

**ORDINANCE NUMBER 2017-01**

**AN ORDINANCE OF THE TOWN OF PARADISE VALLEY, ARIZONA;  
AMENDING CHAPTER 5 BUILDING AND CONSTRUCTION  
INCLUDING ARTICLE 5-10, DEVELOPMENT, SECTION 5-10-3,  
STORM DRAIN DESIGN AND CHAPTER 15 SANITARY SEWERS  
INCLUDING ARTICLE 15-2, SANITARY SEWERS; DESIGN,  
CONSTRUCTION, INSPECTION AND USAGE, SECTION 15-2-12,  
PROHIBITED SUBSTANCES.**

**WHEREAS**, the Town of Paradise Valley adopted Ordinance Number 27 on February 13, 1964, which adopted the Code of the Town of Paradise Valley, including “Chapter 5 – Building,” and

**WHEREAS**, A.R.S. §9-240(28)(a) establishes the authority to make, amend, or repeal all ordinances necessary or proper for the carrying into effect of the powers vested in the corporation, or any department or officer thereof, and Article 2-6 of the Town Code establishes procedures for amending the Town Code; and

**WHEREAS**, the Mayor and Council deem it necessary, in order to protect the public health, safety and welfare and public and private property, to adopt certain rules and regulations controlling the design, construction, quality of materials, erection, installation, alteration, repair, location, relocation, replacement, addition to, and maintenance of storm drainage improvements, and;

**WHEREAS**, in 1987 the Mayor and Town Council adopted the Storm Drain Design Manual, Subdivision drainage design, and;

**WHEREAS**, the updated 2017 Storm Drainage Design Manual is meant to replace the 1987 Storm Drain Design Manual, Subdivision drainage design, previously adopted by the Mayor and Town Council, and;

**WHEREAS**, this 2017 Storm Drainage Design Manual is consistent with the rules and regulations of the Flood Control District of Maricopa County, incorporates requirements from Federal and State authorities, integrates best practices utilized by local municipalities and was subject to public review and comment and;

**NOW THEREFORE BE IT ORDAINED** BY THE MAYOR AND TOWN COUNCIL OF THE TOWN OF PARADISE VALLEY, ARIZONA AS FOLLOWS:

**Section 1.** Article 5-10-3 Storm Drain Design, is modified as follows, showing text to be added in underline and text to be deleted in strikethrough.

#### 5-10-3 Storm Drainage Design

That certain document, known as the Storm Drainage Design Manual, ~~Subdivision drainage design,~~ Town of Paradise Valley, three copies of which are on file in the office of the Town Clerk of Paradise Valley, Arizona, which document was made a public record by Resolution No. ~~2017-06537~~ of the Town of Paradise Valley, is adopted as a part of this chapter as if fully set forth in this section.

**Section 2.** Article 15-2-12 Prohibited Substances, is modified as follows, showing text to be added in underline and text to be deleted in strikethrough.

#### 5-2-12 Prohibited Substances

- A. No person shall discharge or cause to be discharged, any new sources of inflow, including, but not limited to, storm water, surface water, ground water, roof runoff, subsurface drainage, cooling water, ~~pool water~~, or unpolluted industrial process waters into any sanitary sewer.

**Section 3.** Any person found guilty of violating any of the provisions of this ordinance shall be guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine not to exceed \$2,500, or imprisonment not to exceed six months, or by both such fine and imprisonment. Each day that a violation continues shall be a separate offense punishable as described. A violation of the provisions of this Code or amendments thereto may constitute a civil offense, and any person who is served with a citation charging such violation and who admits, or is found responsible for such offense shall be liable to pay to the Town a civil sanction in an amount as specified in Town of Paradise Valley Town Code Section 1-9-3. Each day that a violation continues shall be a separate offense punishable as described.

**Section 4.** All former ordinances or parts thereof conflicting or inconsistent with the provisions of this ordinance or of the 2017 Storm Drainage Design Manual are hereby repealed.

**Section 5.** If any section, subsection, sentence, clause, phrase or portion of this ordinance or any part of “Chapter 5 – Building and Construction” or “Chapter 15 – Sanitary Sewers” 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 portion(s) thereof.

**Section 6.** This Ordinance and the rules, regulations, provisions, requirements, orders and matters established and adopted hereby shall take effect on July 1<sup>st</sup>, 2017.

PASSED AND ADOPTED by the Mayor and Council of the TOWN OF PARADISE VALLEY, Arizona, this 13<sup>th</sup> day of April, 2017.

\_\_\_\_\_  
Michael Collins, Mayor

SIGNED AND ATTESTED THIS \_\_\_\_ DAY OF \_\_\_\_\_ 2017.

ATTEST:

APPROVED AS TO FORM:

\_\_\_\_\_  
Duncan Miller, Town Clerk

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Andrew Miller, Town Attorney