

## CHAPTER 25 – WATER, SEWERS AND SEWAGE DISPOSAL

Sec. 25-33. Water; agreements; repayment agreements.

(a) The City and a property owner may execute a repayment agreement for certain projects. The project shall be bid in accordance with the provisions pertaining to public works projects contained in Title 34, of the Arizona Revised Statutes. The bids shall be opened at a location designated by the City on a pre-determined date agreeable to the property owner and the City. The City and the property owner reserve the right to reject any or all bids. The construction costs shall be determined prior to the commencement of construction and shall be approved by the City. In the event that the agreed upon construction costs increase, the repayment agreement may be amended upon approval of the additional construction costs by the City.

(b) Upon completion of the project, the water main shall become the property of the City.

(c) Upon entry into a repayment agreement with the City, the property owner may connect into existing City water mains with the approval of the Utilities Director in consideration for their entry into the repayment agreement.

(d) The Utilities Director shall have sole and exclusive control of connections to the proposed water main.

(e) A repayment agreement will assist in establishing a reasonable charge to permit a connection. The connection charge will be made on a cost per frontage foot, using the agreed approach main construction costs and the extent to which new development is adjacent to the water main.

(f) The connection charge will be paid to the City, and the City agrees to repay such amounts to the property owner. Repayments shall be made by the City within sixty (60) days of receipt. The total of such repayments shall not exceed that portion of the agreed construction costs of the approach main allotted to frontage outside the service area of the property owner. The repayment agreement shall terminate in ten (10) years, or upon the repayment of the total amount in conformance with this Chapter, whichever is earlier. The City shall have the option to provide for repayment to the property owner by allowing a credit against water expansion fees due from the property owner to the City. The connection charge shall be paid into the water expansion fee account.

(Code 1977, § 13-7-9)

(Ord. 98-115, 1/5/99, Amended to add (b), (c) and (d))

(Ord. No. 07-37, 11/20/07, Repealed existing Sec. 25-33; Enacted new Sec. 25-33) SUPP 2007-4