



**PIMA COUNTY, ARIZONA
BOARD OF SUPERVISORS POLICY**

Subject: Cost Recovery for District Creation

Policy Number

Page

C 4.1

1 of 1

Purpose

This Policy provides for the recovery of costs incurred by the County as the result of actions taken in accordance with A.R.S. §48-261 to create a fire district, community park maintenance district, sanitary district or hospital district.

Background

Under A.R.S. §48-261, the County may recover the costs incurred in meeting its statutory obligations in the creation of certain districts. Though the County has absorbed these costs in the past, fiscal constraints facing the County make cost recovery the most prudent approach to this issue.

Policy

- A) A person desiring to create a fire district, community park maintenance district, sanitary district or hospital district, having one hundred or more qualified electors, shall be required to post a reasonable bond at the start of the district creation proceedings under A.R.S. §48-261.
- 1) The bond shall be in an amount determined by the Clerk of the Board and sufficient to cover the costs incurred by the County if the district is not finally organized. The bond shall be in substantially the same form as the form attached hereto as Exhibit "1".
 - 2) County expenses covered by the bond include costs incurred from:
 - a) completion of the district impact statement,
 - b) reproduction costs for the printing of notices and maps,
 - c) mailing of the notice of hearing to district property owners and electors,
 - d) publication of the notice of hearing, and
 - e) other expenses reasonably incurred as a result of the requirements of A.R.S. §48-261.
 - 3) If a district is not created within one year of the date the Board approves the district impact statement, the Clerk of the Board may make a claim against the District Creation bond for the actual expenses incurred as a result of the requirements of A.R.S. §48-261.
- B) If a district is created under A.R.S. §48-261, the County will charge the district all costs incurred by the County as a result of the provisions of A.R.S. §48-261 including but not limited to the following:
- 1) the cost of publication of the notice of hearing,
 - 2) reproduction costs for the printing of notices and maps, and
 - 3) the cost of the mailing of the notices to electors and property owners.
- C) "Person" means any individual, firm, corporation, partnership, joint venture, association, social club, estate, trust, syndicate, county, city, municipal corporation, district or other political subdivision, or any other group or combination acting as a unit.
- D) Waiver of any requirements set forth in this policy requires authorization of the Board of Supervisors.

Responsible Department

Clerk of the Board of Supervisors

References

A.R.S. §48-261

Effective Date: 5/6/97



DISTRICT CREATION BOND

KNOW ALL MEN BY THESE PRESENTS: That we, _____
_____, as Principal, and _____
_____, as Surety, are firmly held and firmly bound unto
the Pima County Board of Supervisors, Tucson, Arizona in the penal sum of _____
dollars and _____ cents (\$ _____), lawful money of the
United States, to be made to the Pima County Board of Supervisors, Tucson, Arizona, for
which payment to be well and truly made, to bind ourselves, and each of us, our and each of
our heirs, executors, administrators, successors, and assigns, jointly and severally, firmly by
these presents.

The condition of this obligation is that whereas the above Principal will proceed in accordance
with A.R.S. §48-261 to create a _____ district;

NOW THEREFORE, if said district shall be created as required by law, within one year of
_____, 199____, then this obligation shall be void; otherwise, it shall remain and
be in full force, virtue and effect.

IN WITNESS WHEREOF, we have hereunto set our hands and seals this _____ day of
_____, 19_____.

ATTEST: _____ Principal _____ Seal

Name and Title By _____
Name and Title

ATTEST: _____
Name and Surety Company Seal

Name and Title By _____
Attorney in Fact

**NOTICE: PERSONS SUBMITTING A DISTRICT CREATION BOND MAY USE THE ABOVE FORM,
CERTIFIED OR CASHIER'S CHECK, OR MONEY ORDER AND ACCEPTANCE OF THE ABOVE
TERMS.**