ORDINANCE NO. 4409

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SCOTTSDALE, MARICOPA COUNTY, ARIZONA, TO APPROVE AMENDMENTS TO CHAPTER 49, "WATER, SEWERS AND SEWAGE DISPOSAL," OF THE SCOTTSDALE REVISED CODE BY AMENDING SECTION 49-211

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

WHEREAS, the City of Scottsdale desires to amend the provisions of Chapter 49 to provide clarity of language;

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 to go into effect on August 1, 2019:

Section 1. The definition of "Available" in Section 49-211 of the Scottsdale Revised Code "Definitions" is amended as follows, with shading indicating additions and strikethrough indicating deletions:

Available means a public water or public sewer line is located within five hundred (500) feet or a public water line is located within six hundred and sixty (660) feet of a property's boundary line, the respective line has sufficient capacity for the requested connection, an extension of the line can be engineered to meet the City's standards, and the physical circumstances of the right-of-way and the surrounding property will reasonably permit the extension. This includes establishing gravity flow from the subject parcel to an existing public sewer line located within five hundred (500) feet of a property's boundary line. What is "reasonable" shall be determined in the sole judgment of the City.

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 15th day of July, 2019.

ATTEST:

By: Carolyn Jagger, City Clerk

CITY OF SCOTTSDALE, an
Arizona municipal corporation

By: W. J. "Jim" Lane, Mayor

APPROVED AS TO FORM:
OFFICE OF THE CITY ATTORNEY

Bruce Washburn, City Attorney
By: Eric C. Anderson, Senior Assistant City Attorney

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