

ORDINANCE NO. 4617

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SCOTTSDALE, MARICOPA COUNTY, ARIZONA AMENDING CHAPTER 49 OF THE SCOTTSDALE REVISED CODE BY ADDING NEW SECTION 49-57.1 TO AUTHORIZE ADDITIONAL REMEDIES FOR COLLECTION OF DELINQUENT UTILITY ACCOUNTS THROUGH LIENS AND OFFSET OF STATE INCOME TAX REFUNDS OR OTHER MONIES.

WHEREAS, the City of Scottsdale desires to continue to accommodate community needs for water sanitary sewer services without decreasing current standards of public health; and

WHEREAS, the City of Scottsdale desires to provide for additional legal remedies for collection of delinquent accounts of utility customers;

BE IT ORDAINED by the Council of the City of Scottsdale that the following amendments to Chapter 49 of the Scottsdale Revised Code are hereby approved:

Section 1. A new section 49-57.1 is hereby added to Chapter 49, Article II, Division 2 as follows, with strikethroughs indicating deletions and shading indicating additions:

SECTION 49-57.1 Additional Legal Remedies for the City

(a) The City shall have a lien upon and right to offset any amount due from a Customer or other User to the City under this Chapter against any income tax refund or other monies that may be owed by the State of Arizona to such Customer or other User. The Business Service Manager may take such actions and provide such notice to the State as may be necessary to assert such rights in accordance with Arizona Revised Statutes, Title 42 or any other applicable State law allowing for liens or offsets of debts due to political subdivisions of the State.

Section 2. If any section, subsection, sentence, clause, phrase or portion of this ordinance or any part of the Code adopted herein is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions thereof.

PASSED AND ADOPTED by the City Council of the City of Scottsdale this 9 day of January, 2024.

ATTEST:

By: Ben Lane
Ben Lane, City Clerk

CITY OF SCOTTSDALE, an
Arizona municipal corporation

By: David D. Ortega
David D. Ortega, Mayor

APPROVED AS TO FORM:

OFFICE OF THE CITY ATTORNEY

Sherry R. Scott
Sherry R. Scott, City Attorney
By: Eric C. Anderson, Senior Assistant City Attorney