

**CITY OF ST. AUGUSTA
STEARNS COUNTY MINNESOTA
ORDINANCE NO. 2017-03**

AN ORDINANCE ESTABLISHING A STORM WATER UTILITY

THE CITY COUNCIL OF THE CITY OF ST. AUGUSTA, MINNESOTA, HEREBY ORDAINS:

Section 1. Purpose. The purpose of this Ordinance is to provide a funding mechanism for the following services:

- A. The administration, planning, analysis, installation, construction, operation, maintenance, and replacement of public drainage systems.
- B. The administration, planning, implementation, construction, and maintenance of storm water Best Management Practices (BMP's) to reduce the introduction of sediment and other pollutants into local water resources.
- C. Other education, engineering, inspection, monitoring, testing, and enforcement activities as necessary to maintain compliance with local, state, and federal storm water requirements.
- D. Activities necessary to maintain compliance with the National Pollutant Discharge Elimination System (NPDES) Municipal Separate Storm Sewer Systems (MS4) Permit requirements established by the U.S. Environmental Protection Agency, including preparation, implementation, and management of a Storm Water Pollution Prevention Plan (SWPPP) to address the following control measures:
 1. Public Education and Outreach
 2. Public Participation/Involvement
 3. Illicit Discharge Detection and Elimination (IDDE)
 4. Construction Site Stormwater Runoff Control
 5. Post-Construction Stormwater Management
 6. Pollution Prevention/Good Housekeeping For Municipal Operations

Section 2. Storm Water Utility and Authority. There is hereby established a public utility to be known as the Storm Water Utility for the City of St. Augusta. The Storm Water Utility shall be operated as a public utility pursuant to the City Code of Ordinance and applicable Statutes. The revenues shall be subject to provisions of this ordinance and Minnesota Statutes Section 444.075. This Ordinance shall apply to the entire City of St. Augusta.

Section 3. Administration. The Storm Water Utility shall be part of the Public Works Department and shall be administered by the City Administrator.

Section 4. Rates and Charges. In determining charges, the City Council may establish a Storm Water Utility Policy and Credit Policy to specify application fees, exemptions and exceptions, unit areas, residential equivalency factors, and unit rates to charge utility users based upon the volume or direct runoff estimated to be generated by various land uses within the City.

- A. **Minimum or Maximum Fees.** The City Council may establish a minimum or maximum fee.
 - B. **Estimated Charges.** If, for any reason, precise information related to the use, development or area of a premise is not available; then Storm Water Utility Charges for such premise shall be estimated and billed, based upon information then available to the City.
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- C. Billing Method. The City will compute Storm Water Utility Fees. Fees shall be collected by the City together with other City utility fees, through the County billing system, or by any other method approved by the City.
- D. Delinquent Accounts. Delinquent and unpaid storm water utility fees may be certified to the County Auditor for collection with real estate taxes during the following year or any year thereafter in the manner prescribed in City Ordinance 2005-12.
- E. Appeal: If a property owner believes the fee charged to a particular property is incorrect, she/he may request review and re-computation of said fee.

Section 5. Definitions. The following words and terms, wherever they occur in this Ordinance, shall be interpreted as herein defined.

Subd. 1. “Best Management Practices” or “BMP” shall mean the practices to prevent or reduce the pollution of the waters of the state, as defined by the MS4 Permit, including schedules of activities, prohibitions of practices, and other management practices, and also includes treatment requirements, operating procedures and practices to control plant site runoff, spillage or leaks, sludge, or waste disposal or drainage from raw material storage.

Subd. 2. “City” shall mean The City of St Augusta or the City Council of St. Augusta or the Public Utility.

Subd. 3. “National Pollutant Discharge Elimination System Municipal Separate Storm Sewer Systems Permit” or “MS4 Permit” shall mean the General Permit Authorization to Discharge Stormwater Associated with Mall Municipal Separate Storm Sewer Systems.

Subd. 5. “Storm Water Pollution Prevention Program or SWPPP” shall mean a comprehensive program developed by the City to manage and reduce the discharge of pollutants in stormwater and from the City’s storm sewer system.

Subd. 6. “Storm Water Utility Policy” shall mean a policy approved by the City Council that defines the methods and means to establish utility fees.

Subd. 7. “U.S. Environmental Protection Agency” or “EPA” shall mean the agency of the United States federal government whose mission is to protect human and environmental health.

Section 6. Effective Date.

This ordinance shall take effect and be in force from and after its passage and publication.

Adopted this 7th day of March, 2017.

CITY OF ST. AUGUSTA

By: _____
B.J. Kroll, Mayor

Attest:

By _____
William R. McCabe, City Administrator