

Chapter 22

STORM DRAINAGE

Art. I. In General, Sections 01 through 08

Art. II. Charges, Sections 09 through 13

ARTICLE I. IN GENERAL

Section 01. Purpose and Intent.

(a) For the purpose of paying for the establishment, obtainment, construction, reconstruction, repair, replacement, depreciation, enlargement and improvements of the total surface water drainage (storm sewer drainage) system, including but not limited to the cost of collection and conveyance; it is hereby determined by the City Council of the City of Chaska that charges, in accordance with the schedules hereinafter provided, shall be paid to the City as set forth hereinafter, for every lot, piece or parcel of land connected to the municipal surface water drainage system, or additional use causing excessive surface water runoff, constructed upon land already connected to the system.

(b) It is hereby determined to be the policy of the City that a comprehensive surface water drainage system (storm drainage system) benefits all properties in the Watershed District. That every lot, piece or parcel of land developed, subdivided in accordance with the subdivision regulations of the City of Chaska within the drainage district and within the classification set forth in this division, for surface water drainage or storm sewer interceptor, trunk or subtrunk, ponding, in any portion of the surface water drainage system is similar in that payment for said services or availability should be collected on as a fair, reasonable and equitable basis as possible. It is further determined that the charges as hereinafter set forth and determined fairly and reasonably represent a benefit to said land in addition to any amount previously assessed for storm sewer interceptor, trunk, or subtrunk, service or availability or in any amount paid for any permit fee and charges paid for inspection of said connection pursuant to any other ordinance of the City or any governmental entity or agencies.

Section 02. Definitions.

As used in this division the following terms shall have the meanings given:

Connection to the Storm Sewer System: For the purpose of this division, every lot, piece or parcel of land is considered to be connected to the storm sewer drainage system at the time said land is developed or said land is subdivided pursuant to the subdivision regulations of the City of Chaska.

Drainage District: Shall mean the area of land within the City within the respective drainage districts as more particularly set forth in the comprehensive storm drainage plan.

Storm Drainage Policy: Is that storm drainage policy adopted by the City of Chaska.

Storm Sewer Area Charge (SSAC) : The amount of dollars per square foot as set in Section 05 of this chapter. The square footage used in computation shall be the net developable area exclusive of lakes, major parks, major recreation areas, major greenways and major thoroughfares and external collector streets as shown on the appropriate comprehensive guide plans of the City, or amendments thereof .

Storm Sewer Drainage Plan: The official comprehensive storm drainage management plan.

Section 03. Incorporation of Comprehensive Storm Drainage Plan and Storm Drainage Policy.

The Comprehensive Storm Drainage Plan and the Storm Drainage Policy of the City of Chaska are hereby incorporated into this Ordinance as if same had been more fully set forth herein.

Sections 04 through 08. Reserved.

ARTICLE II. CHARGES

Section 09. Establishment of charges.

In order to accomplish the purpose and intent of this division and the storm drainage plan and storm drainage policy of the City of Chaska there is hereby established a Storm Sewer Area Charge (SSAC) against every lot, piece or parcel of land within the respective drainage district, which charge shall be collected as follows:

At the appropriate time the City Clerk, or his or her duly authorized representative, shall compute the total Storm Sewer Area Charge against the land to be developed, for which a building permit is requested, or which is to be connected to the municipal storm drainage system, or the subdivision of the land pursuant to subdivision regulations of the City of Chaska. From the Storm Sewer Area Charge shall be deducted the principal amount of any storm sewer interceptor, trunk or subtrunk assessments previously levied against said land pursuant to Minnesota Statutes, Chapter 429, together with any other credits which may be appropriate or available pursuant to the Storm Sewer Policies. The remaining balance shall constitute the amount of the Storm Sewer Area Charge (SSAC).

Section 10. Continued payment of assessments levied.

The property owner may continue to make assessment payments as provided in the original assessment roll.

Section 11. Rates.

The Storm Sewer Area Charge established as of date hereof, or until changed, as hereinafter set forth, is as follows:

Single-family residential (up to a maximum of 15,000 square feet)	0.050 per square foot
Medium density residential.	0.625 per square foot
High density residential, industrial and commercial.	0.075 per square foot

Because of the added tax base, the addition of new jobs and employment opportunities, it is in the best interest of the City to encourage the subdivision of land in accordance with the subdivision regulations of the City, Business, Commercial and Industrial Development within the City and in connection therewith it is hereby determined that the Storm Sewer Area Charge (SSAC) for any land subdivided or for any development within the classification as defined in this section, shall be paid in cash, or assessed if requested by the owner or developer at the time the land is subdivided or developed, whichever occurs first, and if assessed, to be paid over a period of years not to exceed ten (10) years within the guidelines hereinafter set forth.

(a) If the SSAC is assessed the City Council shall, by resolution, after taking into consideration the amount of the charge, the results of the latest financial analysis as set forth in Section 143 of Chapter 19 as same relates to storm water run-off and any other factors they deem necessary and advisable, determine the number of years over which the assessment is to be paid.

(b) The City Council, in said resolution, shall determine the number of years over which said charge shall be spread and the amount of interest to be charged thereon. Said payments may be spread over a period of not less than three (3) years nor more than ten (10) years at an interest rate dependent upon the municipal investment market at the time.

(c) Prior to said charge being paid over a period of years, the land owner and/or developer, shall execute an agreement with the City whereby the land owner and/or developer agrees that said charges shall be spread on the same basis as, and shall be considered as, special assessments against the land developed or subdivided; and, that said charges be a first and prior lien against the property in question and on a parity with other assessments levied to Minnesota Statutes, Chapter 429, if any.

The Storm Sewer Area Charge (SSAC) if not paid in cash, shall be assessed as provided above at time of development or subdivision of land, whichever occurs first. If not paid in cash or assessed as above provided, shall be collected at time of obtaining a building permit.

Section 12. Annual review of charges.

The Storm Sewer Area Charge (SSAC) shall be adjusted annually, effective as of the first day of each year in accordance with the EPA Construction Index, or in such other amount as deemed necessary and appropriate by the City Council after appropriate study taking into consideration all relevant data. The EPA Construction Index reflecting the Storm Sewer Area Charges as set forth in Section 05 of this chapter, is 229.

Section 13. Separate account.

All charges collected under this division not specifically pledged to the repayment of past or future bond issues shall be placed in a separate account. Revenues from time to time received in excess of amounts so pledged may be pledged by resolution of the governing body, or may be used, though not so pledged, for the payment of principal and interest on obligations issued pursuant to Minnesota Statutes, Chapter 444 or 475 for storm sewer interceptor trunks, subtrunks, ponding areas, easements or for any purpose permitted under Minnesota Statutes. (Ord. No.416, Secs. 1-8, 8/3/87)