

ORDINANCE NO. 21-1139

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF DOUGLAS, COCHISE COUNTY, ARIZONA, AMENDING TITLE 13 OF THE DOUGLAS MUNICIPAL CODE RELATING TO PUBLIC WATER AND SEWER SERVICES BY AMENDING ORDINANCES 755, 06-904, 09-973, 20-1117 PERTAINING TO WATER AND SEWER FEES AND CHARGES FOR SERVICES UNDER CHAPTER 13.08, ESTABLISHING SEVERABILITY OF COMPONENTS OF ORDINANCE; AND ESTABLISHING AN EFFECTIVE DATE THEREOF.

WHEREAS, the City of Douglas owns and operates the City water and sewerage works and provides water and sewer services to consumers living in the Douglas area; and

WHEREAS, the City’s Water and Sewer Code allows the City to charge fees for the provision of water and sewer services; and

WHEREAS, a written report supporting the proposed increase in fees has been available to the public since May 2021; and

WHEREAS, fees and charges relating to the City’s provision of water and wastewater services were set out in one document; and

WHEREAS, it would benefit the public if all fees and charges relating to water and wastewater services were set out in one document; and

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the City of Douglas, Arizona, as follows: In order to better provide public water and sewer services, Title 13, Chapter 13.08 of the Douglas Municipal Code is hereby amended to read as follows:

SECTION 1. Section 13.08.020 (A), (B) and (C) is hereby amended to read in its entirety as follows:

A. City residents shall pay ~~eighty cents per thousand gallons~~ for metered water consumed, plus all applicable state, county and city sales taxes based on the following schedule:

Monthly Rates 1,000 Gallons of Water - Inside City Limits						
Consumption						
Gallons per Month	2/15/2012	12/15/2021	12/15/2022	12/15/2023	12/15/2024	12/15/2025
Inside 0-3,000	\$ 0.85	\$ 0.89	\$ 0.94	\$ 0.98	\$ 1.07	\$ 1.16
Inside 3,001-8,000	\$ 0.90	\$ 0.95	\$ 0.99	\$ 1.04	\$ 1.13	\$ 1.23
Inside 8,001-20,000	\$ 0.95	\$ 1.00	\$ 1.05	\$ 1.10	\$ 1.19	\$ 1.29
Inside 20,001-30,000	\$ 0.95	\$ 1.00	\$ 1.05	\$ 1.10	\$ 1.19	\$ 1.29
Inside 30,001-60,000	\$ 1.00	\$ 1.05	\$ 1.10	\$ 1.16	\$ 1.26	\$ 1.36
Inside 60,000+	\$ 1.05	\$ 1.10	\$ 1.16	\$ 1.22	\$ 1.32	\$ 1.43

B. Water users outside the corporate limits of the city shall pay ~~eighty five cents per thousand gallons~~ for metered water consumed plus applicable state, county and city sales taxes based on the following schedule:

Monthly Rates 1,000 Gallons of Water -Outside City Limits						
Consumption						
Gallons per Month	2/15/2012	12/15/2021	12/15/2022	12/15/2023	12/15/2024	12/15/2025
Outside 0-3,000	\$ 0.90	\$ 0.95	\$ 0.99	\$ 1.04	\$ 1.13	\$ 1.23

Outside 3,001-8,000	\$ 1.00	\$ 1.05	\$ 1.10	\$ 1.16	\$ 1.26	\$ 1.36
Outside 8,001-20,000	\$ 1.05	\$ 1.10	\$ 1.16	\$ 1.22	\$ 1.32	\$ 1.43
Outside 20,001-30,000	\$ 1.05	\$ 1.10	\$ 1.16	\$ 1.22	\$ 1.32	\$ 1.43
Outside 30,001-60,000	\$ 1.10	\$ 1.16	\$ 1.21	\$ 1.27	\$ 1.38	\$ 1.50
Outside 60,000+	\$ 1.15	\$ 1.21	\$ 1.27	\$ 1.33	\$ 1.44	\$ 1.57

C. Water required for construction or other purposes and supplied through a fire hydrant meter or through the use of unmetered water that has been approved pursuant to Sec. 1-13 of the City Water and Sewer Code, shall pay the rate of two dollars and seventy three cents (\$2.73) per thousand gallons of water consumed plus applicable state, county and city sales taxes.

SECTION 2. Section 13.08.030 (A) (B) and (D) is hereby amended to read in its entirety as follows:

A. Service Inside City Limits. In addition to the cost of the water supplied, the following monthly service charges shall be assessed against each account supplied with a water meter for each meter located within the city limits based on the following schedule:

Monthly Water Base Fee -Inside City Limits						
Base Fee and Capital Improvement Surcharge						
Water Meter Size	2/15/2012	12/15/2021	12/15/2022	12/15/2023	12/15/2024	12/15/2025
Inside 3/4 inch	\$ 10.50	\$ 10.76	\$ 11.03	\$ 11.31	\$ 11.70	\$ 12.11
Inside 1 inch	\$ 12.50	\$ 12.81	\$ 13.13	\$ 13.46	\$ 13.93	\$ 14.42
Inside 1 1/2 inch	\$ 15.00	\$ 15.38	\$ 15.76	\$ 16.15	\$ 16.72	\$ 17.30
Inside 2 inch	\$ 17.50	\$ 17.94	\$ 18.39	\$ 18.85	\$ 19.51	\$ 20.19
Inside 3 inch	\$ 36.50	\$ 37.41	\$ 38.35	\$ 39.31	\$ 40.68	\$ 42.11
Inside 4 inch	\$ 45.50	\$ 46.64	\$ 47.80	\$ 49.00	\$ 50.71	\$ 52.49
Inside 6 inch	\$ 68.50	\$ 70.21	\$ 71.97	\$ 73.77	\$ 76.35	\$ 79.02
Cap. Improvement Surcharge	\$ 5.00	\$ 5.13	\$ 5.25	\$ 5.38	\$ 5.57	\$ 5.77
Monthly Water Base Fee -Outside City Limits						
Base Fee and Capital Improvement Surcharge						
Water Meter Size	2/15/2012	12/15/2021	12/15/2022	12/15/2023	12/15/2024	12/15/2025
Outside 3/4 inch	\$ 14.50	\$ 14.86	\$ 15.23	\$ 15.61	\$ 16.16	\$ 16.73
Outside 1 inch	\$ 16.50	\$ 16.91	\$ 17.34	\$ 17.77	\$ 18.39	\$ 19.03
Outside 1 1/2 inch	\$ 19.00	\$ 19.48	\$ 19.96	\$ 20.46	\$ 21.18	\$ 21.92
Outside 2 inch	\$ 21.50	\$ 22.04	\$ 22.59	\$ 23.15	\$ 23.96	\$ 24.80
Outside 3 inch	\$ 40.50	\$ 41.51	\$ 42.55	\$ 43.61	\$ 45.14	\$ 46.72
Outside 4 inch	\$ 49.50	\$ 50.74	\$ 52.01	\$ 53.31	\$ 55.17	\$ 57.10
Outside 6 inch	\$ 72.50	\$ 74.31	\$ 76.17	\$ 78.07	\$ 80.81	\$ 83.64
Cap. Improvement Surcharge	\$ 5.00	\$ 5.13	\$ 5.25	\$ 5.38	\$ 5.57	\$ 5.77

~~This monthly capital improvement surcharge shall be in addition to the base fee and added per water meter, will increase by one dollar per month per year for a period of five years, and the amount of the monthly service charge as well as the capital improvement surcharge shall become permanent effective February 15, 2007~~

~~B. Service Outside City Limits. Consumers of water outside the city limits shall be charged the monthly service charge set out above for service within city limits, plus an additional service availability charge of four dollars per month per meter connection.~~

~~D. Online Utility Payment Fee of \$2.50 per Transaction for Utility Customers. (Ord. 12 1017 §1, 2012).~~

SECTION 3. Section 13.08.050 (A), (B), (C) and (F) is hereby amended to read in its entirety as follows:

~~Effective with the first bills issued by the City for wastewater services supplied after January 1, 2010, the rates fees and other charges charged to customers and users of the City wastewater service inclusive of the permanent surcharge, the following monthly service charges for use of the City wastewater System shall be according to the following schedules increasing yearly as noted herein:~~ The following monthly service charges inclusive of the Capital Improvement Surcharge shall be assessed for use of the city wastewater system based upon where the property serviced is located:

A. Monthly Wastewater Service Fee Inside City limits.

Monthly Sewer Service Fee (Includes Capital Improvement Surcharge) - Inside City Limits						
Customer Class	7/1/2012	12/15/2021	12/15/2022	12/15/2023	12/15/2024	12/15/2025
Residential, per single family residence/dwelling unit	\$ 25.00	\$ 26.00	\$ 27.04	\$ 28.12	\$ 29.25	\$ 30.42
Commercial 1 (0-199,999 Gal.)	\$ 37.00	\$ 38.48	\$ 40.02	\$ 41.62	\$ 43.28	\$ 45.02
Commercial 2 (200,000 to 399,999 Gal.)	\$ 57.00	\$ 59.28	\$ 61.65	\$ 64.12	\$ 66.68	\$ 69.35
Commercial 3 (400,000 to 599,999 Gal.)	\$ 90.00	\$ 93.60	\$ 97.34	\$ 101.24	\$ 105.29	\$ 109.50
Commercial 4 (600,000 to 799,999 Gal.)	\$ 120.00	\$ 124.80	\$ 129.79	\$ 134.98	\$ 140.38	\$ 146.00
a) Commercial 5 (over 800,000 Gal.)	\$ 150.00	\$ 156.00	\$ 162.24	\$ 168.73	\$ 175.48	\$ 182.50
a) plus the monthly surcharge fee per 100,000 gal. over 1,000,000 gal/yr.	\$ 8.50	\$ 8.84	\$ 9.19	\$ 9.56	\$ 9.94	\$ 10.34
b) Industrial	\$ 60.00	\$ 62.40	\$ 64.90	\$ 67.49	\$ 70.19	\$ 73.00
b) plus the monthly surcharge fee per 100,000 gal. over 300,000 gal/yr.	\$ 8.50	\$ 8.84	\$ 9.19	\$ 9.56	\$ 9.94	\$ 10.34
c) School per site plus monthly service fee per student	\$ 13.60	\$ 14.14	\$ 14.71	\$ 15.30	\$ 15.91	\$ 16.55
c) Monthly service fee per student	\$ 0.40	\$ 0.42	\$ 0.43	\$ 0.45	\$ 0.47	\$ 0.49

B. Monthly Wastewater Service Fee Outside City Limits:

Monthly Sewer Service Fee (Includes Capital Improvement Surcharge) - Outside City Limits						
Customer Class	7/1/2012	12/15/2021	12/15/2022	12/15/2023	12/15/2024	12/15/2025
Residential, per single family residence/dwelling unit	\$ 40.00	\$ 41.60	\$ 43.26	\$ 44.99	\$ 46.79	\$ 48.67
Commercial 1 (0-199,999 Gal.)	\$ 65.00	\$ 67.60	\$ 70.30	\$ 73.12	\$ 76.04	\$ 79.08
Commercial 2 (200,000 to 399,999 Gal.)	\$ 95.00	\$ 98.80	\$ 102.75	\$ 106.86	\$ 111.14	\$ 115.58
Commercial 3 (400,000 to 599,999 Gal.)	\$ 130.00	\$ 135.20	\$ 140.61	\$ 146.23	\$ 152.08	\$ 158.16
Commercial 4 (600,000 to 799,999 Gal.)	\$ 160.00	\$ 166.40	\$ 173.06	\$ 179.98	\$ 187.18	\$ 194.66
a) Commercial 5 (over 800,000 Gal.)	\$ 195.00	\$ 202.80	\$ 210.91	\$ 219.35	\$ 228.12	\$ 237.25
a) plus the monthly surcharge fee per 100,000 gal. over 1,000,000 gal./yr.	\$ 8.65	\$ 9.00	\$ 9.36	\$ 9.73	\$ 10.12	\$ 10.52
b) Industrial	\$ 105.00	\$ 109.20	\$ 113.57	\$ 118.11	\$ 122.84	\$ 127.75
b) plus the monthly surcharge fee per 100,000 gal. over 300,000 gal./yr.	\$ 8.65	\$ 9.00	\$ 9.36	\$ 9.73	\$ 10.12	\$ 10.52
c) School per site plus monthly service fee per student	\$ 13.75	\$ 14.30	\$ 14.87	\$ 15.47	\$ 16.09	\$ 16.73
c) Monthly service fee per student	\$ 0.55	\$ 0.57	\$ 0.59	\$ 0.62	\$ 0.64	\$ 0.67

C. Monthly Wastewater Service Fee Bay Acres Colonia USDA Grant

The City shall charge wastewater service rates to the Bay Acres Colonia at a rate approved by the USDA grant acquired to deliver sewer services to this area. These rates are subject to adjustments as deemed necessary. Only those properties that signed the Bay Acres Service Contract shall be subject to the new following fees.

Monthly Sewer Service Fee (Includes Capital Improvement Surcharge) - Bay Acres Colonia						
Customer Class	5/13/2020	12/15/2021	12/15/2022	12/15/2023	12/15/2024	12/15/2025
Residential, per single family residence/dwelling unit	\$ 32.02	\$ 33.30	\$ 34.63	\$ 36.02	\$ 37.46	\$ 38.96
Commercial 1 (0-199,999 Gal.)	\$ 52.03	\$ 54.11	\$ 56.28	\$ 58.53	\$ 60.87	\$ 63.30
Commercial 2 (200,000 to 399,999 Gal.)	\$ 95.00	\$ 98.80	\$ 102.75	\$ 106.86	\$ 111.14	\$ 115.58
Commercial 3 (400,000 to 599,999 Gal.)	\$ 130.00	\$ 135.20	\$ 140.61	\$ 146.23	\$ 152.08	\$ 158.16
Commercial 4 (600,000 to 799,999 Gal.)	\$ 160.00	\$ 166.40	\$ 173.06	\$ 179.98	\$ 187.18	\$ 194.66
a) Commercial 5 (over 800,000 Gal.)	\$ 195.00	\$ 202.80	\$ 210.91	\$ 219.35	\$ 228.12	\$ 237.25
a) plus the monthly surcharge fee per 100,000	\$ 8.65	\$ 9.00	\$ 9.36	\$ 9.73	\$ 10.12	\$ 10.52

gal. over 1,000,000 gal/yr.						
b) Industrial	\$ 105.00	\$ 109.20	\$ 113.57	\$ 118.11	\$ 122.84	\$ 127.75
b) plus the monthly surcharge fee per 100,000 gal. over 300,000 gal/yr.	\$ 8.65	\$ 9.00	\$ 9.36	\$ 9.73	\$ 10.12	\$ 10.52
c) School per site plus monthly service fee per student	\$ 13.75	\$ 14.30	\$ 14.87	\$ 15.47	\$ 16.09	\$ 16.73
c) Monthly service fee per student	\$ 0.55	\$ 0.57	\$ 0.59	\$ 0.62	\$ 0.64	\$ 0.67

FE. Single Family Residence and Multi-Family Residence with more than one dwelling unit served by an individual water meter:

1. For each single-family residence (dwelling unit) or multi-family residence with individual water meter, the monthly fee for wastewater services for each single-family residence/dwelling unit shall be as follows: ~~for each year after final adoption of Ordinance 09-973.~~

Inside City Limits:

Monthly Sewer Service Fee (Includes Capital Improvement Surcharge) - Inside City Limits						
Customer Class	7/1/2012	12/15/2021	12/15/2022	12/15/2023	12/15/2024	12/15/2025
Residential, per single family residence/dwelling unit	\$ 25.00	\$ 26.00	\$ 27.04	\$ 28.12	\$ 29.25	\$ 30.42

Outside City Limits:

Monthly Sewer Service Fee (Includes Capital Improvement Surcharge) - Outside City Limits						
Customer Class	7/1/2012	12/15/2021	12/15/2022	12/15/2023	12/15/2024	12/15/2025
Residential, per single family residence/dwelling unit	\$ 40.00	\$ 41.60	\$ 43.26	\$ 44.99	\$ 46.79	\$ 48.67

Bay Acres Colonia:

Monthly Sewer Service Fee (Includes Capital Improvement Surcharge) - Bay Acres Colonia						
Customer Class	5/13/2020	12/15/2021	12/15/2022	12/15/2023	12/15/2024	12/15/2025
Residential, per single family residence/dwelling unit	\$ 32.02	\$ 33.30	\$ 34.63	\$ 36.02	\$ 37.46	\$ 38.96

SECTION 4. Review of rates and charges. The total costs of operation and maintenance of the water and wastewater systems and the revenues received by the City for water and wastewater services, as set out in the attached Schedules of Charges, shall be reviewed and evaluated by the City on an annual basis during the budget process and revised as necessary to ensure the charges and fees accomplish the following:

1. Generate sufficient revenue to pay the total operation, maintenance and replacement costs required to operate, maintain and if necessary upgrade or expand the water and wastewater systems to meet City needs.

SECTION 5. All Ordinance and parts of ordinance in conflict herewith are hereby repealed.

1 **SECTION 6. Effective date:** This Ordinance shall be effective December 15, 2021, in order to begin with the new
2 billing cycle, which is greater than the required thirty (30) days after final approval and adoption by the Mayor and
3 Council.

4 **SECTION 7. Severability:** If any chapter, section, subsection, sentence, clause or phrase of this Ordinance is for
5 any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision
6 shall not affect the validity of the remaining portions of this Ordinance and this Ordinance shall continue in full
7 force and effect after the deletion of the illegal or unconstitutional provision.

8 **PASSED AND ADOPTED** by the Mayor and Council of the City of Douglas, Arizona, this 10th day of November
9 2021.

10 _____
11 Donald C. Huish, Mayor

12 Attest:

13 Approval as to form:

14 _____
15 Alma Andrade, City Clerk

16 _____
17 Denis Fitzgibbons, City Attorney