ORDINANCE NO. 396

AN ORDINANCE OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF JEROME, YAVAPAI COUNTY, ARIZONA, AMENDING SECTION 13-5, "RATES AND BILLS," OF CHAPTER 13, "WATER," OF THE JEROME TOWN CODE REGARDING WATER HOOKUP FEES

BE IT ORDAINED by the Mayor and Town Council of the Town of Jerome, Yavapai County, Arizona, as follows:

Section 1. Paragraph B, "Water Hook Up Fees/Charges," of Section 13-5-1, "Water Rates," of Article 13-5, "Rates and Bills," of Chapter 13, "Water," of the Jerome Town Code is hereby amended as follows (additions underlined; deletions in strikethrough text):

B.   **Water Hook Up Fees/Charges**

Requests for water hookups shall be made by the property owner, in writing, to the Town Manager on forms provided by the Town. The following hookup fees shall be assessed:

1.	Residential	~~$ 5,000.00~~
	For properties with a structure thereon constructed before 1953	NO FEE
	For properties with a structure thereon constructed between 1953 and 1979	$2,500.00
	All other properties	$5,000.00
2.	Small Business	$ 5,800.00
3.	Medium Business	$ 6,200.00
4.	Large Business	$ 7,000.00
5.	Small Industry	$ 6,200.00
6.	Medium Industry	$ 7,000.00
7.	Large Industry	$11,000.00
8.	Vineyards, per parcel, as defined in Chapter 16 of the Jerome Town Code	$ 7,000.00

For the purposes of this section, "Residential" shall mean a lot, whether buildable or not, located in a residential, commercial or agricultural zoning district, with or without a dwelling thereon, which is not used for commercial purposes.

For the purposes of this section, "Structure" shall mean a building, such as a house, barn, shed, church, hotel, or similar construction, which was created principally to shelter any form of human activity. If a structure has lost any of its basic structural elements, such as its roof, it is considered a "ruin" and not a structure for the purposes of this section.

In order to be eligible for reduced rates based on the age of a structure, the property owner must demonstrate to the Town Manager the age of any structure which Property Owner claims was constructed prior to 1980 with the submission of reliable and definitive documentation such as building permits, real property tax assessments, and/or dated photography.

Materials, equipment and labor involved in connection, including the cost of the water meter, will be charged in addition to the above listed hook up fees. Hook up fees may be paid no earlier than two years prior to issuance of a building permit. If a building permit is not issued before the two year anniversary date of the payment, paid fees shall be refunded to the depositor and fees must be repaid at that time at the rates then in effect prior to issuance of a building permit.

Section 2. Following its adoption, this ordinance shall be published by the Town Clerk in accordance with the requirements of A.R.S. 39-203 *et seq.*

Section 3. All ordinances or parts of ordinances that are in conflict with the provisions of this Ordinance are hereby repealed to the extent of their inconsistency herewith.

Section 4. Should any section or provision of this ordinance be declared invalid by a court of competent jurisdiction, such decision shall not affect the validity of the Town Code as a whole or any part thereof other than the part so declared invalid.

Section 5. This Ordinance shall take effect 30 days after final adoption, as provided by law.

PASSED AND ADOPTED BY THE TOWN COUNCIL OF THE TOWN OF JEROME, YAVAPAI COUNTY, ARIZONA, THIS _____ DAY OF _____2012.

_____
Nikki Check, Mayor

ATTEST: APPROVED AS TO FORM:

_____   _____
Candace Gallagher, Town Manager/Clerk   William J. Sims, Esq.
                                                                         Town Attorney

Date of First Reading: 7/31/12	Date of Adoption: 8/14/12			
	Ayes	*Nays*	*Absent*	*Abstain*
	5	0	0	0
Date Published: 8/22/12; 8/29/12				
Date Posted: 8/16/12				