

ORDINANCE NO. 119, 2009
OF THE COUNCIL OF THE CITY OF FORT COLLINS
AMENDING CHAPTER 26 OF
THE CODE OF THE CITY OF FORT COLLINS
TO REVISE STORMWATER PLANT INVESTMENT FEES

WHEREAS, Article XII Municipal Public Utilities, Section 6 Municipal Utility Rates and Finances, requires all net operating revenues of the City's utilities to be held within the respective utility's fund; and

WHEREAS, the City Council is empowered and directed by Article XII, Section 6, of the City Charter to fix, establish, maintain and provide for the collection of such rates, fees or charges for utility services furnished by the City as will produce revenues sufficient to pay the costs, expenses and other obligations of the storm water utility, as set forth therein; and

WHEREAS, Section 26-511(a) of the City Code requires that the City Manager review the rates and parameters of the Stormwater Plant Investment Fees annually and present them to City Council for approval no less frequently than biennially; and

WHEREAS, on November 20, 2007, the City Council adopted Ordinance No. 124, 2007, which established the stormwater plant investment fees now in effect; and

WHEREAS, the City Council has adopted stormwater basin master plans recommending stormwater facilities that are necessary to provide for the proper drainage and control of flood and surface waters within the City; and

WHEREAS, the City Council adopted Ordinance No. 168, 1998 determining that all developed lands within the City benefit by the installation of such stormwater facilities; and

WHEREAS, existing stormwater rate payers have paid for the design, right-of-way and construction of stormwater facilities identified in the drainage basin master plans that will benefit and be utilized by new development; and

WHEREAS, the City Council has determined that new development should pay its proportionate share of the costs of the stormwater infrastructure as it exists at the time of development; and

WHEREAS, the City Manager and City staff have recommended to the City Council the following adjustments to the Stormwater Plant Investment Fees to be effective January 1, 2010; and

WHEREAS, based on the foregoing, it is the desire of the City Council to amend Chapter 26 of the City Code to revise stormwater plant investment fees.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF FORT COLLINS as follows:

Section 1. That Section 26-512(2) of the Code of the City of Fort Collins is hereby amended to read as follows:

Sec. 26-512. Stormwater plant investment fees established.

...

- (2) *Plant investment fee base rate.* The stormwater plant investment fee base rate is ~~four thousand four hundred twenty~~ **six thousand three hundred thirteen** dollars (~~\$4,420~~**.\$6,313**) per gross acre of area.

...

Section 2. That the amendments to Chapter 26 of the City Code contained herein shall go into effect January 1, 2010.

Introduced, considered favorably on first reading, and ordered published this 20th day of October, A.D. 2009, and to be presented for final passage on the 3rd day of November, A.D. 2009.

Mayor

ATTEST:

City Clerk

Passed and adopted on final reading on the 3rd day of November, A.D. 2009.

Mayor

ATTEST:

City Clerk