

Chapter 11.05

Rules And Regulation Relating To Storm Water Drainage

Section 1. Storm Water Drainage Utility Established. The municipal storm water system shall be operated as a public utility pursuant to Minnesota Statutes, Section 444.075, from which revenues will be derived subject to the provisions of this Section and Minnesota Statutes. The storm water drainage utility will be part of the Public Works Department and under the administration of the Public Works Director.

Section 2. Definitions. The following terms, as used in this Section, shall have the meanings stated:

- A. “Residential Equivalent Factor (REF)” means the ratio of the average volume of run-off generated by one acre of a given land use to the average volume generated by one acre of typical single family residential land, during a standard two-year rainfall event.

Section 3. Storm Water Drainage Fees.

- A. 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 drainage rate. The REF values for various land uses are as follows:

<u>Classification</u>	<u>Land Uses</u>	<u>REF Number</u>
1.	Residential	1.00
2.	Apartments or Rental Property	3.00
3.	Commercial, Industrial and Institutional	3.00

- B. For the purposes of calculating storm water drainage fees, all developed one-family and two-family parcels shall be considered to have an acreage of one-third (1/3) acre and an REF value of 1.00

Section 4. Credits. The City Council shall adopt policies recommended by the Public Works Director, by resolution, for adjustment of the storm water drainage fee for parcels based upon hydraulic data to be supplied by property owners, which demonstrates a hydraulic response substantially different from the standards. Such adjustments of storm water drainage fees shall not be made retroactively.

Section 5. Central Business District Fees. The City Council shall adopt policies recommended by the Public Works Director, by resolution, for the adjustment of the storm water drainage fee for parcels within the Central Business District. Said adjustment shall be to equalize the storm water drainage areas, since the Central Business District has a major portion of its parking provided by the City.

Section 6. Exemptions. The following land uses are exempt from storm water drainage fees:

- A. Public rights-of-way.
- B. Public parks.
- C. Agricultural land.

Section 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 Director. All requests must be received within 60 days of mailing of the invoice in question by the City. The property owner may appeal the decision of the Public Works Director to the City Council by filing written notice of said appeal with the City Administrator or City Clerk.

Section 8. Violations. Any person convicted of violating any provision of this ordinance is guilty of a misdemeanor.