. 4665, 10-28-2008, eff. 7-11-2009; Ord. 4665 suspended by Ord. 4721-1018, eff. 03-23-2010)

(A) ALL NEW CONSTRUCTION TO BE CONNECTED TO THE CITY'S WASTEWATER SYSTEM, WITHIN OR OUTSIDE THE CITY LIMITS SHALL BE ASSESSED THE FOLLOWING DEVELOPMENT FEE FOR WASTEWATER SYSTEM IMPACTS:

WASTEWATER SERVICE AREA	5/8-INCH METER FEE
A	\$192.75
B	\$3,324.51
C	\$2,156.40
D	\$2,055.41
E	\$3,324.51
F	\$3,407.20
G	\$3,562.13
H	\$3,361.17
I	\$1,988.71

(B) WASTEWATER SYSTEM DEVELOPMENT FEES WILL BE INCREASED FOR 3/4-INCH AND LARGER METER SIZES BASED ON THE FOLLOWING TABLE:

METER SIZE	CAPACITY RATIO
5/8-INCH	1.000
3/4-INCH	1.500
1-INCH	1.667
1.5-INCH	3.333
2-INCH	5.333
3-INCH	10.000
4-INCH	16.667
6-INCH	33.333
8-INCH	53.333

(B) IN THE EVENT THAT A ONE INCH METER IS REQUIRED SOLELY AS A RESULT OF A RESIDENTIAL UNIT BEING EQUIPPED WITH AN AUTOMATIC FIRE SPRINKLER SYSTEM, THE DEVELOPMENT FEE TO BE ASSESSED PURSUANT TO THIS SECTION SHALL BE BASED ON A 5/8" METER SIZE, PROVIDED, HOWEVER, THAT THIS SUBSECTION SHALL NOT APPLY TO RESIDENCES 5,000 SQUARE FEET OR MORE IN SIZE.

(C) IN THE EVENT THAT AN UPSIZING OF METER SIZE IS REQUIRED AS A RESULT OF REMODELING, RENOVATION OR EXPANSION OF A STRUCTURE, THE DEVELOPMENT FEE TO BE ASSESSED PURSUANT TO THIS SECTION

SHALL BE THE DIFFERENCE BETWEEN THE CURRENT DEVELOPMENT FEE FOR THE UPSIZED METER VERSUS THE CURRENT DEVELOPMENT FEE FOR THE EXISTING METER.

(D) FEES COLLECTED PURSUANT TO THIS SECTION MAY ONLY BE USED FOR PURPOSES RELATED TO THE CITY'S WASTEWATER TREATMENT AND COLLECTIONS SYSTEM, AS IDENTIFIED IN THE CITY'S MOST RECENT INFRASTRUCTURE IMPROVEMENT PLAN ("IIP") AND AUTHORIZED PURSUANT TO ARIZONA REVISED STATUTES SECTION 9-463.05.

3-14-14: NON-REFUNDABLE DEVELOPMENT FEES

(A) THERE WILL NO MONETARY OR EQUITABLE PAYOUT BY THE CITY IN THE EVENT THAT THE DIFFERENTIAL BETWEEN THE CURRENT DEVELOPMENT FEE AND PAST DEVELOPMENT FEE PAID FOR BY AN APPLICANT YIELDS A CREDIT.

(B) THE PAYMENT OF DEVELOPMENT FEES ARE NON-REFUNDABLE.

3-14-15: NON-TRANSFERABILITY OF DEVELOPMENT FEES

(A) ALL DEVELOPMENT FEES PAID PURSUANT TO THE PRESCOTT CITY CODE SHALL APPLY TO THE REAL PROPERTY UPON WHICH THE STRUCTURE IS LOCATED.

(B) DEVELOPMENT FEES ARE NOT TRANSFERABLE BETWEEN PROPERTIES.

(C) DEVELOPMENT FEES SHALL APPLY TO A SINGLE PROPERTY AND MAY NOT BE TRANSFERRED BETWEEN PROPERTIES.

SECTION 4. This Ordinance shall have a delayed effective date of August 1, 2014, as required by Arizona Revised Statutes Section 9-463.05.

PASSED, APPROVED AND ADOPTED by the Mayor and Council of the City of Prescott this 24th day of June, 2014.


MARLIN D. KUYKENDALL, Mayor

ATTEST:



DANA R. DeLONG
City Clerk

APPROVED AS TO FORM:



JON M. PALADINI
City Attorney