

ORDINANCE NO. 5789

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MESA, MARICOPA COUNTY, ARIZONA, AMENDING THE MESA CITY CODE TITLE 5 BUSINESS REGULATIONS, CHAPTER 17, DEVELOPMENT IMPACT FEES REGARDING THE DISCONTINUATION OF THE WASTEWATER IMPACT FEE.

WHEREAS, the City Council adopted Ordinance 5189 continuing the City's existing Development Impact Fees at the same rates then assessed to repay debt amounts as permitted by Senate Bill 1525, approved by the Fiftieth Arizona Legislature, First Regular Session, on April 19, 2011 amending A.R.S. § 9-463.05.

WHEREAS, the City, in Ordinance 5189 and Mesa City Code 5-17-3(B), provided for the automatic cessation of a particular impact fee upon the City receiving Development Impact Fees in an amount equal to the amount of such debt for the particular impact fee category for which the fee was pledged.

WHEREAS, as of April 19, 2023, the City has received Wastewater Impact Fees in the amount of the eligible pledged debt for the Wastewater Impact Fee category, as set forth in the Pledged Debt Analysis for Continuation of Impact Fees cited in Ordinance 5189; and therefore, the City discontinued the collection of Wastewater Impact Fees on April 19, 2023, in accordance with Ordinance 5189 and Mesa City Code 5-17-3(B).

WHEREAS, the City Council hereby desires to ratify and confirm the discontinuation of the Wastewater Impact Fees as of April 19, 2023, and to amend the City's Impact Fee Schedule to remove the Wastewater Impact Fee as of April 19, 2023.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MESA, MARICOPA COUNTY, ARIZONA, AS FOLLOWS:

SECTION 1: RECITALS. The recitals above are fully incorporated in this Ordinance by reference.

SECTION 2: DISCONTINUATION. That the Wastewater Impact Fee ceased and was properly discontinued on Wednesday, April 19, 2023, in accordance with Mesa City Code 5-17-3(B) and Ordinance 5189, and that Table 1 in Title 5, Chapter 17 of the Mesa City Code, entitled Mesa Development Impact Fees, is hereby amended to remove the Wastewater Impact Fee as shown in Attachment 1 to this Ordinance in which the discontinued impact fee and prior total for all impact fee categories is struck and a new total without the discontinued fee is shown.

PASSED AND ADOPTED by the Council of the City of Mesa, Maricopa County, Arizona, this 19th day of June, 2023.

APPROVED:

Mayor

ATTEST:

City Clerk