

ORDINANCE NO. 17-1187

AN ORDINANCE OF THE MAYOR AND CITY COUNCIL OF LAKE HAVASU CITY, MOHAVE COUNTY, ARIZONA, AMENDING LAKE HAVASU CITY CODE CHAPTER 3.20, FEE AND SERVICE CHARGE REVENUE/COST COMPARISON AND CHARGING SYSTEM, TO REVISE PROCESS AND UPDATE COSTS RECOVERED

IT IS ORDAINED, by the Mayor and City Council of Lake Havasu City, Arizona, as follows:

Section 1: Section 3.20.030, Delegation of Authority to City Manager, is amended as follows:

§ 3.20.030 DELEGATION OF AUTHORITY TO CITY MANAGER

- A. The City Manager is hereby authorized to adjust fees and charges ~~by operating policies and procedures~~ to implement the policies for percentage recovery of defined reasonable costs to provide the regulations, products or services outlined in § 3.20.040.
- B. The City Manager is hereby authorized to ~~issue operating~~ ESTABLISH policies and procedures defining terms, setting out administrative, fee collection and financial procedures, and establishing rates and effective dates of all fees and charges set out in § 3.20.040.
- C. In adjusting fees and charges, the City Manager shall act in an administrative capacity and shall consider only the standards and criteria established by this chapter, and by applicable state law.
- D. Should this chapter, or Arizona law establish an alternate procedure governing the setting of fees or charges, the City Manager shall, together with the City Attorney, provide to the City Council the necessary information to implement the established policy to the extent consistent with state law.
- ~~E. All operating policies and procedures with a fiscal impact shall be reviewed by the Administrative Services Director to certify compliance with the financial requirements of this chapter and signed by the City Manager connoting the effective date of the operating policies and procedure and new or revised rate structure, procedure, or definition. All operating policies and procedures issued hereunder shall comply in all respects with this chapter.~~
- E.F. A copy of each executed operating policy and procedure OF THE SCHEDULE OF FEES AND SERVICE CHARGES adopted pursuant to this section shall be filed with the City Clerk ~~and Administrative Services Director~~, where such shall become available for public inspection.

Section 2: Section 3.20.040, Schedule of Fees and Service Charges, is amended as follows:

§ 3.20.040 SCHEDULE OF FEES AND SERVICE CHARGES

- A. The Administrative Services Director and each department director, under the direction of the City Manager, shall review ~~as part of the budget process~~ ANNUALLY, all the fees and service charges listed in this section and provide an adjusted schedule for each service to the City Manager ~~in the form of an operating policy and procedure~~, for consideration to recover the listed percentage of reasonable costs necessary to provide the listed services, products, or regulations.

- B. Fees assessed pursuant to this section shall be due and payable when incurred. ~~Fees may become delinquent as early as 30 days past due.~~ Fees which become delinquent may be referred to a collection agency and the city or designee may pursue any other legal remedies available.

Service Center #	Service, Product or Regulation	Reasonable Costs to be Recovered
<u>I. Development and Right of Way Services:</u>		
S-001	Design Review – New	100%
	Design Review – Tenant Improvements	50%
S-002	Planned Development Review and Major Changes to PUD	100%
S-003	Conditional Use Review	100%
S-004	Zone Change Review	100%
S-005	Zoning Code Amendment Review	100%
S-006	General Plan Amendment	100%
S-007	General Plan Maintenance	100%
S-008	Specific Plan Amendment	100%
S-009	Changes to Approved Plans - Subdivision	100%
S-010	Minor Changes to Approved Plans - Planned Unit Development (PUD)	100%
S-012	Specific Plan Review	100%
S-013	Variance Review - Zoning	100%
S-014	Subdivision Review	100%
S-015	Lot Alteration Review	100%
S-016	Board of Adjustment, Planning, Building/Fire Appeals	Range of 6%-47%*
S-017	Parking-in-Common Review	100%
S-021	Annexation Processing	100%
S-022	Design Review – Parking Lot Restripe	0%
S-023	Abandonment (Right-of-Way or Easement) Processing	100%
S-024	Sign Permit Review	100%
S-025	Right of Way Sign Permit Review	100%
S-026	Community Services Department Reinspection Fees	85%
S-027	Traffic Report Review & Striping Plans	100%
S-031	Temporary Use Permit	Average Rate 65%
S-032	Off-Site Improvements Plan Check and Inspection; Off-Site Agreement	100%
S-033	Building Plan Check - Retainer Fee	100%
S-034	Building Permitting and Inspection Process	100%
S-035	Community Services Driveway Permit and Inspection	48%
S-038	Utility Permit	13%
* Separate hearing requirements are set by state statute		
<u>II. Public Records Services:</u>		
S-120	Document Printing and Copying	100%
S-121	Subpoenas	Set by <u>S</u> state <u>S</u> tatute
S-446	Police Crime and Accident Report Reproduction	100%
S-600	Public Safety Electronic Media Reproduction	100%
S-601	Public Safety Audio Recordings	55%

III. Finance & Administrative Services:

S-101	Improvement District #2 - London Bridge Plaza.....	100%
S-102	Improvement District #4 - McCulloch Medians.....	100%
S-110	Business License Processing.....	Average Rate 106%
S-111	Liquor License	100%
S-112	Liquor License – Special Event	25%
S-113	Liquor License Acquisition of Control/Agent Change	80%
S-114	Returned Check Processing	58%
S-116	Peddlers, Solicitors, and Transient Merchants Application and License Processing	Market Rates
S-117	Extension of Premises/Patio Permit.....	100%
S-122	Special Event Permit Application Fee	Market Rates
S-123	Use of City Facilities	Market Rates

IV. Utility And Enterprise Services:

S-130	Water Service.....	Set with $\frac{r}{Rate}$ $\frac{S}{Study}$
S-131	Water Meter & Service Line Installation.....	100% *
S-132	Irrigation or Additional Meter Installation	100% *
S-133	Reconnect Fee	100% *
S-134	Water Meter Testing	100% *
S-135	Private Cross Connection Control Device Process	98% *
S-136	Cross Connection Control Device Monitoring	100% *
S-137	New Water Customer Application.....	100% *
S-138	Water-Hot Tap Service	Market Rates *
S-139	Replace Damaged Service Stop and/or Lock.....	100% *
S-140	Horizon Six Monitoring.....	100% *
S-190	Sewer Service.....	Set with $\frac{r}{Rate}$ $\frac{S}{Study}$
S-190A	Sewer Availability Fee	75%
S-191	Industrial Waste Discharge Permit	100% *
S-192	Treatment Capacity Fee for Sewer Services	Set with $\frac{F}{fee}$ $\frac{S}{Study}$
S-193	Laboratory Analysis – Level I, II AND III.....	100% *
S-195	Non-City Owned Pump Station Checks	Market Rates *
S-196	Pump Station Wet Well Cleaning	100% *
S-197	Private System Sewer Line Cleaning.....	100% *
S-198	Sewer Discharge Sampling	100% *
S-199	Treated Effluent Charge for Reuse	Market Rates *
S-200	Private Sewer Flow Meter Calibration	100% *
S-250	Landing Fee – Commercial / Cargo.....	Market Rates
S-251	Airfield Rental Fees	Market Rates
S-252	Fuel Flowage.....	Set with $\frac{r}{Rate}$ $\frac{S}{Study}$
S-253	Fuel Farm Facility Charge – FBO	Set with $\frac{r}{Rate}$ $\frac{S}{Study}$
S-256	Car Rental	Set with $\frac{r}{Rate}$ $\frac{S}{Study}$
S-257	Vehicle Parking – Permanent.....	Market Rates
S-258	Commercial Aviation Use Permit.....	Market Rates
S-259	Advertising.....	Market Rates
S-260	FBO Fees	Set with $\frac{r}{Rate}$ $\frac{S}{Study}$
S-261	Hangars – Private on City Owned Pads.....	Market Rates
S-263	Hangar Utilities.....	Market Rates
S-264	Terminal Space – Commercial Offices.....	Market Rates
S-266	Airfield Services	100%

S-269	Airport Parking Violation	100%
S-270	through S-279 (Reserved)	
S-280	Havasut Mobility Services	Range of 0% -16%
S-282	through S-284 (Reserved)	
S-285	Refuse Service	Set with <u>C</u> ontract
S-286	through S-299 (Reserved)	
* Separate hearing requirements are set by state statute		

V. Leisure and Cultural Services:

S-300	Youth Programs	Average Rate 25%
S-301	Gym Drop-In.....	Market Rates
S-303	Organized League Field Usage	Market Rates
S-304	Tournament/Group Field Usage	Market Rates
S-305	Contract Recreation Classes	10%-50%
S-306	Community Center Events.....	Set with Facility Use Policy
S-308	After School Program	Average Rate 31%
S-309	Youth Camps	Average Rate 25%
S-310	Teen Break.....	21%
S-314	Adult Excursions.....	Market Rates
S-350	Recreation Center Beverage Service	Market Rates
S-351	Aquatic Classes.....	Market Rates
S-352	Open Swim.....	Market Rates
S-353	Birthday Party Rentals	Market Rates
S-354	Junior Lifeguard Program	30%
S-355	Pool Rental – Swim Team	17%(18%**)
S-357	Spring Frenzy.....	Market Rates
S-359	Lifeguard Training.....	80%
S-360	Miscellaneous Services and Point of Sale Items.....	Market Rates
S-361	City Sponsored Special Activities	Average Rate 75%
**Effective 7/1/2017.		

VI. Public Safety Services – Police:

S-439	Animal Control Service	Market Rates
S-440	Police False Alarm Response.....	Average Rate 134%
S-441	Police Response Call-Back	100%
S-442	Police – Background Check Letter	100%
S-443	Vehicle Identification Number (VIN) Verification	100%
S-444	Fingerprinting Service	37%
S-445	Vehicle Post Storage Hearings.....	Set by <u>S</u> tate <u>S</u> tatute
S-448	Oversize/Overweight Review - Traffic Permit Fee	100%
S-449	Forensic Computer Examination	Average Rate 15%
S-451	Polygraph Exam.....	76%
S-453	Mohave Mental Health Transports	100%
S-454	Prisoner Housing at LHC Police Facility.....	90%

VII. Public Safety Services – Fire:

S-551	Fire False Alarm Response	Average Rate 65%
S-552	Hazardous Materials Incidents, Investigation.....	100%
S-553	Emergency Fire/Medical Services	100%

S-554	Environmental Research & Technical Assistance (Fire)	68%
S-555	Horizon Six Fire/Medical Response	100%
S-556	Fire Sprinkler System Plan Check/Inspection/Repair & Alterations (Commercial/Industrial).....	Market Rates
S-557	Required Fire Sprinkler System Plan Check/Inspection (Multi-Family 16+ Units)	100%
S-558	Required Fire Sprinkler Plan Check/Inspection (Single/Multi-Family up to 15 Units)	Average 100%
S-559	Non-Required Fire Sprinkler System Inspection (Single Family).....	96%
S-561	Fire Sprinkler Plan Check/Inspection/Repair (Underground Lines, Hydrants).....	100%
S-562	<u>CO2 TANK INSTALLATION, REMOVAL OR REPAIR.....</u>	<u>100%</u>
S-563	Alteration to Fire Alarm Plan Check/Inspection	100%
S-564	Clean Agent System, Halon or Alternative Systems	100%
S-565	Installation and Inspection of Spray Booths	100%
S-566	Installation of LPG Tank Plan Check/Inspection (25+ Gallons)	100%
S-567	Fire Alarm System Plan Check/Inspection	100%
S-568	Burn Permits	0%
S-569	Fireworks	Average 69%
S-570	Blasting Permits	100%
S-571	Temporary Membrane Air Structure, Tents, Canopies Plan Check/Inspection.....	100%
S-572	Tank Installation Plan Check/Inspection/Removal.....	Market Rates
S-574	Fire Flow Pressure Readings	46%
S-577	Carnival / Circus Inspections	62%
S-578	Fire Safety Reinspections	100%
S-579	State Licensed Facility Inspection	Market Rates
S-580	Home Safety and Babysitting Classes	37%

VIII. Municipal Court Fees:

S-700	Prosecution Assessment Fee	45%
S-701	Warrant Fee.....	66%
S-702	Suspension Fee.....	300%

All New Special Services.....	At Inception 100%
All New Youth Programs.....	At Inception 50%

Section 3: Section 3.20.050, Public Notice, is amended as follows:

§ 3.20.050 PUBLIC NOTICE.

- A. ~~As part of the budget adoption process, the~~ The City Clerk shall publish a public notice and the City Council shall receive at a regularly scheduled meeting oral and written information concerning fees and charges proposed to be increased or added ~~for the fiscal year encompassed by the proposed budget.~~
- B. Such notice of regularly scheduled public meeting shall be provided prior to either of the City Council or City Manager taking action on any new or increased fees or charges ~~upon which the budget is predicated.~~

Section 4: Section 3.20.060, Provision of Data, is amended as follows:

§ 3.20.060 Provision of Data.

Prior to the required public meeting set out in § 3.20.050, city staff shall make available to the public appropriate data indicating the cost, or estimated cost, required to support the fees and charges for which new or revised fees are proposed ~~to be imposed as part of the budget~~. The City Manager shall provide a summary of the present fees and charges and those proposed at the ~~budget~~ public hearings.

Section 5: All ordinances or parts of ordinances in conflict with the provisions of this Ordinance are hereby repealed.

Section 6: If any section, subsection, sentence, clause, phrase, or portion of this Ordinance 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 Mayor and City Council of Lake Havasu City, Arizona, on November 14, 2017.

ATTEST:

APPROVED:

Kelly Williams, City Clerk

Mark S. Nexsen, Mayor

APPROVED AS TO FORM:

REVIEWED BY:

Kelly Garry, City Attorney

Charlie Cassens, City Manager