

RESOLUTION NO. 14-02
LITTLE COLORADO SANITARY DISTRICT

RESOLUTION TO AMEND ARTICLE III, SECTION 1(B) OF THE LITTLE COLORADO SANITARY DISTRICT'S SECOND AMENDED RULES AND REGULATIONS REGARDING APPLICATION AND PAYMENT OF FEES FOR EXTRAORDINARY EXPENSES FOR UNUSUAL AND/OR NON-CONFORMING REQUESTS

WHEREAS, Article III, Section 1(B) of the Little Colorado Sanitary District's (the "District") Rules and Regulations state:

B. Connection Fee for New Developments. A person or entity seeking to develop or improve any real property within the LCSD through the subdivision of any parcel into single family lots, parcels, or construction of any improvement is responsible for the construction of the sewage system connecting the improvements constructed on the property to the District's sewer. The connection fee for the developer of any new subdivision, business or industrial development shall also include all legal, engineering and other fees incurred by the LCSD which are directly attributable to the connection of the development to the District's sewers. The Connection Fee shall be similar in amount to the costs of construction of an equivalent collector sewer lying adjacent to the landowner's property including the cost of construction, engineering, legal, and administrative services in accordance with the benefit received plus a fee for each lateral constructed in the public right-of-way to service the property.

WHEREAS, The Little Colorado Sanitary District (the "District") sets its fees annually for a fixed amount, depending on several factors, including but not limited to, type of structure, number of plumbing fixtures, size of solids separation tank ("SST"), and the number of SST's on a particular parcel; and

WHEREAS, the District's Board of Directors recognizes that as the area in which the District is located, Greer, Arizona continues to grow and develop in ways not originally considered when the District was formed; and

WHEREAS, the District's Board of Directors believe it is in the best interest of the District and its users to adopt a policy that is fair and equitable to all District users in those cases in which applicants who request an unusual and non-conforming request be responsible for additional expenses for District engineering and/or legal review and recommendations, which the District considers extraordinary expenses.

WHEREAS, the District's Board of Directors believes that it is in the District's best interest to amend the Second Amended Rules and Regulations

THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE LITTLE COLORADO SANITARY DISTRICT THAT ARTICLE III, SECTION 1(B) SHALL BE AMENDED TO READ:

B. Connection Fee for Property Improvements; New Developments; Extraordinary Expenses. A person or entity seeking to develop or improve any real property within the LCSD through the subdivision of any parcel into single family lots, parcels, or construction of any improvement is responsible for the construction of the sewage system connecting the improvements constructed on the property to the District's sewer. The connection fee for the developer of any new subdivision, business or industrial development shall also include all legal, engineering and other fees incurred by the LCSD which are directly attributable to the connection of the development to the District's sewers. The Connection Fee shall be similar in amount to the costs of construction of an equivalent collector sewer lying adjacent to the landowner's property including the cost of construction, engineering, legal, and administrative services in accordance with the benefit received plus a fee for each lateral constructed in the public right-of-way to service the property. Further, Applicants submitting an unusual and/or non-conforming request may incur additional expenses for District engineering and/or legal review and recommendations, which the District considers extraordinary expenses. The District has no obligation but will attempt to notify an applicant in advance of possible extraordinary expenses and an estimate of such costs.

ADOPTED THIS 8 DAY OF September, 2014.

LITTLE COLORADO SANITARY DISTRICT

Robert Shupat
Board Chairman

ATTEST:

Mike M. [Signature]
Board Member