

CITY OF MONTROSE  
COUNTY OF WRIGHT  
STATE OF MINNESOTA

ORDINANCE NO: 305

AN ORDINANCE ESTABLISHING THE RULES AND REGULATIONS  
RELATING TO STORM WATER DRAINAGE

THE CITY COUNCIL OF THE CITY OF MONTROSE ORDAINS AS FOLLOWS:

Section 1. Storm Water Drainage Utility Established.

The municipal storm water drainage system shall be operated as a public utility pursuant to Minnesota Statute, section 444.075, from which revenue shall be derived subject to the provisions of this Section and Minnesota Statutes.

Section 2. Definitions.

Residential Equivalent Factor (REF)

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:

Classification	Land Use	REF Number
1	Residential	1.00
2	Apartment or rental property	3.00
3	Commercial, Industrial, 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.
- C. For the purposes of calculating storm water drainage fees, all developed apartment or rental property, commercial, industrial or institutional parcels shall be considered to have an acreage of one-third (1/3) acre and an REF value of 3.00, unless additional information requires a higher REF value as set forth in Section 5.
- D. The storm water drainage rate shall be established by resolution of the City Council, and shall be reviewed by annually.

#### Section 4. Credits

The City Council may consider adjustments of the storm water drainage fee for specific parcels based upon hydraulic response substantially different from the standards. Such adjustments of storm water drainage fees shall not be made retroactively. All adjustments will be adopted by resolution.

#### Section 5. Adjustments in Particular Cases.

In the event that hydraulic data indicates that a particular parcel should equitably be assigned an REF number higher or lower than that set forth in Section 3 of this ordinance, due to its size, or other unique characteristics, the City Council may, by resolution, establish a higher or lower REF value to a particular parcel. Notice and an opportunity to be heard regarding the issue shall be provided to the owners of the affected parcel.

#### Section 6. Exemptions.

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

- A. Public right of ways
- B. Public parks and city facilities
- C. Agricultural land

#### Section 7. Recalculations of Fees.

Property owners may request recalculation of the charge by written request to the City Council. Requests must be received within 60 days of the billing.

#### Section 8. Collection of Fees and Delinquency.

The City shall bill residents for storm water drainage fees on their monthly utility bill. Fees must be paid by the 20<sup>th</sup> of each month or they will be considered delinquent. Interest and penalties will be charged in accordance with the utility ordinance. Delinquent accounts not paid by September 15<sup>th</sup> of a given year may be certified to the County auditor for collection as other taxes are collected pursuant to Minn. Stat. 444.075, Subdivision 3.

#### Section 9. Violations.

Any person violating any provision of this ordinance shall, upon conviction, be punished by the penalties applicable to a misdemeanor as set forth by State statute, and as later amended.

#### Section 10. Effective Date.

This ordinance shall be effective from and after its passage.

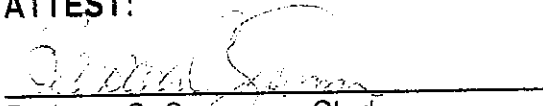
ADOPTED by the Montrose City Council this 13<sup>th</sup> day of March, 2000.

**CITY OF MONTROSE**



Charles L. Nelson, Mayor

**ATTEST:**



Barbara C. Swanson, Clerk