

AN ORDINANCE ESTABLISHING A STORM WATER DRAINAGE UTILITY  
WITHIN THE CITY OF OAK PARK HEIGHTS, DEALING WITH GENERAL  
RATES, CHARGES, BILLING AND COLLECTION PROCEDURES

THE CITY COUNCIL OF THE CITY OF OAK PARK HEIGHTS, WASHINGTON  
COUNTY, MINNESOTA DOES ORDAIN:

- 1602.01      Establishment.  
A storm water drainage utility for the City of Oak Park Heights is hereby established. The municipal storm water system shall be operated as a public utility pursuant to Minn. Stat. §444.075, from which revenues will be derived subject to the provisions of this chapter of the Minnesota Statutes. This storm water drainage utility will be part of the City Public Works Department and under the administration of the Director of Public Works.
- 1602.02      Purpose of Funds Derived and Allocation of Revenues.  
The purpose of all funds derived from the storm water drainage utility is to pay for all or part of the construction, reconstruction, repair, enlargement, improvement or other obtainment in the maintenance, operation and use of the storm sewer utility as established by the City of Oak Park Heights. All revenues derived from the storm water drainage utility fee shall be credited to the appropriate storm sewer fund.
- 1602.03      Storm Sewer Utility Fee.  
(a) A storm sewer utility fee for the connection and availability of storm sewer facility shall be determined by resolution of the City Council, from time to time, and shall be just and equitable. The charge for the connection and availability of storm sewer service may be imposed to all premises abutting on streets and other places where municipal storm sewers are located, whether or not connected to them.  
  
(b) The storm sewer utility fee for the use of the storm sewer facility shall be determined by resolution of the City Council, from time to time, and shall be just and equitable. Charges made for the use of facilities may be fixed by reference to a reasonable classification of the types of premises to which the service is furnished, or by reference to the quantity, pollution qualities, and difficulty of disposal of the water, or in any other equitable basis, including, but not without limitation, any combination of those referred to above.

- 1602.04      Adjustments.  
The City Council may adopt by resolution policies and standards for the adjustment of fees for parcels. Such adjustments shall not be made retroactive.
- 1602.05      Exemptions.  
(a)      Public rights-of-way are exempt from the fees established pursuant to this ordinance.
- 1602.06      Billings.  
Bills for charges for the fees shall be made by the Finance Department of the City of Oak Park Heights. All bills shall be payable at the office of the City Finance Director.
- 1602.07      Disputed Fees.  
If a property owner or person responsible for paying the fees questions the correctness of such charge, they may request an explanation or review of the bill within 90 days of the disputed bill. Such request shall be submitted to the Finance Director for a response.
- 1602.08      Collections.  
All fees are due on the due date specified by the City for their respective accounts, and shall be delinquent fifteen (15) days thereafter. It shall be the duty of the City to endeavor to promptly collect delinquent accounts, and in all such cases where satisfactory arrangements for payments have not been made, all such delinquent accounts shall be certified by the City Clerk, who shall prepare an assessment of the delinquent accounts against the property served or to be served. To each account there may be added certification charges in the amount provided for by City Council resolution from time to time. This assessment roll shall be delivered to the City Council for adoption prior to the final date for certification to the County for collection within the ensuing year's property taxes. Such action may be optional or subsequent to taking legal action to collect delinquent amounts.

Amended Section 1602.05: Deleted (b): Passed December 13, 2011

Amended Section 1602.07: Passed December 13, 2011