



City Council Report

Date: May 19, 2025
To: City Council
Through: Marc Heirshberg, Deputy City Manager
From: Sheri Collins, Solid Waste Director
Subject: Amend Title 5, Chapter 13, Section 2 of the Mesa City Code Citywide

Purpose and Recommendation

Staff recommends that the City Council amend Title 5, Chapter 13, Section 2 of the Mesa City Code to provide that the Solid Waste Residential Development Fee (“Fees”), currently in effect in the City Code, be removed from the City Code and moved to the Schedule of Fees and Charges. Upon the effective date of the amendment to Title 5, Chapter 13, Section 2 of the Mesa City Code, the legal authority of assessing the Fees will transfer from the City Code to the Schedule of Fees and Charges.

Background

In 1972, the City enacted the Fees in City Code Section 5-13-2, pursuant to A.R.S. § 9-240(18) for the purpose of defraying costs of solid waste collection equipment as a result of residential development. In 1986, Arizona Revised Statutes was amended to provide that a city may establish user fees “to cover all or part of the cost of development, construction, operation, administration and financing of solid waste management activities.” A.R.S. § 49-742.

Currently, Title 5, Chapter 13, Section 2 of the Mesa City Code specifies the dollar amounts to be charged for the Solid Waste Residential Development Fees.

The department is looking to simplify and remove the specific dollar amounts in Title 5, Chapter 13, Section 2 of the Mesa City Code and instead place these Fees in the Schedule of Fees and Charges.

Numerous sections of the Mesa City Code which establish a fee provide that the amount of the fee to be paid will be set forth in the Schedule of Fees and Charges. M.C.C. 5-3-4 (Park and Swap Fees) (“[a]s established in the current Schedule of Fees and Charges.”); 5-12-16 (Massage Establishment Renewal Fee) (“as set forth in the Schedule of Fees and Charges.”); 2-11-9 (Building Board Appeals) (pay fee “as set forth in the schedule of fees and charges.”); and 5-4-6 (Mobile Food Vendors Fees) (paid “in the amounts prescribed in the schedule of fees and charges....”).

Discussion

Staff has determined this amendment will simplify the process and location of the Fees. Staff recommends an amendment to Title 5, Chapter 13, Section 2, which will transfer the legal authority of assessing specific amounts within the City Code and move the legal authority to the Fees and Charges process.

Alternatives

Take no action, leave the city code as is and fee amendments will be more cumbersome.

Fiscal Impact

There will be no fiscal impact.

Coordinated With

Development services department.