



City Council City of Elk River

Ordinance No. 20 - 11

An Ordinance Amending Chapter 78 of the City of Elk River, Minnesota, City Code Regarding Calculation of Sewer Service Availability Charges and Water Availability Charges.

The City Council of the City of Elk River does hereby ordain as follows:

SECTION 1. That Section 78-189 of the City of Elk River Code of Ordinances shall be amended to read as follows:

Sec. 78-189. - Service availability charge.

(a) Purpose: The debt service for the wastewater treatment facility shall be recovered from new connections by a sewer service availability charge (SAC) assessed against new building units.

(b) *Applicability; payment; calculation.* The SAC shall be paid at the time at which a building permit or a sewer connection permit is issued for all buildings to be constructed or connected to the sewer system. No charge shall be due upon the issuance of a connection permit if a charge was paid upon issuance of a building permit. The SAC for each building or structure shall be equal to the number of SAC units times the SAC in effect at the time of the application.

(c) *Residential dwellings.* The SAC units for residential dwellings shall be calculated as follows:

- (1) Single-family houses, townhouses and duplex units: 1.0 unit.
- (2) Condominium and apartment units: 0.8 unit without individual laundry in their units.
- (3) Public housing units subsidized under any federal program for low- and moderate-income housing: 0.8 unit.

(d) *Commercial, public and institutional facilities.* The SAC units for commercial, public and institutional facilities shall be calculated in accordance with Appendix A-1 and Appendix A-2 of the then current Metropolitan Council Sewer Availability Charge Procedure Manual.

SECTION 2. That Section 78-41 of the City of Elk River Code of Ordinances shall be amended to read as follows:

Sec. 78-41. – Rates and charges generally.

- (a) There are established in the city:
 - (i) Water Access Charges, consisting of a water availability charge and a water connection charge; and
 - (ii) Water utility user charges and rates.

- (b) Water availability charges are due and payable at the time property service by the water utility is final platted into buildable lots.
- (c) Water connection charges are due and payable at the time of connection of a building to the water utility, or at the time connection is required to be made to the water utility pursuant to Section 78-21.
- (d) User charges and rates are due and payable in such amounts and at such times as required by the public utilities commission.
- (e) Each charge and/or rate shall be in the amount established by duly adopted resolution of the city council or the public utilities commission.
- (f) Water access charge units shall be calculated in the same manner as sewer service availability charges as provided in Section 78-189 of the city code.

(Ord. No. 09-02, § 1, 3-2-2009)

SECTION 3. That this ordinance shall take effect upon adoption and be published as provided by law.

Passed and adopted by the City Council of the City of Elk River this 19th day of October, 2020.

John J. Dietz, Mayor

ATTEST:

Tina Allard, City Clerk

