

## **Sample Ordinance Establishing a Storm Sewer Utility**

AN ORDINANCE AMENDING THE CITY CODE BY ADDING A PART 7 ESTABLISHING A STORM SEWER UTILITY THE CITY COUNCIL ORDAINS:

SECTION I. THE CITY CODE IS HEREBY AMENDED WITH THE ADDITION OF A PART 7, TO READ:

PART 7. STORM SEWER SYSTEM.

Establishment pursuant to Minnesota Statutes, Section 444075. The city establishes a storm drainage utility and authorizes the imposition of just and reasonable charges for the use and availability of storm drainage facilities. The storm drainage utility operations shall be a part of the street department and under the administration of the City Administrator.

### FINDING AND DETERMINATION.

Subdivision 1. In the exercise of its Governmental Authority and in order to promote the public health, safety, convenience and general welfare, the city has constructed, operated and maintained a storm drainage system. This ordinance is adopted in further exercise of such authority and for the same purposes.

Subdivision 2. The system, as constructed heretofore, has been financed and paid for through the imposition of special assessments and ad valorem taxes. It is now necessary and desirable to provide an alternative method of recovering some or all of the future costs of improving, establishing, enlarging, replacing, repairing, maintaining and operating the system through the imposition of charges as provided in this ordinance.

Subdivision 3. In imposing charges each parcel contributes to the volume surface drainage in a nearly like manner with the exception of parcels.

Having 50% or more of their surface under a total impermeable surface, e.i., roof or surfaced parking lot. These are treated as the equivalent of 5 typical residential parcels.

Exceptions. Public street right-of-way and vacant unimproved land with ground cover are exempt from storm water drainage charges.

Payment of charge. The charges shall be billed, collected, and treated in the same manner as other utilities.

SECTION II. REPEALER.

The language that existed prior to the amendment of the above referenced ordinance is hereby repealed.

SECTION III. EFFECTIVE DATE.

This amendment shall be in full force and effect from and after it's passage and adoption and publication as provided by law.

ADOPTED BY THE CITY COUNCIL THIS \_\_\_\_\_ DAY