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ARTICLE V. - STORM DRAINAGE UTILITY

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Sec. 58-194. - Storm sewer system; statutory authority.

The provisions of Minn. Stats. § 444.075, authorizes cities to impose just and reasonable charges for the use and availability of storm sewer facilities ("charges"). By this article, the city elects to exercise such authority.

(Code 1978, § 4.80.01; Ord. No. 00-01, 3-13-2000)

Sec. 58-195. - Findings and determinations.

In providing for such charges, the findings and determination set out in this article are made.

- (1) In the exercise of its governmental authority and in order to promote the public health, safety, convenience and general welfare, the city has constructed, operated and maintained a storm sewer system ("the system"). This article is adopted in the further exercise of such authority and for the same purposes.
- (2) The system, as constructed, heretofore has been financed and paid for through the imposition of special assessments and ad valorem taxes. Such financing methods were appropriate to the circumstances at the time they were used. It is now necessary and desirable to provide an alternative method of recovering some or all of the further costs of improving, maintaining and operating the system through the imposition of charges as provided in this article.
- (3) In imposing charges, it is necessary to establish a methodology that undertakes to make them just and equitable. Taking into account the status of completion of the system, past methods of recovering system costs, the topography of the city and other relevant factors, it is determined that it would be just and equitable to assign responsibility for some or all of the future costs of operating, maintaining and improving the system on the basis of the expected stormwater runoff from the various parcels of land within the city during a standard five-year rainfall event.
- (4) Assigning costs and making charges based upon expected typical stormwater runoff cannot be done with mathematical precision but can only be accomplished within reasonable and practical limits. The provisions of this article undertake to establish a reasonable and practical methodology for making such charges.

(Code 1978, § 4.80.02; Ord. No. 00-01, 3-13-2000; Ord. No. 00-10, 9-5-2000)

Sec. 58-196. - Rates and charges.

- (a) *Residential equivalent factor.* Rates and charge for the use and availability of the system shall be determined through the use of a residential equivalent factor (REF). For the purposes of this article, one REF is defined as the ratio of the average volume of surface water runoff coming from one acre of land and subjected to a particular use, to the average volume of runoff coming from one acre of land subjected to typical single-family residential use within the city during a standard five-year rainfall event.

- (b) *Residential equivalent unit.* Rates and charges for the use and availability of the system shall be determined through the use of a residential equivalent unit (REU). For the purposes of this article, one REU is defined as the product of the acreage of a particular parcel multiplied by the REF.
- (c) *Determination of REFs and REUs.* The REF shall be based on the relative runoff generated by any land use compared to the expected runoff from a typical half-acre single-family dwelling. This relationship shall be interpreted as a function of the percent of the total lot area that is impervious and shall be applied as determined in the table below.

STORM SEWER RESIDENTIAL EQUIVALENT FACTOR

Percent Coverage	Q-Runoff (In.)	REF/Acre	Percent Coverage	Q-Runoff (In.)	REF/Acre
1	0.88	1.02	51	1.84	2.75
2	0.90	1.08	52	1.87	2.79
3	0.92	1.14	53	1.89	2.82
4	0.94	1.20	54	1.92	2.86
5	0.95	1.25	55	1.94	2.90
6	0.97	1.30	56	1.96	2.93
7	0.99	1.35	57	1.99	2.97
8	1.01	1.40	58	2.02	3.01
9	1.02	1.44	59	2.04	3.04
10	1.04	1.48	60	2.06	3.08
11	1.06	1.52	61	2.09	3.12
12	1.08	1.56	62	2.12	3.16
13	1.09	1.58	63	2.14	3.19
14	1.11	1.63	64	2.16	3.23
15	1.13	1.67	65	2.19	3.27
16	1.15	1.70	66	2.22	3.31
17	1.16	1.73	67	2.24	3.35
18	1.18	1.76	68	2.27	3.39
19	1.20	1.79	69	2.30	3.43
20	1.22	1.82	70	2.32	3.47
21	1.24	1.85	71	2.35	3.51
22	1.26	1.88	72	2.38	3.55
23	1.28	1.91	73	2.40	3.59
24	1.30	1.94	74	2.43	3.63
25	1.32	1.97	75	2.46	3.67
26	1.34	2.00	76	2.48	3.71
27	1.35	2.02	77	2.51	3.75
28	1.37	2.04	78	2.54	3.79
29	1.38	2.06	79	2.56	3.83
30	1.40	2.09	80	2.59	3.87
31	1.42	2.12	81	2.62	3.91
32	1.44	2.15	82	2.64	3.95
33	1.46	2.18	83	2.68	4.00
34	1.48	2.21	84	2.71	4.04
35	1.50	2.24	85	2.74	4.09
36	1.53	2.28	86	2.78	4.14
37	1.55	2.31	87	2.81	4.19
38	1.57	2.34	88	2.84	4.24
39	1.59	2.37	89	2.88	4.29
40	1.61	2.40	90	2.91	4.34
41	1.63	2.43	91	2.94	4.40
42	1.66	2.48	92	2.98	4.45
43	1.68	2.51	93	3.02	4.50
44	1.70	2.54	94	3.05	4.55

45	1.72	2.57	95	3.09	4.61
46	1.74	2.60	96	3.13	4.67
47	1.76	2.63	97	3.17	4.73
48	1.78	2.66	98	3.22	4.80
49	1.81	2.70	99	3.26	4.86
50	1.83	2.73	100	3.30	4.93

For the purpose of this article, the term "impervious" shall mean any ground surface that is not substantially covered with vegetation and produces run-off amounts that are in excess of undeveloped land. Paths and parking areas that consist of gravel and dirt will be considered impervious surface.

- (d) *Appeals.* Appeals from the city administrator's determination of the proper classifications may be made to the city council. The council may adjust, by ordinance, the storm drainage fee for a parcel or a class of parcels based upon hydrologic data to be supplied by property owners, which data demonstrates a hydrologic response substantially different from the standards. Such adjustments of stormwater drainage fees shall not be made retroactively.

(Code 1978, § 4.80.03; Ord. No. 00-01, 3-13-2000; Ord. No. 00-10, 9-5-2000)

Sec. 58-197. - Establishing basic rate.

In determining charges, the council shall, from time to time, by ordinance, establish a basic system rate to be charged against one acre of land having an REF of one. The charge to be made against each parcel of land shall then be determined by multiplying the REU times the basic system rate.

(Code 1978, § 4.80.04, subd. 1; Ord. No. 00-01, 3-13-2000; Ord. No. 00-10, 9-5-2000)

Sec. 58-198. - Standardized acreage.

For the purpose of simplifying and equalizing charges against property used for residential purposes, the following process shall be used. Single-family, two-family, townhouse units and farmland properties that contain only a farmstead and typical associated outbuildings shall be considered as a single-family residential property. Single-family residential properties shall be considered to have an acreage of one-fourth acre and an REF of 1. Single-family properties with a business on the site shall be charged one-half the residential rate and one-half the business rate until such time as the business is no longer active on the site, at which time the rate shall be the standard single-family residential rate. The property owner shall be responsible for notifying the city of this change of status.

(Code 1978, § 4.80.05; Ord. No. 00-01, 3-13-2000; Ord. No. 00-10, 9-5-2000; Ord. No. 04-14, 6-1-2004)

Sec. 58-199. - Adjustments of charges.

The city council may, by resolution, from time to time, adopt policies providing for the adjustment of charges for parcels or groups of parcels, based upon hydrologic data supplied by affected property owners, demonstrating an actual hydrologic response substantially different from the REF being used for the parcel. Such adjustment shall be made only after receiving the recommendation of the city administrator and shall not be made effective retroactively. If the adjustment would have the effect of changing the REF for all or substantially all of the land uses in a particular classification; however, such adjustment shall be accomplished by amending the REF table in section 58-196.

(Code 1978, § 4.80.06; Ord. No. 00-01, 3-13-2000)

Sec. 58-200. - Excluded lands.

No charge for system availability or service shall be made against land which is either public street right-of-way or vacant and unimproved with substantially all of its surface having vegetation as ground cover.

(Code 1978, § 4.80.07; Ord. No. 00-01, 3-13-2000)

| Sec. 58-201. - Supplying information.

The owner, occupant or person in charge of any premises shall supply the city with such information as the city may reasonably request related to the use, development and area of the premises. Willful failure to provide such information or to falsify it is a violation of this article.

(Code 1978, § 4.80.08; Ord. No. 00-01, 3-13-2000)

| Sec. 58-202. - Estimated charges.

If the owner, occupant or person in charge of any premises fails or refuses to provide the information requested, as provided in section 58-201, the charge for such premises shall be estimated and billed in accordance with such estimate, based upon information available to the city.

(Code 1978, § 4.80.09; Ord. No. 00-01, 3-13-2000)

| Sec. 58-203. - Drainage and erosion control.

- (a) *Drainage plan.* In the development improvement or alteration of land, the direction, quantity or quality of drainage shall not be changed unless plans for the development are submitted to the city engineer and are found to be in compliance with the city's comprehensive surface water management plan or have received a variance from the appropriate water management organization as necessary. Runoff shall be properly channeled into a storm drain, watercourse, ponding area or other public facility.
- (b) *Erosion and sediment control plan.* Prior to the issuance of a building or grading permit for any development, improvement or alteration of land, a plan for erosion and sedimentation control shall be presented with the site plan. The erosion and sedimentation control plan shall specify the measures to be used before, during and after construction until the soil and slope are stabilized by permanent cover. These control measures shall be maintained in good working order until site stabilization occurs.
- (c) *Plan approval.* In areas which are susceptible to erosion hazard or sedimentation damage, the city may require the erosion and sedimentation control plan to be approved by the appropriate water management organization prior to the issuance of a permit.
- (d) *Approval.* Plans and provisions required for compliance with this article must be submitted to the community development director for approval.

(Code 1978, § 4.80.10; Ord. No. 00-01, 3-13-2000)

Councilmember Zimmerman introduced the following resolution and moved for its adoption:

RESOLUTION #00-12-341

A RESOLUTION MODIFYING THE CREDITS AVAILABLE FOR THE STORM DRAINAGE UTILITY

WHEREAS, on January 11, 2000, the Ramsey City Council adopted Ordinance #00-01; and

WHEREAS, according to Ordinance #00-01, Section 4.80.06, Adjustments of Charges. The City Council may, by resolution, from time to time, adopt policies providing for the adjustment of charges for parcels or groups of parcels, based upon hydrologic data supplied by affected property owners; and

WHEREAS, according to Resolution #00-07-172, the procedure and credits that are available for the storm drainage utility were established. The procedure that was established with the above referenced resolution will herein be referred to as the formal application.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF RAMSEY, ANOKA COUNTY, MINNESOTA, as follows:

That in order to be considered for a storm drainage utility credit, the property owner will be required to supply ALL of the information included in the pre-application form. The intent of this resolution is to introduce a procedure allowing the property owner the ability to apply for the credits outlined in Resolution #00-07-172 without supplying all of the information that is necessary to formally apply for a credit. There are also some modifications to the existing credit policy in which this resolution would supercede. Those changes will be identified clearly in this resolution.

A. Modified Method - For those properties that exceed 5 acres in size and have an overall percent impervious less than 25%, the property owner may request that the City modify the approach taken to calculate the storm drainage fee for their property. The modified approach to the storm drainage fee is calculated by assuming that a single rectangular area which completely encompasses the impervious area be regarded as the modified area. The percent impervious and then the REU calculated using this modified area and the table of REFs in Ordinance #00-01. (The criteria for this credit have been modified from Resolution #00-07-172.)

B. Storm water detention - The criteria for the credits outlined in Resolution #00-07-172 have not been changed.

C. Wet ponding credit - The criteria for the credit outlined in Resolution #00-07-172 has not been changed.

Once the property owner completes and has returned the pre-application form, the City Engineer will make an on-site inspection of the "structure" to see if it is obviously eligible for the credits available for the storm drainage utility. If it is not obvious, or the property owner disagrees with the findings of the City Engineer, they may complete the formal application to provide the necessary information to justify the credits. The formal application will require the signature of a professional engineer

licensed in the State of Minnesota.

This resolution also establishes a grace period for the credit applications. If the pre-application form is returned to the City of Ramsey by February 28, 2001, then the property will be eligible for retroactivity. If the credit is approved, the new rate will be effective as of the implementation of the storm drainage utility. There will be no retroactivity of ANY storm drainage utility rates and/or credits after February 28, 2001. This is a change to Resolution #00-07-172.

The motion for the adoption of the foregoing resolution as duly seconded by Councilmember Hendriksen, and upon vote being taken thereon, the following voted in favor thereof:

Mayor Gamec
Councilmember Zimmerman
Councilmember Hendriksen
Councilmember Anderson
Councilmember Connolly

and the following voted against the same:

None

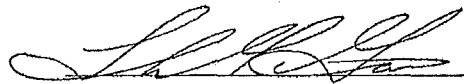
and the following abstained:

None

and the following were absent:

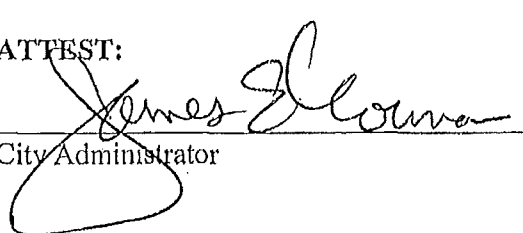
None

whereupon said resolution was declared duly passed and adopted by the Ramsey City Council, this the 19th day of December, 2000.



Mayor

ATTEST:



City Administrator

Councilmember Connolly introduced the following resolution and moved for its adoption:

RESOLUTION #00-07-172

A RESOLUTION APPROVING THE CREDITS AVAILABLE FOR THE STORM DRAINAGE UTILITY

WHEREAS, on January 11, 2000, the Ramsey City Council adopted Ordinance #00-01; and

WHEREAS, according to Ordinance #00-01, Section 4.80.06, Adjustments of Charges. The City Council may, by resolution, from time to time, adopt policies providing for the adjustment of charges for parcels or groups of parcels, based upon hydrologic data supplied by affected property owners.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF RAMSEY, ANOKA COUNTY, MINNESOTA, as follows:

- I. That in order to be considered for a storm drainage utility credit, the property owner will be required to supply ALL of the information, including engineering calculations, to justify the credit. If a property owner or person responsible for paying for the storm drainage fee believes that a particular fee is incorrect, such person may request in writing that the fee be recomputed. If an error of more than 20% has been made, the fee will be adjusted effective the quarter after receipt of the letter. No adjustments will be made retroactively.

A. **Modified Method** – For those properties that exceed 20 acres in size and have an overall percent impervious less than 15%, the property owner may request that the City modify the approach taken to calculate the storm drainage fee for their property. The modified approach to the storm drainage fee is calculated by assuming that a single rectangular area which completely encompasses the impervious area be regarded as the modified area. The percent impervious and then the REU calculated using this modified area and the table of REFs in Ordinance #00-01. The new charge will not be retroactive.

B. **Storm water detention** - No adjustments will be made to single family and two family residential parcels. An adjustment of up to twenty-five (25%) will be made for those parcels with onsite measures that limit outflow peak events according to the following conditions:

I. Ten percent (10%) credit for parcels that limit peak outflow rates during a 5-year rainfall event to rates comparable to the rates from an unimproved vacant property of the same size.

II. An additional fifteen percent (15%) credit will be given to parcels that limit peak outflow rate during a 100-year rainfall event to rates comparable to the rates from an unimproved vacant property of the same size.

C. **Wet ponding credit** - An adjustment of up to twenty-five percent (25%) will be made to the storm water utility fee of a parcel for onsite measures which are owned and maintained by the applicant that effectively reduces the amount of sediments/nutrients that enter the system. No adjustments will be made to single family, duplex residential, and agricultural parcels. It is the responsibility of the applicant to prove that the wet pond in question meets the following design criteria.

I. **Permanent Pool Volume:** The volume of the permanent pool ("dead storage") should be at least 1.3 and preferably up to 2.5 times greater than the runoff volume generated from a 0.34 inch rainfall event (average summer storm) over the pond tributary area.

II. **Permanent Pool Depth:** To promote settling and provide space for sediment accumulation, the average depth (volume/area) of the permanent pool should be at least 4 feet with a maximum depth of 10 feet.

III. **Pond Shape:** The pond should be wedge shaped, narrowest at the inlet and widest at the outlet. A minimum length to width ratio of 3:1 should be used. The distance between storm sewer outfalls and the pond outlet should be maximized to prevent short-circuiting.

IV. **Detention Time:** The pond should provide a detention time of at least 6 hours.

V. **Skimming:** The pond should have some type of facility to retain oils and floatable debris. This facility will be maintained by the applicant. Skimming shall be considered adequate if a baffle structure extends at least 4 inches below the normal water surface and the velocity of water passing under the baffle does not exceed 0.5 feet per second for the one year rainfall event.

VI. **Emergency Overflow:** An emergency overflow structure or stabilized spillway will be provided to accommodate discharges during a storm event greater than a 2.5 inch rainfall.

VII. **Side Slopes:** For purposes of stability, the side slopes should not exceed three feet horizontal to one foot vertical.

The motion for the adoption of the foregoing resolution as duly seconded by Councilmember Anderson, and upon vote being taken thereon, the following voted in favor thereof:

Mayor Gamec
Councilmember Connolly
Councilmember Anderson
Councilmember Hendriksen

Councilmember Zimmerman

and the following voted against the same:

None

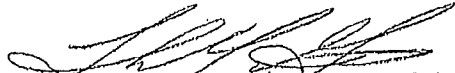
and the following abstained:

None

and the following were absent:

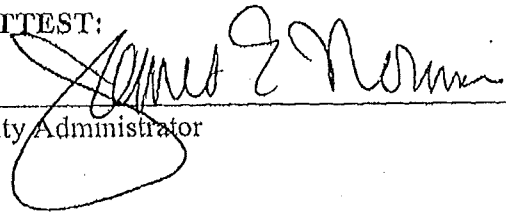
None

whereupon said resolution was declared duly passed and adopted by the Ramsey City Council, this the 11th day of July, 2000.



Mayor

ATTEST:



City Administrator