

ARTICLE VIII. - STORM WATER DRAINAGE UTILITY ^[51]

⁽⁵¹⁾ **Editor's note**— Ord. No. 87-7, adopted July 13, 1987, did not specifically amend this Code; hence, inclusion of §§ 1—8 as Ch. 25, Art. VIII, §§ 25-900—25-907, was at the discretion of the editor.

Sec. 25-900. - Established.

There is hereby established a public utility which shall be known as the Storm Water Drainage Utility in and for the City of Fairmont. The storm water drainage utility shall be operated as a public utility pursuant to the City Charter, City Code, and applicable statutes. The revenues therefrom shall be derived subject to the provisions of this article and chapter 444, Minnesota Statutes. The storm water drainage utility shall be administered by the public utilities director under the administration of the public utilities commission.

(Ord. No. 87-7, § 1, 7-13-87)

Sec. 25-901. - Definitions.

The following terms shall have the definitions as hereinafter stated with respect to the construction and interpretation of this article.

Administrative costs: Administrative costs as associated with acquiring and maintaining the necessary contour maps which define the watershed in and for the city. Also included shall be periodic studies which shall determine the adequacy and condition of the storm water drainage system.

Construction: Improvements to the storm water system in areas not previously served with lateral and trunk lines.

Developed land: Land which has been platted. Undeveloped land is any land which has not been platted.

Maintenance: Includes direct and indirect costs as well as equipment costs for repairs and cleaning. Cleaning includes catch basin cleaning, jetting, thawing pipes and any other operation which assures a dependable drainage system. It shall also include the administrative costs.

Reconstruction: The improvements made to the storm water drainage system in areas previously served with lateral and trunk lines.

Residential equivalent factor (REF): One (1) REF is defined as the ratio of the average volume of runoff generated by one (1) acre of a given land use to the average volume of runoff generated by one (1) acre of typical single-family residential land during a standard one-year rainfall event.

(Ord. No. 87-7, § 2, 7-13-87)

Cross reference— Definitions and rules of construction, § 1-2.

Sec. 25-902. - Storm water drainage fees.

Storm water drainage fees for each land parcel shall be determined by multiplying the REF's relating thereto for the parcel's land use by the acreage thereof and multiplying the resulting product by the storm water drainage rate. The REF value for each land use is as follows:

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<i>Classification</i>	Land Uses	REF
1	Cemeteries/golf courses	0.25
2	Parks and airports	0.75
3	Single-family and duplex	1.00
4	Public and private schools hospitals, clinic, community centers, etc.	1.25
5	Multiple-family residential churches, mobile home parks	2.50
6	Commercial industrial	5.00

For the purpose of calculating storm water drainage fees, all developed one-family and duplex parcels shall be considered to have an average of one-fourth acre.

(Ord. No. 87-7, § 3, 7-13-87)

Sec. 25-903. - Exemptions.

The following land uses are exempt from storm water drainage fees:

Public rights-of-way are exempt from the storm water drainage fees.

(Ord. No. 87-7, § 4, 7-13-87)

Sec. 25-904. - Deferred storm water drainage fees.

Undeveloped land shall be included in financing construction projects, but all costs relating thereto shall be deferred until the land becomes developed land as defined in section 25-901.

(Ord. No. 87-7, § 5, 7-13-87)

Sec. 25-905. - Payment of fees.

The city council shall establish policy relating to the payments of fees and penalties relating thereto.

(Ord. No. 87-7, § 6, 7-13-87)

Sec. 25-906. - Recalculation of fees.

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 city engineer, made within twelve (12) months of mailing of the invoice by the city. The property owner may appeal the decision of the city engine to the city council by filing notice of such appeal with the city clerk within sixty (60) days of the city engineer's determination.

(Ord. No. 87-7, § 7, 7-13-87)

Sec. 25-907. - 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, 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. No. 87-7, § 8, 7-13-87)

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Secs. 25-908—25-999. - Reserved.