

CHAPTER 23 – STREETS, SIDEWALKS AND PUBLIC IMPROVEMENTS

Sec. 23-32. Public Improvement Repayments; Definitions.

The following words, terms and phrases, when used in sections 23-32 through 23-39 shall have the meanings set forth below, unless the context clearly indicates a different meaning:

(a) *Benefitted party* means the person or entity creating a demand for or otherwise utilizing special public improvements resulting in a special benefit for which the benefitted party has not specifically contributed to the costs in providing such special public improvements.

(b) *City* means city of Peoria, Arizona.

(c) *Costs* means the actual cost of:

(1) Right of way or easement acquisition;

(2) Construction of the special public improvements as determined by the construction contract price or by the actual costs, such construction to include, but shall not be limited to construction and installation of water pipes and lines, sanitary, irrigation and storm sewer lines and systems, asphaltic and concrete paving, curb, gutter and sidewalks, street lights, traffic signals and public landscaping.

(3) Inspection, testing and permit fees;

(4) Engineering and design fees required for preparation of plans and specifications;

(5) Administrative charges paid to the city by the developer or owner;

(6) Incidental fees, expenses and charges, including but not limited to capitalized interest required to complete the improvements.

(d) *Development agreement* means an agreement between one or more parties and the city pursuant to §9-500.05, Arizona Revised Statutes.

(e) *General public benefit* means that portion of the expense of the special public improvement that is for general public benefit and does not specially benefit the property subject to reimbursement for special public improvements.

(f) *Reimbursement amount* means the charge which must be paid to the city and imposed upon the owner or developer of property which has or will receive the benefit of special public improvements benefitting their property.

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(g) *Special benefit* means a benefit to a specific parcel of real property from a special public improvement based on a calculation of traffic generated as the result of the special public improvement; volume generated as the result of the special public improvement, cost per frontage foot of the special public improvement or cost apportioned per acre of the special public improvement.

(h) *Special public improvements* means any publicly dedicated rights-of-way, any street, drainage, water or sewer improvements or facilities or any other improvements financed by bonds, general funds, water utility funds or sewer utility funds and are completed after the effective date of this ordinance.

State Law Reference. A.R.S. §9-500.05.

(Ord. No. 92-03, 2/11/92, Enacted)

(Ord. No. 97-38, 7/15/97, Repealed and reenacted)