



PO Box 19656

Happy Jack, AZ 86024-0656

## BRDWID Boundary Alteration Procedures

### 1. BRDWID Boundary Alterations Procedure – Amending the District Boundaries

From ARS 48-1014 Section C:

*"any property owner whose land is within a county that contains an improvement district and whose land is adjacent to the boundaries of the improvement district may request in writing that the governing body of the district amend the district boundaries to include that property owner's land. "*

#### **Procedure:**

- Requester submits request for her/his property to be included in the district via email to the BRDWID Clerk.
- Request should include property location, address, development name, lot number, and Assessor's Parcel Number (APN from Coconino County Assessor).
- The request is reviewed and confirmed the requested property is adjacent to the district boundaries. If property is **not** adjacent to district boundaries, the requester will need to petition the BRDWID to alter the district boundaries.
- If requested property is adjacent to the district boundary, the request to amend the district boundary will be added to the agenda for the next regular BRDWID Board meeting to consider and possibly approve.
- If approved, the BRDWID Board will create a resolution reflecting the amended District boundary, get the document recorded with Coconino County, advise the Coconino County Assessor of the change, and prepare an invoice for costs associated with amending the district boundaries.
- An invoice with backup documents to validate the costs for the request to amend the district boundaries will be sent to the requester.

### 2. BRDWID Boundary Alterations Procedures – Petitioning for Additions or Alterations

From ARS 48-1014 Section B:

*"Additions to and alterations of the district shall be made as follows:*

*1. A petition addressed to the district governing board requesting the addition or alteration may be filed with the clerk . . ."*

- Petitioner(s) prepare and complete the petition documents required by statute (ARS 48-1014) to be considered for boundary alteration. Copies available at: <http://brdwid.org/opt-in-out-water-district/>
- The petition shall set forth:
  - (a) The name of the improvement district to which the addition or alteration is proposed.
  - (b) The necessity for the proposed addition or alteration.

(c) That the public convenience, necessity or welfare will be promoted by the addition or alteration of the district and that the property to be included in the district will be benefited.

(d) The boundaries of the proposed addition or alteration (plat or sketch).

- The completed petition package is sent to the BRDWID Clerk via email if possible, with original documents sent to:

Blue Ridge Domestic Water Improvement District

PO Box 19656

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- BRDWID receives completed petition documents to alter district boundaries and insures completeness. This starts the clock for the process to set a hearing for the case.
- Board must set a hearing date not more than 40 days from receipt of petition.
- Notice announcing the hearing and stating the boundaries of the proposed addition or alteration shall be published twice in a local newspaper (Exhibit 1). Will use the Arizona Daily Star in Flagstaff (widest coverage in Coconino County).
- The newspaper publications shall be one week apart, and the first publication shall be not less than ten days before the date of the hearing (example in Exhibit 1).
- The public notice of the boundary change hearing shall also be mailed by first class mail at least twenty days before the hearing to the property owners within the area of the proposed addition or alteration. Area defined as properties within radius of 600` of requesters property(s) approximate center point.
- Any comments or objections must be filed with the District Clerk before the hearing.
- At the hearing, all interested property owners may appear and be heard on any matter **related** to the boundary alteration.
- At the hearing, if it appears that after consideration of all objections and the public convenience, necessity, or welfare will be promoted by the alteration, the BRDWID Board shall declare its findings by formal order.
- If the governing board finds that the public convenience, necessity or welfare will **not** be promoted by the addition to or alteration of the district, BRDWID by formal order shall declare its findings.
- On approval of any boundary change of the District, the BRDWID Board will create a resolution reflecting the altered district boundary, get the document recorded with Coconino County, advise the Coconino County Assessor of the change, and prepare an invoice to the requester(s).
- An invoice with backup documents to validate the costs for the petition to alter the district boundaries will be sent to requester(s).

## BRDWID Boundary Alteration Petitioning Process Timeline

	Start	10 days	20 days	30 days	40 days	Finish
Petitioner	Completes & Submits Petition to BRDWID Clerk					Pay invoice from BRDWID within 30 days of invoice receipt.
BRDWID	Board set Hearing Date <40 days from receipt of completed petition to alter District Boundaries	>20 days before hearing date, send Public Notice letters to property owners in the area of proposed alteration	1 <sup>st</sup> Newspaper Public Notice >10 days before hearing  2 <sup>nd</sup> Newspaper Public Notice one week after 1 <sup>st</sup> publication		Boundary Alteration Hearing – consider petition, hear any objections, issue findings. If approved, create resolution and get recorded with County.	Prepare invoice to petitioner(s) with supporting documents for costs associated with boundary alteration if approved.
Property Owners			File comments or objections with BRDWID Clerk before hearing			

## **Exhibits**

### **Exhibit 1: Public Notice Template**

The Blue Ridge Domestic Water Improvement District (BRDWID) will conduct a public meeting on mmmm dd, yyyy at the Starlight Pines Community Center located at 2740 Arapaho Drive, Happy Jack, AZ 86024 to consider altering the district boundaries to remove the property located in the xxxxxxxx development at [address of property] owned by [name of property owner].

Any comments or objections must be filed with the Clerk for BRDWID before the hearing at:

Clerk for BRDWID  
PO Box 19656  
Happy Jack, AZ 86024-0656

### **Newspaper Publication Example:**

Legal No. XXX  
Public Notice  
The Blue Ridge Domestic Water Improvement District (BRDWID) will conduct a public meeting on mmmm dd, yyyy at the Starlight Pines Community Center located at 2740 Arapaho Drive, Happy Jack, AZ 86024 to consider altering the district boundaries to remove the property located in the xxxxxxxx development at [address of property] owned by [name of property owner].  
Any comments or objections must be filed with the Clerk for BRDWID before the hearing at:  
Clerk for BRDWID  
PO Box 19656  
Happy Jack, AZ 86024-0656  
PUB Jan.XX,XX,XX,22  
FEB.XX,XX,XX,22 XXX