

CHAPTER 3

STORM WATER DRAINAGE UTILITY

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8-3-1: STORM WATER DRAINAGE UTILITY ESTABLISHED: The Municipal storm water system shall be operated as a public utility pursuant to Minnesota Statutes Annotated, section 444.075 from which revenues will be derived subject to the provision of this Chapter and Minnesota statutes. The storm water drainage utility will be part of the Public Works Department and under the administration of the Public Works Coordinator. The utility rate will be reviewed annually prior to January 31 by the City Council. (Ord. 88, 3-22-1994)

8-3-2: DEFINITION:

RESIDENTIAL
EQUIVALENT
FACTOR (REF):

REF is defined as the ratio of the average volume of runoff generated by one acre of a given land use to the average volume of runoff generated by one acre of typical single family residential land, during a standard one year rainfall event. (Ord. 88, 3-22-1994)

8-3-3: STORM WATER DRAINAGE FEES: Storm water drainage fees for parcels of land shall be determined by multiplying the REF for a parcel's land use by the parcel's acreage and then multiplying the resulting product by the storm water utility rate. The REF values for various land uses are as follows:

<u>Classification</u>	<u>Land Uses</u>	<u>REF</u>
1	Parks without parking facilities	0.25
2	Parks with parking facilities	0.75
3	Single family and duplex residential	1.00
4	Public and private schools, community center, multiple family residential, churches and government buildings	2.5
5	Commercial, industrial, warehouse	5.00
6	Improved vacant	as assigned

For the purpose of calculating storm water drainage fees, all developed one family and duplex parcels shall be considered to have an acreage of one-fifth ($\frac{1}{5}$) acre. (Ord. 88, 3-22-1994)

8-3-4: CREDITS: The City Council may adopt policies recommended by the Public Works Coordinator or City Engineer, by resolution, for adjustment of the storm water drainage fee for parcels based upon hydrologic data to be supplied by property owners, which data demonstrates a hydrologic response substantially different from the standards. Such adjustments of storm water drainage fees shall not be made retroactively. (Ord. 88, 3-22-1994)

8-3-5: EXEMPTIONS: The following land uses are exempt from storm water drainage fees:

- A. Public rights of way.
- B. Vacant, unimproved land with ground cover. (Ord. 88, 3-22-1994)

8-3-6: **PAYMENT OF FEE:** Statements for storm water drainage fee shall be computed every three (3) months and invoiced by the Finance Department for each account no later than the fifth day of the month following the quarter. Such statement shall be due on or before the last day of the month in which the statement is mailed. Any prepayment or overpayment of charges shall be retained by the City and applied against subsequent quarterly fees. (Ord. 88, 3-22-1994)

8-3-7: **RECALCULATION OF FEE:** If a property owner or person responsible for paying the storm water drainage fee questions the correctness of an invoice for such charge, such person may have the determination of the charge recomputed by written request to the Public Works Coordinator, made within twelve (12) months of mailing of the invoice in question by the City. (Ord. 88, 3-22-1994)

8-3-8: **PENALTY FOR LATE PAYMENT:** Each quarterly billing for storm water drainage fees not paid when due shall incur a penalty charge of ten percent (10%) of the amount past due. (Ord. 88, 3-22-1994)

8-3-9: **CERTIFICATION OF PAST DUE FEES ON TAXES:** Any past due storm water drainage fees in excess of ninety (90) days past due on October 1 of any year may be certified to the County Auditor for collection with real estate taxes in the following year pursuant to Minnesota Statutes Annotated, section 444.075, subdivision 3. In addition, the City shall also have the right to bring a civil action or to take other legal remedies to collect unpaid fees. (Ord. 88, 3-22-1994)

8-3-10: **CREDITS, ADJUSTMENTS AND CALCULATION:** Credits, adjustments and calculation of Municipal storm water drainage fees are available in the City's Policy Manual. (Ord. 88, 3-22-1994)