

14956

ORDINANCE TO AMEND THE CODE OF ORDINANCES,  
CITY OF MARSHALLTOWN, IOWA BY AMENDING CITY CODE  
SECTION 28-125 "RATE STRUCTURE AND STORM WATER RATE"

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MARSHALLTOWN, IOWA:

Section 1. The Code of Ordinances, City of Marshalltown, Iowa is hereby amended by repealing Section 28-125 and enacting the following as a substitute:

**Sec. 28-125. Rate Structure and Storm Water Rate.**

Any property, lot, parcel of land, building or premises that is tributary directly or indirectly to the storm water system of the city, shall be subject to a monthly Storm Water Utility charge. The storm water rate structure utilizes a property's impervious surface area for assessing the storm water charge. This charge is not related to the water and /or sewer service and does not rely on occupancy of the premises to be in effect. All properties having impervious area of at least 150 square feet within the corporate limits of the City of Marshalltown shall be assigned the rate.

A unit of impervious surface area on an average single-family, residential property, or "equivalent residential unit (ERU)," is the quantity used for assessing storm water charges. One ERU equals two thousand, eight hundred (2,800) square feet of impervious area for the City of Marshalltown.

Establishment of Storm Water Utility Rate

- a) The Storm Water Utility charge is calculated based on the following method:
  - i) Single-family residential customers and duplexes with gross property area less than or equal to two (2) acres will be assigned one ERU and assessed a storm water charge that is equivalent to one ERU unit rate per month.
  - ii) All other developed properties shall be assigned a number of ERUs based upon the property's individually measured impervious area (in square feet) divided by one ERU, or 2,800 square feet, and rounding up to the nearest integer. The monthly storm water charge assessed to each of these properties is the number of ERUs times the ERU unit rate.
  - iii) Storm water charges for new residential customers with gross property area greater than two (2) acres or non-residential developments shall be based on field measurements of impervious areas.

Actual impervious area measurements shall be maintained by the city's engineering department for all residential customers with parcels greater than two acres and nonresidential customers to determine their share of the storm water management costs. In no event shall any owner specified herein pay less than the rate required for one ERU per month. As part of the building permit process, property owners shall coordinate with the city's building inspection and engineering staff to ensure that, as impervious areas change on the owner's property due to construction or demolition, the engineering department maintains up to date records of impervious areas for use in determining property storm water utility billing.

- b) Commencing on July 1, 2017, and continuing thereafter, the monthly unit rate shall be \$4.00 per "equivalent residential unit (ERU)."
- c) The rates shall become effective on the first day of July in each year, with rates being effective upon publication of the ordinance as required by law.

Section 2. That this ordinance shall be in full force and effect after its passage and publication as by law.

Passed this 27 day of February, 2017, and signed this 28 day of February, 2017.

CITY OF MARSHALLTOWN, IOWA

James L. Lowrance  
James L. Lowrance, Mayor

ATTEST  
Shari L. Coughenour  
Shari L. Coughenour, CMC, City Clerk