

CHAPTER 25 – WATER, SEWERS AND SEWAGE DISPOSAL

Sec. 25-67. Water; Reclaimed Water Use; customers, service agreements.

(a) Reclaimed water service shall only be provided to customers through reclaimed water use service agreements or annual orders for delivery as provided by the Utilities Director. The Utilities Director is authorized to execute such agreements on behalf of the City under the supervision of the City Attorney and approved as to form as required by the City Charter.

Since contractual rights for/to the use of reclaimed water may result in added value to a customer's property, agreements/contracts shall recognize that possibility and require a waiver by the customer of any such added value in the event of purchase or condemnation of the property by the City through negotiation. This requirement shall be an implied term of all reclaimed water use service agreements or similar agreements between the City and a customer.

(b) Reclaimed water use shall be controlled as follows:

(1) The use of all reclaimed water derived from water developed by the City, including but not limited to the City's allocation of groundwater, Salt River Project and Central Arizona Project water, shall be directly controlled by the City.

(2) The use of all reclaimed water derived from water developed by entities other than the City, but served to customers within the corporate boundaries of the City, shall be directly controlled by the City.

(c) It shall be unlawful to receive or use reclaimed water in any area within the City limits other than by a Reclaimed Water Use Service Agreement or annual delivery agreement with the City.

(d) When private development requires reclaimed water service in advance of the City's construction schedule, such customers/developers shall work with the Utilities Department to formulate a plan of service to be implemented at the sole expense of the customer/developer with facilities to be dedicated to City upon completion. Nothing herein will be construed to require the City to enter into such an agreement.

(e) The Reclaimed Water Use Service Agreement shall be in accordance with the Water Reuse System Master Plan, the Water Resources Master Plan and the City's water policy. Additionally, the Reclaimed Water Use Service Agreement recognizes that the use of reclaimed water may reduce the amount of groundwater or surface water that the City would have otherwise provided.

(f) Capital costs are those costs associated with providing distribution mains from the wastewater treatment facility to the point of delivery, up to, but not including, the connection. The Utilities Director may designate areas as not being appropriate for capital cost recovery

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taking into account the benefit of promoting reclaimed water use and the benefit to the City from not receiving full capital cost recovery.

g) No customer will be allowed to connect property to the reclaimed water system unless such customer has made payment in full for the share of the capital costs. Alternatively, the customer may enter into an assessment agreement and provide for a lien to be secured against and recorded upon such property. Additionally, the customer may provide such other financial security to cover such capital costs acceptable to the Chief Financial Officer and City Attorney.

(h) The City Council's adopted rate schedule for Reclaimed Water shall dictate the cost of reclaimed water. Such schedule may be amended from time to time, as needed.

(i) To the extent funding is available in the City's adopted Capital Improvement Program, the City may elect to finance or participate in the construction of reclaimed water pipelines in the City's water service area to serve customers whose estimated reclaimed water usage is sufficient to justify pipeline construction on the basis of economic feasibility and such participation is consistent with the City's adopted Water Reuse Master Plan.
(Ord. No. 07-37, 11/20/07, Repeal reserved Sec. 25-67; Enacted new Sec. 25-67) SUPP 2007-4