

**AN ORDINANCE ESTABLISHING A STORMWATER
MANAGEMENT FEE**

WHEREAS, the City Council has received reports from staff on the implementation of stormwater management fee which was approved in concept as part of the City's 3-Year Financial Plan and 5-Year Capital Improvement Program and Fiscal Year 2001 Budget; and

WHEREAS, the City Council is of the opinion that the implementation of a stormwater management fee is necessary for the continued maintenance of existing storm facilities, including storm sewers, catch basins and inlet structures, drainage ditches, culvert pipes, water quality issues, detention management, creek bank stabilization and maintenance and implementation of stormwater management programs such as the Clean Water Act.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Rolling Meadows, Illinois:

SECTION ONE: Article II, Sewers and Sewage Disposal, of the Code of Ordinances is amended by adding the following:

Division 6. Stormwater Management Fee.

Sec. 110-186. Stormwater Management Fee.

- (a) The base billing unit for the stormwater management fee is defined as the run-off generated by the "typical" single family residence. The run-off will be measured in terms of mean or median square feet of impervious area defined as the "Equivalent Residential Unit" (ERU). The ERU is the measure that will serve as an index to compare run-off generated by different types and uses of properties with different stormwater generation characteristics. The ERU is defined as 3,604 square feet of impervious surface area. The stormwater management fee per ERU is \$1.65 per month.
- (b) There is hereby established a stormwater management fee for single family detached residences and single family attached residences (townhomes) at the rate of \$1.65 per month commencing July 1, 2001.

- (c) Properties other than single family detached residences and single family attached residences (townhomes) will be charged a stormwater management fee at the rate of \$1.65 per month, effective July 1, 2001, for each ERU, or fraction thereof, of impervious surface area of the property. (Example: A property consisting of 50,000 square feet of which 25,000 square feet is impervious would pay a stormwater management fee computed as follows: 25,000 square feet of impervious surface divided by the ERU (3,604 square feet) equals 6.9; the 6.9 ERU multiplied by \$1.65 per ERU equals a monthly stormwater management fee of \$11.39.)

Sec. 110-187.

All stormwater sewer users located partially or completely outside of the corporate limits shall pay a surcharge based on 50% of their monthly bill to enable the recovery of indirect expenses associated with the Public Works Department, such as building, overhead, etc., which support the stormwater sewer system, which would otherwise be paid by property owners subject to real estate property taxation located within the corporate limits.

Sec. 110-188. Due Date and Delinquency Penalty.

All stormwater management fee bills shall be due and payable during a period of 20 days from the date of any billing, and the date of the 20th day after billing shall appear on all bills. If any bill is paid after such period, there shall be added thereto a late charge of 10% of the storm sewer management fee to be paid by any sewer user making a late payment.

Sec. 110-189. Right to Change Rates and Regulations

The City reserves the right to make such reasonable changes in rates and in conditions established in this provision and to establish further rules and regulations from time to time as may be found expeditious or necessary.

Sec. 110-190. Lien for Unpaid Charges

- (a) Charges for stormwater sewer service shall be upon the premises serviced. Whenever a bill for storm sewer service remains unpaid 30 days after it has become due, the director of finance may direct the city attorney to file with the recorder of deeds of the county a statement of lien claim or take other appropriate action, including but not limited to the use of a collection agency. This statement shall contain the legal description of the premises served, the amount of the unpaid bill, and a notice that the city claims a lien for the amount when due plus any and all charges for the storm sewer service subsequent to the period covered by the then-due bill.
- (b) If the storm sewer user whose bill is unpaid is not the owner of the premises and the director of finance has notice of this, the notice shall be mailed to the owner of the premises, if his address is known, whenever such bills remain unpaid for a period of 20 days after it has become due.
- (c) The failure of the city to record such lien claim or to mail such notice or the failure of the owner to receive such notice shall not affect the right to foreclose the lien for unpaid storm sewer maintenance fees.
- (d) Property subject to a lien for unpaid storm sewer management fee charges shall be sold for nonpayment of the charges, and the proceeds of such sale shall be applied to the stormwater management fee, after deducting costs, as the case in the foreclosure of statutory liens. Such foreclosures shall be a bill in equity in the name of the city. The city attorney is authorized to institute such proceedings in the name of the city and in any court having jurisdiction over such matters against any property for which a stormwater management fee charge has remained unpaid and a statement of lien claim has been filed as set forth in this section and a period of 30 days has lapsed since such filing.

SECTION TWO: This Ordinance shall be of no further force and effect on January 1, 2002 unless extended by the City Council prior to January 1, 2002.

SECTION THREE: This Ordinance shall be printed and published in pamphlet form by order of the City Council of the City of Rolling Meadows, Illinois.

SECTION FOUR: This Ordinance shall be in full force and effect upon its passage and approval as provided by law.

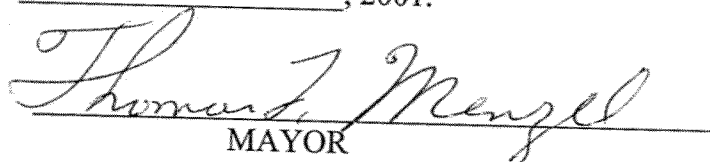
YEAS: Nelson, Staley, Jungmann, Rooney, Adams, D'Astice

NAYS: Balek


ABSENT: 0

Passed this 12th day of June, 2001.

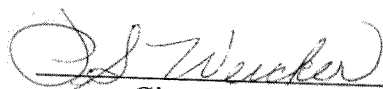
Approved this 12th day of June, 2001.


MAYOR

ATTEST:


City Clerk *by: Jeanne Ryznar - Deputy Clerk*

Published this 15th day of June, 2001.


City Clerk
*by: Jeanne Ryznar
Deputy Clerk*