

RESOLUTION NO. (R) 07- 127

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE TOWN OF ORO VALLEY, ARIZONA, TO ESTABLISH THE BASE RATE FOR THE STORMWATER UTILITY FEE FOR THE FISCAL YEAR 2007/2008.

WHEREAS, Oro Valley is a political subdivision of the State of Arizona, is vested with all rights, privileges, and benefits, and entitled to the immunities and exemptions granted municipalities and political subdivisions under the Constitution and laws of the State of Arizona and the United States; and

WHEREAS, pursuant to A.R.S. 9-511, *et seq.*, the Town has requisite statutory authority to acquire, own and maintain a stormwater utility for the benefit of the landowners within and without the Town's corporate boundaries; and

WHEREAS, pursuant to ARS 9-511, *et seq.*, the Town finds it necessary to establish a stormwater utility fee; and

WHEREAS, pursuant to ARS 9-511, *et seq.*, the Town provided the Notice of Intent to establish a Stormwater Utility Fee at the Oro Valley Town Council meeting of October 3, 2007; and

WHEREAS, the Town Council conducted a Public Hearing to discuss the proposed Stormwater Utility Fee on November 7, 2007; and

WHEREAS, on November 7, 2007 the Council adopted Ordinance No. (O) 07- 40, Section 15-24-13, Stormwater Utility Fee System; and

WHEREAS, Sections 15-24-13(G)(3) and 15-24-13(G)(4) provide a process by which non-residential property uses may apply for a maximum 25% reduction in the monthly stormwater utility fee for which there shall be a one time administrative charge; and

WHEREAS, Section 15-24-13(H)(1), Base Rate requires that the Council set the base rate for calculating the Stormwater Utility Fee on an annual basis;

NOW THEREFORE, BE IT RESOLVED, BY THE MAYOR AND TOWN COUNCIL OF THE TOWN OF ORO VALLEY, ARIZONA:

SECTION 1. That the Stormwater Utility Schedule of Fee base rate for FY 2007/2008 is hereby adopted at a rate of \$ 2.90 /month as set forth in Exhibit "A".

SECTION 2. That the one time application fee for a reduction or credit towards the monthly Stormwater Utility Fee for non-residential uses is set at \$100.00 as set forth in Exhibit "A".

SECTION 3. That the Mayor of the Town of Oro Valley and other Administrative Officials are here by authorized to take such steps as are necessary to implement the Stormwater Utility Schedule of Fees as of January 1, 2008.

PASSED AND ADOPTED by the Mayor and Town Council of the TOWN OF ORO VALLEY, Arizona this 7th day of November 2007.

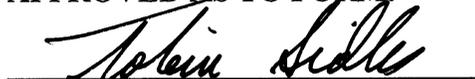

Paul H. Loomis, Mayor

ATTEST:


Kathryn E. Cuvelier, Town Clerk

11-9-07
Date

APPROVED AS TO FORM:


Town Attorney

11/9/07
Date

Exhibit “A”

**STORMWATER UTILITY FEE
SCHEDULE OF FEES FOR FY 2007/2008**

Base Rate	<u>\$2.90</u> /month
Application fee for rate reduction/credit	\$100.00 (one time fee)