

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MESA, ARIZONA, REPEALING THE EXISTING TITLE 5, CHAPTER 14 IN ITS ENTIRETY AND ADOPTING TITLE 5, CHAPTER 14, SECTIONS 1 THROUGH 12 “NATURAL GAS REGULATIONS” REGARDING SERVICE BY THE CITY OF NATURAL GAS.

WHEREAS, the City of Mesa owns, operates and maintains a municipal natural gas distribution system which provides gas utility service to approximately 72,000 customers both within the City and outside the City’s corporate boundaries in Maricopa and Pinal County, for a combined service area of approximately 340 square miles, among the largest publicly owned systems in the United States based on customer count;

WHEREAS, it is in the best interests of the City to establish and revise certain terms, conditions, limitations and other requirements regarding City gas utility service;

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

Section 1: That Title 5, Chapter 14, of the of the Mesa City Code, entitled “Natural Gas Regulations,” and all subsections 1-8 thereunder is hereby repealed in its entirety.

Section 2: That the Title 5, Chapter 14, Sections 1 through 12 of the Mesa City Code entitled “Natural Gas Regulations,” which was declared a public record by Resolution 11862 of the City Council of the City of Mesa on May 16, 2022 and is on file and available with the City Clerk, is hereby incorporated as if fully set forth herein and is hereby adopted and made a part of, and shall be added to, the Mesa City Code as Chapter 14 in Title 5.

Section 3: that the penalty clause is hereby set forth Title 5, Chapter 14, Section 12 in full in accordance with A.R.S. § 9-803:

5-14-12: PENALTIES:

- (A) If unauthorized use of gas occurs under the terms contained herein, the Customer shall be subject to the section and title "Unauthorized Use of Utilities" in the Terms and Conditions for the Sale of Utilities.
- (B) Any person that violates any provision of this Chapter shall be guilty of a misdemeanor. Upon conviction, individuals shall be punished by a fine not to exceed \$2,500, or by imprisonment for a period not to exceed six (6) months, or by such fine and imprisonment. Each instance of violation continued shall be a separate offense, punishable as described above.

Section 4: The recitals above are incorporated in this Ordinance by reference as if fully set forth herein.

Section 5: The effective date of this Ordinance shall be thirty (30) days following adoption by the Mesa City Council.

Section 6: The various City officers and employees are hereby authorized and directed to perform all acts necessary to give effect to this Ordinance, including the City Clerk shall codify into the City Code Title 5, Chapter 14, Sections 1 through 12 of the Mesa City Code entitled “Natural Gas Regulations” made a public record by Resolution on May 16, 2022.

PASSED AND ADOPTED by the City Council of the City of Mesa, Maricopa County, Arizona, this 6th day of June, 2022.

APPROVED:

Mayor

ATTEST:

City Clerk