

**AN ORDINANCE ESTABLISHING A STORM WATER DRAINAGE UTILITY AND
AUTHORIZING THE IMPOSITION OF STORM WATER DRAINAGE**

The City Council of Bird Island does ordain:

Section 1. Establishment of Storm Water Drainage Utility

The municipal storm sewer system shall be conducted as a public utility pursuant to M.S. Section 444.075 from which revenues will be derived subject to the provisions of this Ordinance and said Minnesota Statutes. The storm water drainage utility shall be a part of the Water & Wastewater Departments. Just and reasonable charges for use, access, connection, and availability of storm sewer drainage facilities shall be established by the City Council and amended as needed by Resolution.

Section 2. Findings, Determinations and Purpose

In the exercise of its governmental authority and in order to promote the public health, safety, convenience and general welfare, the City has constructed, operated and maintained a storm drainage system ("the system"). This Ordinance is adopted in the further exercise of such authority and for the same purpose. It is necessary and desirable to provide a method of recovering some or all of the future costs of improving, maintaining and operating the system through the imposition of charges as provided in this Ordinance.

Section 3. Payments and Storm Drainage Utility Fund

There is hereby created a storm drainage utility fund, into which all charges, when collected, and all monies received from the sale of any facilities, equipment or any byproduct shall be placed. Such monies shall be used first to pay the normal, reasonable and current costs of operating and maintaining the facilities. Storm drainage charges shall be included on the monthly utility bill. Payment, late fees and collection policies for other utilities shall apply to storm water utility bills.

Section 4. Rates and Charges

All water and wastewater utility accounts with the City will be charged a flat rate of \$5.00 per month.

Section 5. Effective Date

This Ordinance shall become effective upon its passage and publication according to law.

Passed and duly adopted this 12 day of February, 2007 by the Bird Island City Council.

Deb Lingl
City Administrator

R. May
Mayor