



## District Board Votes to Enforce Class Six Felony "Theft of Services" State Statute

The Pinewood Sanitary District Board of Directors voted at the May 11, 2023 board meeting to direct district staff to automatically enforce Arizona Revised Statute 13-3724, commonly referred to as "Obtaining Utility Service Fraudulently." The class six felony statute states it is unlawful for any customer or person to intentionally do any of the following:

~Make a connection or reconnection with property that is owned or used by a utility to provide utility service without authorization or consent of the utility.

~Prevent a utility meter or other device that is used to determine the charge for utility services from accurately performing its measuring function

~Tamper with property that is owned or used by a utility

~Use, receive or otherwise divert utility services without the authorization or consent of the utility if the customer or person knows or has reason to know of the =unlawful diversion, tampering or connection

~Divert or cause to be diverted utility services by any means

~There is a rebuttable presumption that the customer or person intentionally violated an act specified in this section if an apparatus, instrument or device that was installed to obtain utility service without paying the full charge and is attached to the meter or device that is used to provide the utility service on the premises controlled by the customer or by the person who uses or received the utility service.

~A meter was altered, tampered with or bypassed in no measurement or an inaccurate measurement of utility services and the person occupying the property receives a benefit from the bypassed equipment

This statute has been in place for many years and is a theft charge designated as a class 6 felony where values of up to \$2000, if convicted, can be punished by a minimum of four months to a maximum of two years incarceration and fines up to \$150,000. The board decided to take this firm action due to the number of reported attempts by people in Munds Park to circumvent the sewer district by obtaining access to the system in an unauthorized manor. Additionally, anyone caught breaking into manholes or the sewer collections system shall be automatically reported