

## MARANA ORDINANCE NO. 2023.003

---

RELATING TO FINANCE; TEMPORARILY WAIVING THE FEE REQUIRED UNDER SECTION 14-6-3(J) OF THE MARANA TOWN CODE FOR LATE PAYMENT OF WATER RATES, CHARGES, OR FEES, BEGINNING RETROACTIVELY ON JANUARY 1, 2023 AND CONTINUING UNTIL MARCH 7, 2023

WHEREAS the Town Council is authorized by A.R.S. § 9-240(A) to control the finances of the Town; and

WHEREAS Section 14-6-3(J) of the Marana Town Code requires a late payment fee to “be added to a customer’s water bill if any water rates, charges or fees are not paid in full by the next billing date”; and

WHEREAS the Town Council, via Ordinance No. 2021.008, adopted an amended comprehensive fee schedule on May 18, 2021, which was made a public record by and attached as Exhibit A to Resolution No. 2021-071; and

WHEREAS from time to time the Town Council has adopted amendments to the comprehensive fee schedule, most recently on October 18, 2022, via Ordinance No. 2022.023; and

WHEREAS the comprehensive fee schedule includes a generally applicable \$15.00 late payment fee; and

WHEREAS in January of 2023, the Marana Water Department implemented a new Customer Information System (CIS), which is used for billing all water and sewer customers; and

WHEREAS significant efforts were made to notify all customers of the change in billing systems prior to the new CIS’s implementation; and

WHEREAS some customers that pay online may be delayed in enrolling with the new CIS; and

WHEREAS the Mayor and Council of the Town of Marana find that temporarily waiving the late payment fee as addressed 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, Arizona, as follows:

SECTION 1. The fee required under Section 14-6-3(J) of the Marana Town Code for late payment of water rates, charges, or fees, as included in the Town’s comprehensive

fee schedule adopted by the Town Council and amended from time to time, is hereby temporarily waived beginning retroactively on January 1, 2023 and continuing until March 7, 2023. Notwithstanding the waiver of this fee, all Marana water and sewer customers shall still be required to pay all other required rates and fees.

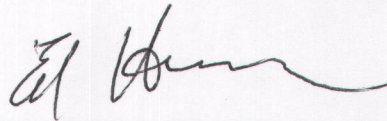
SECTION 2. The various town officers and employees are authorized and directed to perform all acts necessary or desirable to give effect to this ordinance.

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 the 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.

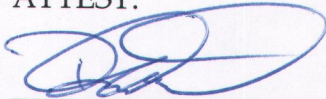
SECTION 5. This ordinance is administrative, and shall be effective immediately.

PASSED AND ADOPTED by the Mayor and Council of the Town of Marana, Arizona, this 7th day of February, 2023.



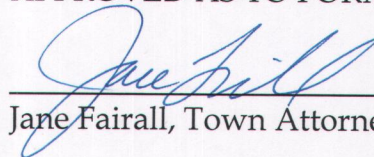
\_\_\_\_\_  
Mayor Ed Honea

ATTEST:



\_\_\_\_\_  
David L. Udall, Town Clerk

APPROVED AS TO FORM:



\_\_\_\_\_  
Jane Fairall, Town Attorney

