

## MARANA ORDINANCE NO. 2025.017

RELATING TO UTILITIES; AMENDING MARANA TOWN CODE TITLE 14 (UTILITIES), CHAPTER 14-5 (PROVISION OF UTILITY SERVICE); REVISING SECTION 14-5-1 (CUSTOMER RESPONSIBILITY) TO CLARIFY REQUIREMENTS RELATED TO THE USE AND TRANSPORTATION OF WATER BY CUSTOMERS; AND DESIGNATING AN EFFECTIVE DATE

WHEREAS the Marana Water Department provides: (1) water services to residential and commercial water customers within the boundaries of the Marana Water Service Area, (2) temporary hydrant meter services for construction projects occurring within the Town limits or within the Marana Water Service Area boundaries, and (3) standpipe services to customers located outside the Town limits and the Marana Water Service Area boundaries; and

WHEREAS in order to (1) further water conservation in the Town, (2) preserve the Town's water resources, and (3) maintain accurate projections for the Town's Designation of Assured Water Supply (DAWS), the Mayor and Council find that measures to prevent the unauthorized transport of water from a temporary hydrant meter or standpipe for use outside of the Town limits or the Marana Water Service Area boundaries are necessary; and

WHEREAS the Mayor and Council of the Town of Marana find that revising Section 14-5-1 of the Marana Town Code as set forth in this ordinance is in the best interests of the Town and its residents.

NOW THEREFORE BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE TOWN OF MARANA, as follows:

SECTION 1. Marana Town Code Title 14 (Utilities), Chapter 14-5 (Provision of Utility Service), Section 14-5-1 (Customer responsibility) is hereby amended as follows (with additions shown with double underlining and deletions shown with ~~strikethroughs~~):

### **14-5-1 Customer responsibility**

[No revisions to paragraph A]

B. Special provisions relating to water service.

1. Water furnished by the town shall be used only on the customer's premises and shall not be resold to any other person and shall not be transported outside of the Marana water service area boundaries or the town limits except in accordance with the following:-

a. A construction water customer may fill water storage equipment from an authorized Marana water service connection and transport the water for construction use at a premises different from the service connection premises, provided that the construction premises is within the Marana water service area boundaries or is within the town limits.

b. A standpipe water customer may transport water outside of the Marana water service area boundaries and outside of the town limits, so long as such transport is no greater than two miles beyond the town limits and is for personal residential use on the customer's premises; provided that standpipe water customers already using the standpipe pursuant to an application for standpipe water service dated before September 18, 2025 may continue to use the standpipe in accordance with the customer's preexisting, lawful use until the customer's existing standpipe water account is closed.

c. The water director may authorize the transportation of water within or beyond the Marana water service area boundaries or the town limits during an emergency for uses reasonably related to the emergency and only for the duration of the emergency.

d. All transportation of water shall comply with title 45, chapter 2, article 8 of the Arizona revised statutes relating to the transportation of groundwater.

2. Water furnished by the town shall not be resold.

32. During critical water conditions, as determined by the council, the customer shall use water only for those purposes specified by the council.

43. Disregard for ~~this~~these provisions shall be sufficient cause for refusal or discontinuance of water utility service by the town.

5. For purposes of this paragraph B, the following definitions shall apply:

a. "Construction use" means the use of water for construction purposes, including, but not limited to, dust control, compaction and preparation of building materials on construction sites.

b. "Construction water customer" means a customer receiving water from the town for the purpose of construction use.

c. "Standpipe" means a bulk potable water filling station designed to dispense potable water to customers.

d. "Standpipe water customer" means a customer receiving water from the town by means of a standpipe.

e. "Emergency" means a disruption or threat to the normal supply or safety of water anywhere within the Tucson active management area or the use of water to help prevent or mitigate wildfires. In determining whether an emergency exists, the water director may consider factors such as regional or local drought conditions, livestock and wildlife impacts, water infrastructure or equipment failures on public or private property, water quality concerns, wildfire mitigation needs, and similar considerations the water director deems reasonable and prudent under the circumstances.

[No revisions to paragraphs C and D]

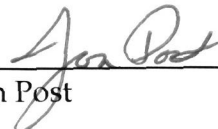
SECTION 2. The various town officers and employees are authorized and directed to perform all acts necessary or desirable to give effect to this ordinance.

SECTION 3. All ordinances, resolutions or motions and parts of ordinances, resolutions or motions of the Council in conflict with the provisions of this ordinance are hereby repealed, effective as of the effective date of this ordinance.

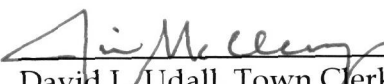
SECTION 4. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, the decision shall not affect the validity of the remaining portions of this ordinance.

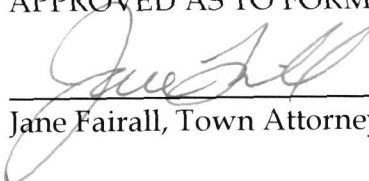
SECTION 5. This ordinance is effective on September 18, 2025.

PASSED AND ADOPTED BY THE MAYOR AND COUNCIL OF THE TOWN OF MARANA, Arizona, this 18th day of August 2025.

  
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Mayor Jon Post

ATTEST:

  
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David L. Udall, Town Clerk  
*as Town Clerk*

APPROVED AS TO FORM:  
  
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Jane Fairall, Town Attorney