

ORDINANCE 625

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF EVANSDALE, IOWA, BY ADDING NEW SECTIONS ESTABLISHING A STORM WATER UTILITY FEE.

BE IT ENACTED by the City Council of the City of Evansdale, Iowa:

SECTION 1. SECTIONS ADDED. The Code of Ordinances of the City of Evansdale, Iowa, is amended by adding a new Sections 147.09 through 147.13, which are hereby adopted to read as follows:

147.09 ESTABLISHMENT OF STORM WATER MANAGEMENT FEE.

Each residential and commercial owner or tenant of property within the City corporate limits shall pay to the City, through its collection agent, the Evansdale Water Works, at the same time payment for City water, sewer, and garbage is made, a monthly storm water management fee in the amount of \$.75.

147.10 PURPOSE. A storm water management enterprise fund shall be established and maintained for the purpose of identifying, receiving and controlling all revenues and expenses attributable to the city's storm water management program, and to meet applicable local, state and federal regulations, including, but not limited to, the city's NPDES permit requirements. Storm water charges, loans, grants or funds received for the administration, operation, construction and improvement of the city's storm water drainage system and facilities and the city's storm water management program shall be deposited in such fund. The following expenditures shall be acceptable uses of storm water management enterprise funds:

1. NPDES permit fees;
2. Development of public outreach and education materials;
3. Costs associated with public involvement and participation related to the storm water management program;
4. Storm water policy development assistance;
5. Illicit discharge detection and elimination procedures, equipment, testing, and investigation;
6. Water collection, sampling fees and related equipment;
7. Planning, design, engineering, construction, maintenance, operation, and improvement of drainage services, facilities and structures, which shall include but are not limited to conduits, drains, manholes, storm water detention devices, flow impediments, ponds, ditches, sloughs, streams, filter strips, rip-raps, and erosion control devices;
8. Construction site and post-construction site inspection costs;
9. Staff time related to the storm water management program;
10. Employee training and;
11. Consulting fees related to the storm water management program and construction of storm water related projects.

Any other expenditures relating to storm water management shall be at the direction and discretion of the Public Works Director, with approval of the city council.

147.11 EFFECTIVE DATE. Storm water management fees shall be effective with the December 1, 2012 statements.

147.12 PAYMENT OF BILLS. All storm water management fees required to be paid by this section shall be due and payable with and under the same terms and conditions as payment for water service established by the Evansdale Water

Works Board of Trustees. To the extent that the fees are billed as part of a combined service account, utility services may be discontinued if the account becomes delinquent.

147.13 LIEN FOR NONPAYMENT. The owner of the premises served and any lessee or tenant thereof shall be jointly and severally liable for storm water management fees. Fees remaining unpaid and delinquent shall constitute a lien upon the premises served and shall be certified by the Evansdale City Council to the County Treasurer for the collection in the same manner as property taxes.

SECTION 2. SEVERABILITY CLAUSE. If any section, provision, or part of this ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the ordinance as a whole or any section, provision, or part thereof not adjudged invalid or unconstitutional.

SECTION 3. WHEN EFFECTIVE. This ordinance shall be in effect from and after its final passage, approval, and publication as provided by law.

PASSED AND ADOPTED THIS 7th DAY August, 2012.

First Reading: 7/3/2012

Second Reading: 07/17/2012

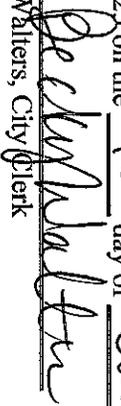
Third Reading: 08/07/2012

ATTEST:


Chad Deutsch, Mayor


Becky Walter, City Clerk

I certify that the foregoing was published as Ordinance 625 on the 13th day of August, 2012.


Becky Walters, City Clerk

Becky Walters, City Clerk

STATE OF IOWA, }
 Black Hawk County, SS

I do solemnly swear that the annexed copy of the legal publication for the

City of Evansdale
 Ordinance 625

published in the Waterloo-Cedar Falls newspaper printed in Waterloo, Black Iowa, one time commencing on the 2012 in the issue of

If any section, provision, or part of this ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the ordinance as a whole, or any section, provision, or part thereof not adjudged invalid or unconstitutional.
 SECTION 3. WHEN EFFECTIVE: This ordinance shall be in effect from and after its final passage, approval, and publication as provided by law.
 PASSED AND ADOPTED THIS 27TH DAY OF AUGUST, 2012.
 First Reading: 7/3/2012 Second Reading: 8/9/2012 Third Reading: 08/07/2012
 Chad Deutsch, Mayor.
 ATTEST: Becky Walters, City Clerk.

paper, and that the annexed legal rate of advertised is the regular rate of said newspaper, and that the following is a correct bill for publishing said notice.

Printer's Bill \$40.81

Julie Johnson
 Signed

Subscribed and sworn to before me this 17

Day of August A.D., 20 12

Received of *Sue Alaniz*
 Notary Public



the sum of _____ Dollars.

In full for publication of the above notice.

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 5. Illicit discharge detection and elimination procedures; equipment, testing, and investigation;
 6. Water collection, sampling, fees and related equipment;
 7. Planning, design, engineering, construction, maintenance, operation, and improvement of drainage services; ditches and structures which shall include but are not limited to canals, drains, bapholes, storm water detention devices, low impediments, ponds, ditches, siphons, streams, filter strips, rip-raps, and erosion control devices;
 8. Construction site and post-construction site inspection costs;
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 11. Consulting fees related to the storm water management program; and construction of storm water related projects. Any other expenditures relating to storm water management shall be at the discretion and discretion of the Public Works Director, with approval of the city council.
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