



## Legislation Details (With Text)

**File #:** Ord 19-29      **Version:** 2  
**Type:** Ordinance      **Status:** Passed  
                                 **In control:** City Council  
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**Title:** Amending Chapter 81 of the Legislative Code pertaining to the City's stormwater sewer system by adding new language providing for the creation of green infrastructure stormwater management districts and authorizing the collection of charges for payment of the capital and annual maintenance and operational costs of green infrastructure stormwater management systems.

**Sponsors:** Amy Brendmoen, Dai Thao

**Indexes:**

**Code sections:**

**Attachments:**

| Date      | Ver. | Action By      | Action  | Result |
|-----------|------|----------------|---|--------|
| 5/28/2019 | 2    | Mayor's Office | Signed  |        |
| 5/22/2019 | 2    | City Council   | Adopted As Amended  | Pass   |
| 5/15/2019 | 1    | City Council   | Amended and Laid Over for Final Adoption                          | Pass   |
| 5/8/2019  | 1    | City Council   | Laid Over to Final Adoption                                       | Pass   |
| 5/1/2019  | 1    | City Council   | Public Hearing Closed; Laid Over to Fourth Reading/Final Adoption | Pass   |
| 4/24/2019 | 1    | City Council   | Laid Over to Third Reading/Public Hearing                         |        |
| 4/17/2019 | 1    | City Council   | Laid Over to Second Reading                                       |        |

Amending Chapter 81 of the Legislative Code pertaining to the City's stormwater sewer system by adding new language providing for the creation of green infrastructure stormwater management districts and authorizing the collection of charges for payment of the capital and annual maintenance and operational costs of green infrastructure stormwater management systems.

THE COUNCIL OF THE CITY OF SAINT PAUL DOES ORDAIN:

### SECTION 1

Legislative Code Chapter 81 is hereby amended by adding the following new sections 81-08.1 - 81-08.3 to read as follows:

#### **Sec. 81.08.1. Green infrastructure stormwater management districts, intent and establishment.**

(a) Statement of legislative intent and purpose. A green infrastructure stormwater management system is engineered to capture stormwater runoff on or near its source. The system is designed to utilize the captured runoff as a sustainable asset benefiting the source properties served by the system through reinstatement of

natural processes to manage runoff on or near the source properties to the extent possible. Green infrastructure systems augment but do not replace traditional stormwater management systems which will continue to service the properties within the green infrastructure stormwater management district. It is city policy to encourage construction of green infrastructure stormwater management systems where such systems are deemed feasible by the sewer utility manager and the water resources coordinator.

(b) *Establishment.* Upon the joint recommendation of the sewer utility manager and the water resources coordinator, the city council may by resolution establish a green infrastructure stormwater management district. For each such district established, the district shall utilize the best management practices developed for the district as specified in the joint recommendation. As specified in the resolution establishing the district, each parcel of land within the district is subject to the green infrastructure system charges authorized by this section in addition to the annual storm sewer system rate applicable to the parcel under this chapter. Green infrastructure system charges may be amended from time to time as necessary upon a report and joint recommendation from the sewer utility manager and the water resources coordinator and following a public hearing by the city council.

(c) *Definitions.* For the purposes of this Section, the following terms are as defined:

(1) *Best management practices:* the approved engineered means of controlling, managing, and treating stormwater runoff for each approved green infrastructure stormwater management system.

(2) *Green infrastructure stormwater management district:* an area established by resolution of the city council of identified real property parcels served by a specific green infrastructure stormwater management system.

(3) *Green infrastructure stormwater management system:* a storm sewer system which, through best management practices, is engineered to reinstate, to the extent possible, natural processes to manage stormwater runoff. An approved green infrastructure stormwater management system may include but is not limited to rain gardens, tree trenches, cisterns, and organic filtration basins.

#### **Sec. 81.08.2. Charges authorized: connection charge, method of payment, and annual surcharge, and**

(a) *Connection charge.* The city council, in the resolution establishing the green infrastructure stormwater management district and upon the joint recommendation of the sewer utility manager and the water resources coordinator, may establish a connection charge against each parcel of land connecting to the green infrastructure stormwater management system. The charge shall be \$3.53 per square foot, shall apply to net developable area (land area less roads, parks, and stormwater easements), and inflate at 3 per cent annually. Connection charge funds shall only be applied to the capital costs of the green infrastructure stormwater management system for which the charge was imposed.

The building official shall not grant to any person, firm, corporation or association, a building permit associated with a project where storm water management controls are required as defined in Section 52.04(c) for any parcel of land or use within a green infrastructure system service area until the applicable connection charge for each parcel of land or each use connecting to the green infrastructure system shall have been fully paid to the department of public works, unless the council specifies in the resolution establishing the green infrastructure storm water management district that the connection charge for each green infrastructure system may be paid in equal annual installments over a term of years not to exceed ten (10) years, together with interest fixed at a rate determined in accordance with section 64.04(a) of the Administrative Code, and all administrative costs connected with the collection and certification of the connection charge.

For the council to specify the collection of the connection charge by annual installments, all property owners in each district shall make written application to the real estate section of the office of financial services requesting annual installment payments. In the application the owners shall pledge that the amount of each annual installment is not appealable. A certified copy of the completed application shall be filed with the county recorder. In accordance with section 64.04(b) of the Administrative Code, connection charges paid by annual installment shall be certified by the real estate section together with interest and administrative costs, to the Ramsey County Department of Property Records and Revenue to be collected as an assessment against the property served. Additional payments can be made to the real estate section to shorten the term of the agreement.

(b) *Annual surcharge.* Upon the joint recommendation of the sewer utility manager and the city water resources coordinator, the city council, by resolution, may authorize an annual surcharge for operation and maintenance of each green infrastructure stormwater management system. Each parcel or use served by the green infrastructure system shall pay the surcharge which shall not exceed 100 per cent of the annual storm sewer rate. The annual surcharge is payable in addition to the annual storm sewer system rate applicable under this chapter and no application for credit shall be allowed. The process and procedures for the establishment, calculation, billing, review and certification of the annual surcharge shall utilize the processes and procedures of this chapter. Annual surcharge funds collected shall be deposited into separate accounts created for and dedicated to funding the green infrastructure stormwater management system serving the parcel or use from which the charge was collected. The surcharge shall only be applied to the annual costs of operating, maintaining, reconstructing, repairing or enlarging the green infrastructure stormwater management system utilized by the parcel or use from which the surcharge was collected.

### **Sec. 81.08.3. Annual storm sewer system charges: dedication to green infrastructure stormwater management system district.**

The annual storm sewer system charge to each parcel of land or use also served by a green infrastructure stormwater management system shall, when collected, be dedicated to the same account created under section 81.08.2.(b) for application to the annual costs of operating, maintaining, reconstructing, repairing or enlarging the green infrastructure stormwater management system utilized by the parcel or use from which the surcharge was collected.

## **SECTION 2**

These amendments to Leg. Code Chap. 81 shall become effective thirty (30) days after their passage, approval, and publication once in the official newspaper of the city.

