

## STAFF REPORT

**DATE:** May 10, 2022

**TO:** City Council

**FROM:** Stan Gryczko, Director - Public Works Utilities & Operations  
Adrienne Heinig, Assistant to the Director

**SUBJECT:** Updates to Chapter 30 of the City's Municipal Code Updating Stormwater Rates

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### **Recommendation**

1. Receive report on the revisions to Chapter 30 of the City's Municipal Code (Stormwater Management and Discharge Control);
2. Introduce the Ordinance (Attachment 1) amending Chapter 30 of the City of Davis Municipal Code related to the changes in calculation of charges for storm drainage and flood control as approved by City Council in July of 2021.

### **Fiscal Impact**

Until the completion of the Proposition 218 process on July 6, 2021 (including ballot procedures, unique to the Stormwater Utility), the City's Stormwater Enterprise Funds (Fund 541 & 544) had not had rate adjustments (aside from a 3% annual increase for revenue associated with Fund 544) since the 1990s. Current rate revenues for the City's Stormwater Enterprise Funds total approximately \$2 million dollars annually. As a result, the fund could not support expenditures for the utility, particularly capital needs and increasing regulatory requirements. The adjustments to the rates within this ordinance, and approved by voters and the City Council, will generate approximately \$4 million dollars annually, and will ensure the fund revenues match expenditures, maintain a positive fund balance, develop an appropriate reserve, and ensures the necessary revenue to complete major and necessary capital improvements and continue to provide quality stormwater services to ratepayers.

### **Council Goals**

This effort is consistent with the Council Goal to Ensure a Safe, Healthy, Equitable Community; Ensure Fiscal and Economic Stability, Pursue Environmental Sustainability; Fund, Maintain and Improve Infrastructure and Foster Excellence in City Services.

## **Commission Input**

Recommendations for utility rate setting and structures that are able to sufficiently meet the financial needs of City utilities, as well as distribute the proportionate share of the operational, regulatory and capital improvement costs of the utility among ratepayers is a core function of the City's Utilities Commission. Over a number of meetings in 2020, the Utilities Commission reviewed the Stormwater Utility's financial needs, regulatory requirements and unmet capital improvement needs, along with adjustments to the methodology of how the City charges for Stormwater Utility services, to ensure that the costs were thoroughly vetted and the methodology a more representative capture of the City's cost to provide Stormwater services. Ultimately, the Commission recommended Council establish a new fee structure and methodology for the City's Stormwater Utility fees, which was approved by Council in December of 2020.

## **Background**

The ordinance update as presented in this report represents the conclusion of the significant work of City staff, consultants, commissions, and Council, which was initiated in 2019 with the kickoff of the Stormwater Cost of Service/Rate Study and completed with the City Council's acceptance of the tabulation results for the balloting associated with the Stormwater rate adjustment on July 6, 2021. As identified in prior Council staff reports and Commission reports on this topic, the Stormwater Utility revenue has not been able to support current operations or necessary capital expenditures for the utility.

Detailed background and discussion of the process to approve the rates for the City's Stormwater Utility are included the following reports to Council:

### **December 15, 2020**

The City Council reviewed the Stormwater Cost of Service Study and approved the recommended rate adjustments.

[Stormwater Utility Cost of Service and Rate Study; Initiation of City Stormwater Utility Fee Proposition 218 Process](#)

Recommendation:

1. Receive Stormwater Fee Report and [presentation](#) from SCI Consulting Group and city staff on the Stormwater Utility cost of service study and development of rate recommendations
2. Provide direction to staff on CPI banking recommendation from SCI Consulting, to incorporate into second presentation on recommended Stormwater Utility rates
3. Approve Resolution Declaring Intention to Initiate a Proceeding to Obtain Approval of the City's Stormwater Fee, a Property-Related Fee Conforming to Article XIII, Section 6 of the State Constitution
4. Approve Resolution Adopting Ballot Procedures for the City's Proposed Stormwater Fee

**May 4, 2021**

[Stormwater Utility Fee Protest Hearing](#)

Recommendation:

1. Conduct final count of written protests, including any written protests submitted prior to the close of the public hearing, and determine if there is a majority protest
2. If no majority protest exists, approve Resolution Finding That a Majority Protest Does Not Exist and Directing a Property Owner Ballot Proceeding for the City's Stormwater Fee, a Property-Related Fee Conforming to Article XIII D, Section 6 of the California Constitution
3. Provide guidance to staff on the voting of City Stormwater fee ballots [08 Stormwater Utility Fee Protest Hearing](#)

**July 6, 2021**

[Certification of Tabulation Results for Stormwater Fee](#)

Recommendation:

Approve Resolution Accepting the Tabulation Results for the City's Stormwater Fee, a Property-Related Fee Conforming to Article XIII D, Section 6 of the California Constitution

Additional information, including videos, handouts, frequently asked questions and commission reports on the process are on the [Stormwater Rates and Rate Studies](#) webpage.

**Summary of Updates to Chapter 30: "Stormwater Management and Discharge Control"**

Updates to Article 30.08: Charges for Storm Drainage and Flood Control Facilities

- *Use of drainage facilities charge proceeds* (30.08.010). The section has been updated to add the regulatory component of stormwater costs to the operational component, to allow for a single charge per parcel rather than two charges as currently calculated<sup>1</sup>.
- *Schedule of charges* (30.08.050). The section has been removed in its entirety and replaced with the new calculation of the stormwater rate for each type of customer parcel. The method used for apportioning the rate is based upon the proportional amount of stormwater runoff produced by the properties in the City, which is deemed to be proportionate to the amount of impervious surface on the parcel or category of parcel.

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<sup>1</sup> The two charges appear as one charge on the City's utility bill. This charge is the composite of two rates: the Storm Sewer Fee, and Storm Drainage Fee.

- *Yearly increase (30.08.080)*. This section has been removed in its entirety and replaced with the calculation for the maximum annual rate adjustment based on the San Francisco-Oakland-Hayward Consumer Price Index-U.

Update to Article 30.09: *Storm Drain System Quality*

- This article is removed in its entirety, as the article focus is on the structure of the City's Storm Drainage Fee, and with the incorporation of that fee into the Storm Sewer Fee, the section is no longer applicable.

**Process to Implement the Rates**

The City has worked toward initiating this process over a number of years, gathering the data necessary to demonstrate the costs and resourcing needs for the Stormwater Utility. Work was further interrupted by the onset COVID-19 pandemic, and the City experienced continued challenges with resources and staff time as the pandemic continued into 2021. Staff changes also contributed to challenges with the implementation process. In addition to the resourcing issues, the City's enterprise resource planning (ERP) software is in need of replacement, an effort that was put on hold also as a result of the pandemic. Incorporating the adjustments to the methodologies for the approved stormwater rate structure proved challenging within the existing functionality of the City's financial program. With dedicated work from the City's Finance team, the City can now move forward with implementation of the Stormwater Utility rates.

**Commercial Credits for Low-impact Development (LID)**

The City's State-issued National Pollutant Discharge Elimination System (NPDES) permit requires that certain non-residential properties or large developments be designed to capture stormwater onsite, aiding in the filtration of the stormwater through landscape to help filter pollutants out of the water prior to runoff into the stormwater system. This type of design, also known as Low Impact Development (LID), reduces a parcel's stormwater runoff, which in turn reduces the interaction of that parcel with the stormwater infrastructure. Non-residential parcels that can demonstrate partially or fully meeting the strict criteria for LID can be eligible for an up-to 25% credit of their stormwater rate. Parcels that implements LID for 26% to 50% of the site acreage can be eligible for a 12.5% credit, and parcels that implement LID for 25% or less of the site acreage can be eligible for a 6.3% credit.

The City has been working to produce worksheets and instructions for non-residential property owners to submit requests for rate credits that would include description of the required documentation for review.

### **Next Steps**

With the introduction of this ordinance, the City is one step closer to implementing the approved adjustments to the Stormwater Utility rates, and addressing the unmet capital and operational needs for the utility. With the second reading, rate adjustments should appear on July City of Davis utility bills.

### **Attachments**

1. Ordinance
2. Davis Municipal Code Chapter 30: Stormwater Management and Discharge Control – Redline Changes

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF DAVIS AMENDING  
CHAPTER 30 OF THE CITY OF DAVIS MUNICIPAL CODE  
RELATING TO STORMWATER RATES**

WHEREAS, the City of Davis, California (“City”) is a municipal corporation, duly organized under the constitution and laws of the State of California;

WHEREAS, Proposition 218 was adopted on November 6, 1996, adding Articles XIII C and XIII D to the California Constitution; and

WHEREAS, Article XIII D of the California Constitution imposes certain procedural and substantive requirements relating to property-related fees; and

WHEREAS, in 2020 the City conducted a rate study and prepared a Stormwater Fee Report (“Fee Report”) to determine the amount of the fees on various parcels of land (“Stormwater Fees”) that would, in compliance with Article XIII D of the Constitution, provide funding for certain capital improvements, operations and maintenance needs and National Pollutant Discharge Elimination System (“NPDES”) clean water compliance needs (collectively, the “Services”); and

WHEREAS, the Fee Report provides: (a) a description of the Services; (b) the identification of the parcels upon which the Stormwater Fee is proposed; (c) the proportional cost of the Services attributable to each parcel; (d) the amount of the Stormwater Fee proposed for each parcel; and (e) the basis upon which the amount of the proposed Fee was calculated; and

WHEREAS, on October 21, 2021, the Utilities Commission reviewed the Fee Report and recommended that the City Council approve the Fee Report and on December 15, 2021, the City Council reviewed and approved the Fee Report; and

WHEREAS, pursuant to the provisions of Article XIII D of the California Constitution, the City provided 45-day written mailed notice of a public hearing to each record owner of parcels of real property subject to the Stormwater Fee, which was held at a regular meeting of the City Council on May 4, 2021 on the issue of whether the proposed Stormwater Fee should be levied and collected as proposed in the Fee Report; and

WHEREAS, on May 4, 2021, following the public hearing, the City Council adopted Resolution 21-055 finding that a majority protest did not exist for the proposed Stormwater Fee and directing a property owner ballot proceeding for the Stormwater Fee; and

WHEREAS, on May 17, 2021 a ballot and information guide were mailed to every owner of property that would be subject to the proposed Stormwater Fee; and

WHEREAS, on July 6, 2021, the City Council adopted Resolution 21-113, declaring the results of the property owner ballot proceeding for the Stormwater Fee, and determined that 60.62% of the votes cast by property owners were in support of the Stormwater Fee; and

WHEREAS, this Council now desires to amend Chapter 30 ("Stormwater Management and Discharge Control") of the City's Municipal Code to establish the Stormwater Fee.

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF DAVIS DOES ORDAIN AS FOLLOWS:

SECTION 1. Section 30.08.010 ("Use of drainage facilities charge proceeds") of Article 30.08 ("Charges for Storm Drainage and Flood Control Facilities") of Chapter 30 ("Stormwater Management and Discharge Control"), of the City of Davis Municipal Code is hereby amended to read as follows:

**"Article 30.08 CHARGES FOR STORM DRAINAGE AND FLOOD CONTROL FACILITIES**

**30.08.010 Use of drainage facilities charge proceeds.**

Revenues derived under the provisions of this article shall be used only for: (i) the acquisition, construction, reconstruction, maintenance and operation of storm drainage water systems and related facilities, (ii) to repay principal and interest on bonds issued for the construction or reconstruction of such systems or facilities, (iii) to repay federal or state loans or advances made to the City for the construction or reconstruction of such systems or facilities, (iv) operations and maintenance of detention ponds, conveyance channel, wetlands, (v) sampling and testing of stormwater, and (vi) studies, reporting, and permitting for such systems and facilities. A specific fund shall be established for the deposit and disbursement of the funds collected under this article."

SECTION 2. Section 30.08.050 ("Schedule of Charges") of Article 30.08 ("Charges for Storm Drainage and Flood Control Facilities") of Chapter 30 ("Stormwater Management and Discharge Control"), of the City of Davis Municipal Code is hereby amended to read as follows:

**"Article 30.08 CHARGES FOR STORM DRAINAGE AND FLOOD CONTROL FACILITIES**

**30.08.050 Schedule of charges.**

The monthly rate for a single family home on a medium size parcel of 0.14 to 0.22 acres is \$13.10 per parcel for fiscal year 2022-23. This rate is expressed as one Single Family Equivalent ("SFE"). The rates for each land use category are calculated in relation to this rate. The land use category for the parcel shall be the use as of May 1 of each year. Parcel sizes are rounded to the nearest two decimal places. The rates are calculated as follows:

- (1) Single family homes, mobile homes, multifamily homes with up to four residential units:
  - a. Parcels of 0.13 acres or less: 0.78121 SFE per parcel.
  - b. Parcels of 0.14 to 0.22 acres: 1.00000 SFE per parcel.
  - c. Parcels of 0.23 to 0.27 acres: 1.33247 SFE per parcel.
  - d. Parcels of 0.28 acres or more: 1.48654 SFE per parcel.
- (2) Condominiums:
  - a. Condominium with no other condominium units above or below it: 0.65064 SFE per parcel
  - b. Condominium with one or more other condominium units above or below it: 0.60128 SFE per parcel.
- (3) Apartments: 7.948 SFE per acre
- (4) Mobile Home Parks: 7.499 SFE per acre.
- (5) Agricultural, open space, undeveloped land in its native condition: 0 SFE per parcel.
- (6) Other vacant land: 0.6280 SFE per acre.
- (7) Single family home on agricultural land: 1.48654 SFE per parcel.
- (8) Commercial/Industrial:
  - a. Golf course, cemetery: 0.6280 SFE per acre.
  - b. General commercial, hotel/motel, parking lot, storage, warehouse, paved path: 10.527 SFE per acre.
  - c. Hospital, retirement home, day care, church/mosque/synagogue/temple, school without play field, mortuary, recreational (such as theater, bowling, tennis courts): 7.499 SFE per acre.
  - d. School with play field(s) 5.261 SFE per acre.
  - e. Office: 8.677 SFE per acre.

Charges may be prorated among multiple utility accounts on one parcel.”

**SECTION 4.** Section 30.08.080 (“Yearly increase”) of Article 30.08 (“Charges for Storm Drainage and Flood Control Facilities”) of Chapter 30 (“Stormwater Management and Discharge Control”), of the City of Davis Municipal Code is hereby amended as follows:

**“Article 30.08 CHARGES FOR STORM DRAINAGE AND FLOOD CONTROL FACILITIES**

**30.08.080 Yearly increase.**

Beginning in Fiscal Year 2022-23 and in each fiscal year thereafter, the rates established in Section 30.08.060 shall be increased by the lesser of: (i) 3 percent, or (ii) the percentage increase in the San Francisco-Oakland-Hayward Consumer Price Index, All Urban Customers (“CPI-U”), during the twelve month period ending with the most recent month that has been published by the Department of Labor, Bureau of Labor Statistics, as of the calculation date. The annually adjusted rates are the “Maximum Rates.” The City Council may, by resolution, adjust the rates in any amount up to and including the amount of the Maximum Rates.”



SECTION 4. Article 30.09 (“Storm Drain System Quality”) of Chapter 30 (“Stormwater Management and Discharge Control”), of the City of Davis Municipal Code is hereby deleted in its entirety.

SECTION 5. CEQA. The City Council finds that this Ordinance is exempt from the California Environmental Quality Act (“CEQA”) pursuant to State CEQA Guidelines Sections 15061(b)(3) and 15308 on the grounds that it can be seen with certainty that the enhanced solid waste regulations, as provided for in this Ordinance will not have a significant effect on the environment and that the new requirements, which strengthen requirements for the handling of solid waste, represent actions by a regulatory agency (the City) for the protection of the environment.

SECTION 6. Severability. If any section, subsection, subdivision, sentence, clause, phrase, or portion of this Ordinance for any reason is held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance or any part thereof. The City Council hereby declares that it would have adopted this Ordinance, and each section, subsection, subdivision, sentence, clause, phrase, or portion thereof, irrespective of the fact that any one or more sections, subsections, subdivisions, sentences, clauses, phrases, or portions thereof be declared invalid or unconstitutional.

SECTION 7. Effective Date. This Ordinance shall be in full force and effect thirty (30) days from and after the date of its final passage and adoption.

SECTION 8. Certification. The City Clerk shall certify to the adoption of this Ordinance and shall post or publish this Ordinance as required by law.

INTRODUCED on the 10th day of May, 2022 and PASSED AND ADOPTED this day of \_\_\_\_\_ 2022 by the following vote:

AYES:

NOES:

Gloria J. Partida  
Mayor

ATTEST:

Zoe S. Mirabile, CMC  
City Clerk

## Chapter 30 STORMWATER MANAGEMENT AND DISCHARGE CONTROL

### Article 30.08 CHARGES FOR STORM DRAINAGE AND FLOOD CONTROL FACILITIES

#### 30.08.010 Use of drainage facilities charge proceeds.

Revenues derived under the provisions of this article shall be used only for: (i) the acquisition, construction, reconstruction, maintenance and operation of storm drainage water systems and related facilities, (ii) to repay principal and interest on bonds issued for the construction or reconstruction of such systems or facilities, and (iii) to repay federal or state loans or advances made to such entity the City for the construction or reconstruction of such systems or facilities, operations and maintenance of detention ponds, conveyance channel, wetlands, (v) sampling and testing of storm water, and (vi), studies, reporting, and permitting for such systems or facilities. A specific fund shall be established for the deposit and disbursement of the funds collected under this article. (Ord. 958 § 3; Ord. 968 § 3; Ord. 2391 § 2, 2012; Ord. 2473 § 1, 2016)

#### 30.08.050 Schedule of charges.

~~(a) — Single family and duplex residential parcels, and mobile home parks: \$0.000224 per parcel square foot per month.~~

~~(b) — Multifamily dwellings having more than two dwelling units, and group dwelling facilities: \$0.000288 per parcel square foot per month.~~

~~(c) — Schools, churches, day care facilities, open space parcels, and Department of Forestry: \$0.000116 per parcel square foot per month.~~

~~(d) — Commercial and industrial parcels: \$0.000400 per parcel square foot per month. (Ord. 958 § 3; Ord. 968 § 3; Ord. 1225 § 1; Ord. 1521 § 3; Ord. 2391 § 2, 2012; Ord. 2473 § 1, 2016)~~

~~The monthly rate for a single family home on a medium size parcel of 0.14 to 0.22 acres is \$13.10 per parcel for fiscal year 2022-23. This rate is expressed as one Single Family Equivalent (“SFE”). The rates for each land use category are calculated in relation to this rate. The land use category for the parcel shall be the use as of May 1 of each year. Parcel sizes are rounded to the nearest two decimal places.~~

~~(1) Single family homes, mobile homes, multifamily homes with up to four residential units:~~

- ~~a. Parcels of 0.13 acres or less: 0.78121 SFE per parcel.~~
- ~~b. Parcels of 0.14 to 0.22 acres: 1.00000 SFE per parcel.~~
- ~~c. Parcels of 0.23 to 0.27 acres: 1.33247 SFE per parcel.~~
- ~~d. Parcels of 0.28 acres or more: 1.48654 SFE per parcel.~~

~~(2) Condominiums:~~

- a. Condominium with no other condominium units above or below it: 0.65064 SFE per parcel
- b. Condominium with one or more other condominium units above or below it: 0.60128 SFE per parcel.
- (3) Apartments: 7.948 SFE per acre
- (4) Mobile Home Parks: 7.499 SFE per acre.
- (5) Agricultural, open space, undeveloped land in its native condition: 0 SFE per parcel.
- (6) Other vacant land: 0.6280 SFE per acre.
- (7) Single family home on agricultural land: 1.48654 SFE per parcel.
- (8) Commercial/Industrial:
  - a. Golf course, cemetery: 0.6280 SFE per acre.
  - b. General commercial, hotel/motel, parking lot, storage, warehouse, paved path: 10.527 SFE per acre.
  - c. Hospital, retirement home, day care, church/mosque/synagogue/temple, school without play field, mortuary, recreational (such as theater, bowling, tennis courts): 7.499 SFE per acre.
  - d. School with play field(s) 5.261 SFE per acre.
  - e. Office: 8.677 SFE per acre.

Charges may be prorated among multiple utility accounts on one parcel.

### **30.08.080 Yearly increase.**

~~Unless waived by resolution of the city council adopted prior to August 1st of any year, the amounts specified in this article shall be increased by three percent of the amount applicable to the preceding year. The finance director shall maintain a current schedule of rates and charges based upon the yearly increase specified herein and shall make the same available to any interested party upon request. (Ord. 958 § 3; Ord. 968 § 3; Ord. 1225 § 1; Ord. 1521 § 5; Ord. 2391 § 2, 2012; Ord. 2473 § 1, 2016)~~

Beginning in Fiscal Year 2022-23 and in each fiscal year thereafter, the rates established in Section 30.08.060 shall be increased by the lesser of: (i) 3 percent, or (ii) the percentage increase in the San Francisco-Oakland-Hayward Consumer Price Index, All Urban Customers ("CPI-U"), during the twelve month period ending with the most recent month that has been published by the Department of Labor, Bureau of Labor Statistics, as of the calculation date. The annually adjusted rates are the "Maximum Rates." The City Council may, by resolution, adjust the rates in any amount up to and including the amount of the Maximum Rates."

### **Article 30.09 STORM DRAIN SYSTEM QUALITY**

#### **30.09.010 Disposition of storm drain system revenue.**

~~Revenue derived under the provisions of this article shall be used for the operations and maintenance of the detention ponds, the conveyance channel, the wetlands, sampling~~

~~and testing of storm water, studies, reporting, and permitting, to repay principal and interest on bonds issued for the construction or reconstruction of such systems or facilities and to repay federal or state loans or advances made to such entity for the construction or reconstruction of such systems or facilities. A specific fund shall be established for the deposit and disbursement of the funds collected under this article. (Ord. 2056 § 1, 2001; Ord. 2391 § 3, 2012; Ord. 2473 § 1, 2016)~~

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### **30.09.020 Billing procedure.**

~~It is the intention of the city council that the person who owns the parcel, as on the recorded deed, shall be charged and billed for storm sewer services, and whenever not prohibited by the express words of the ordinance, the water charge ordinance and the drainage facilities ordinance shall be so construed as to be consistent with each other. (Ord. 2056 § 1, 2001; Ord. 2391 § 3, 2012; Ord. 2473 § 1, 2016)~~

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### **30.09.030 Charges to be billed with garbage, refuse, and water bills.**

~~The charges provided by this article may be collected with the rates, tolls and charges for any other utility provided by or billed by the city, including charges for water and garbage and refuse collection. All such charges may be billed upon the same bill. The city council may, by separate ordinance, provide that such charges be collected on the tax roll, together with, and not separately from, its general taxes. (Ord. 2056 § 1, 2001; Ord. 2391 § 3, 2012; Ord. 2473 § 1, 2016)~~

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### **30.09.040 Persons responsible for the payment of storm drain system charges.**

~~The owner of any building, structure, premises or real property which has available for use with respect thereto the storm drain system of the city shall be responsible for the storm sewer charges pertaining to such property. Where more than one person owns the property, or any interest therein, each such owner shall be responsible jointly and severally for all of such charges irrespective of the relative rights as between themselves. (Ord. 2056 § 1, 2001; Ord. 2391 § 3, 2012; Ord. 2473 § 1, 2016)~~

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### **30.09.050 Schedule of charges.**

~~On and after August 1, 2005, the schedule of charges for storm drain system water quality shall be as follows:~~

<b>Residential</b>	<b>Monthly Rate per Sq. Ft.</b>
Single-family dwelling unit through quadplex dwelling unit	\$0.0002321
Multi-dwelling units, 5 or more	\$0.0004643
Mobile home unit	\$0.0004643
<b>Various</b>	-
Churches	\$0.0004643
Private day care	\$0.0002321
Group living	\$0.0002321
Commercial	\$0.0004643
Industrial	\$0.0008357
Open space and irrigation	\$0.0002321
Agriculture	\$0.0009284

**Note:** Square footage is equal to the parcel size. Vacant parcels are exempt from the storm sewer water quality charge.

(Ord. 2056 § 1, 2001; Ord. 2083 § 1, 2002; Ord. 2122 § 1, 2003; Ord. 2163 § 1, 2004; Ord. 2203 § 1, 2005; Ord. 2391 § 3, 2012; Ord. 2473 § 1, 2016)

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**30.09.060 City council authority.**

The city council may, by resolution, suspend or reinstate the levy of fees imposed by Section 30.09.050. (Ord. 2056 § 1, 2001; Ord. 2391 § 3, 2012; Ord. 2473 § 1, 2016)

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**30.09.070 Special charges.**

The city council is hereby empowered to direct the city manager or his/her delegate to make charges for storm sewer facilities other than, or different from, the rates established in this chapter, in the event that special circumstances make special charges reasonable and fair. (Ord. 2056 § 1, 2001; Ord. 2391 § 3, 2012; Ord. 2473 § 1, 2016)

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**30.09.080 Due date of charges—Delinquent accounts.**

All bills shall become due and payable on the date of presentation and shall become delinquent thirty days thereafter if not paid. (Ord. 2056 § 1, 2001; Ord. 2391 § 3, 2012; Ord. 2473 § 1, 2016)

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**30.09.090 Commencement of liability for charges.**

~~Liability for charges under this article shall commence upon annexation to the city. (Ord. 2056 § 1, 2001; Ord. 2391 § 3, 2012; Ord. 2473 § 1, 2016)~~

**30.09.100 No credit for vacancy.**

~~No credit, adjustment or refund will be made to any customer because the premises, or any part thereof, are vacant. (Ord. 2056 § 1, 2001; Ord. 2391 § 3, 2012; Ord. 2473 § 1, 2016)~~

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**30.09.110 Billing procedures.**

~~(a) — For all vacant land, single-family dwellings, duplexes, multiple-family units, mobile homes and other residential units, the billing shall be to the owner of the parcel as on the recorded deed.~~

~~(b) — For commercial or industrial parcels, provided each occupant is served by a separate meter, the billing shall be to the person specified by the owner of the parcel, and if not specified, then to the owner of the parcel.~~

~~(c) — In the event more than one commercial or industrial occupant is served through a single meter, the billing shall be to the owner of the parcel.~~

~~(d) — In all cases not specifically provided for above, or where the billing procedure specified above proves impractical or inconvenient, as determined by the finance director, the billing shall be to the owner who is ultimately responsible for the payment of the bill, as elsewhere specified in this article. (Ord. 2056 § 1, 2001; Ord. 2391 § 3, 2012; Ord. 2473 § 1, 2016)~~

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**30.09.120 Refunds.**

~~When any refund becomes due and owing by virtue of action of the city council or by virtue of any error made in ascertaining the charge applicable to any customer, the city's finance director is authorized to make such refund and to expend such public moneys from the specific fund established for the deposit of storm sewer facilities charges. (Ord. 2056 § 1, 2001; Ord. 2391 § 3, 2012; Ord. 2473 § 1, 2016)~~