

Section 720 - Storm Sewer Drainage Utility

720.01 Establishment. The municipal storm sewer system shall be conducted as a public utility pursuant to M. S. Section 444.075 from which revenues will be derived subject to the provisions of this Chapter and said Minnesota Statutes. The storm water drainage utility shall be part of the Public Works Department and subject to the administration of the Public Works Director. Just and reasonable charges for use and availability of storm sewer drainage facilities shall be calculated and determined pursuant to the terms hereinafter contained based on expected and typical storm water run off as may be calculated within reasonable and practical limits with due regard to just and equitable charges as provided for herein.

720.03 Definitions. Rates and charges for the use and availability of the utility system shall be determine through the use of a residential equivalent factor (REF) defined as the ratio of the average volume of run off generated by one acre of a given land use to the average volume of run off generated by one acre of typical single family residential land, during a standard one year rainfall event.

720.05 Storm Water Drainage Fees. Storm water drainage fees for parcels of land shall be determined by multiplying the REF for the parcel's land use classification 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>Class</u>	<u>Land Uses</u>	<u>REF</u>
1.	Single family and duplex residential	1
2.	Multiple family residential	3
3.	Commercial and Institutional uses	5
4.	Public and Private schools	1.25
5.	Churches	3
6.	Parks	.25
7.	Golf courses	.25
8.	Open Space	0
9.	Industrial	5

Open Space shall be defined as vacant unimproved land with ground cover and lying partially or totally in wetlands.

For the purpose of calculating storm sewer water drainage fees, all developed one family and duplex residential parcels shall be considered to have an acreage of one-third acre. Commercial or industrial sites may be composed of multi-land use parcels. In those cases all parcels shall be assigned the highest applicable REF. The storm water drainage rate shall be as established by resolution. (Amended Ord. No. 99-829)

720.07 Other land usage. Other land uses not listed in the foregoing table shall be classified by the Director of Public Works by assigning them to classes most nearly like the uses, from the standpoint of run off volume for the standard rainfall event. An appeal of such classification from the determination of the Director may be made to the City Council.

720.09 Adjustments. The City Council may by resolution adopt policies providing for the adjustment of charges for parcels based upon land use data supplied by affected property owners which demonstrates a run off volume for a standard rainfall event substantially different from the REF being used for such parcels. Such adjustments for storm water drainage fees shall not be made retroactively.

720.13 Exemptions. Public street rights-of-way, that part of public transportation corridors in use for light rail or recreational trails, and state owned properties are exempt from storm water drainage charges. (Amended Ord. #99-829)

720.15 Payment of fee. Statements for storm water drainage fees shall be made a part of present utility billing system invoiced through the Finance Department of the City on a monthly or quarterly basis at the option of said Finance Department.

720.17 Recalculation of fee. If a property owner or person responsible for paying the storm water drainage fee questions the accuracy of an invoice, such person may have the determination of the charge recalculated by written request to the Public Works Director within 60 days following the mailing of the invoice by the City.

720.19 Late payment penalty. Each billing for storm water drainage fees which are not paid when due shall incur a penalty charge of 10% of the amount past due.

720.21 Establishment of tax lien. Any past due storm water drainage fees will be certified to the County Auditor for collection with real estate taxes in the following year pursuant to M. S. Section 444.075, Subd. 3 and City of Hopkins Resolution 82-3039. In addition, the City may have the right to bring a civil action or take other legal remedies to collect unpaid charges. (Added Ord. No. 89-640)