

ORDINANCE NO. 14,115

AN ORDINANCE to amend the Municipal Code of the City of Des Moines, Iowa, 2000, adopted by Ordinance No. 13,827, passed June 5, 2000, by repealing Sections 21-70.07 and 118-214 thereof and enacting new Sections 21-70.07 and 118-214, relating to fee for connection to the Southeast Airport Area Trunk Sanitary Sewer.

Be It Ordained by the City Council of the City of Des Moines, Iowa:

Section 1. That the Municipal Code of the City of Des Moines, Iowa, 2000, adopted by Ordinance No. 13,827, passed June 5, 2000, is hereby amended by repealing Section 21-70.07 and 118-214 thereof and enacting new Sections 21-70.07 and 118-214, relating to fee for connection to the Southeast Airport Area Trunk Sanitary Sewer, as follows:

**Sec. 118-214. Fee for connection to the Southeast Airport Area Trunk Sanitary Sewer.**

(a) Pursuant to section 118-208 of this division, the Southeast Airport Trunk Sanitary Sewer Benefited District is established for the purpose of collecting within the district a fee from those property owners who shall make application to connect their properties to the sewer.

(b) The boundaries of the Southeast Airport Trunk Sanitary Sewer Benefited District shall be as described in article I of appendix G to this Code.

(c) A connection fee is established and imposed upon the owners of properties within the Southeast Airport Area Trunk Sanitary Sewer System Benefited District who shall make application to connect their properties to the sewer pursuant to section 118-208 of this division. The connection fee for the Southeast Airport Area Trunk Sanitary Sewer System Benefited District shall be \$2,968.02 for each acre of property connected to the trunk sewer during the period from July 1, 2002 to June 30, 2003. Thereafter, the per-acre connection fee for connections to the

sewer shall be annually adjusted as of July 1 of each year by applying interest thereto at the rate of nine percent per annum, simple interest, as per the following schedule:

Connection Fee		<u>For the Period</u>	
		From	To
1.	\$2,968.02 per acre	July 1, 2002	to June 30, 2003
2.	\$3,235.14 per acre	July 1, 2003	to June 30, 2004
3.	\$3,502.26 per acre	July 1, 2004	to June 30, 2005
4.	\$3,769.38 per acre	July 1, 2005	to June 30, 2006
5.	\$4,036.50 per acre	July 1, 2006	to June 30, 2007
6.	\$4,303.63 per acre	July 1, 2007	to June 30, 2008
7.	\$4,570.75 per acre	July 1, 2008	to June 30, 2009
8.	\$4,837.87 per acre	July 1, 2009	to June 30, 2010
9.	\$5,104.99 per acre	July 1, 2010	to June 30, 2011
10.	\$5,372.11 per acre	July 1, 2011	to June 30, 2012
11.	\$5,639.23 per acre	July 1, 2012	to June 30, 2013
12.	\$5,906.36 per acre	July 1, 2013	to June 30, 2014
13.	\$6,173.48 per acre	July 1, 2014	to June 30, 2015
14.	\$6,440.60 per acre	July 1, 2015	to June 30, 2016
15.	\$6,707.72 per acre	July 1, 2016	to June 30, 2017
16.	\$6,974.84 per acre	July 1, 2017	to June 30, 2018
17.	\$7,241.96 per acre	July 1, 2018	to June 30, 2019
18.	\$7,509.09 per acre	July 1, 2019	to June 30, 2020
19.	\$7,776.21 per acre	July 1, 2020	to June 30, 2021
20.	\$8,043.33 per acre	July 1, 2021	to June 30, 2022

Final Cost Analysis for the Southeast Airport Area Sanitary Trunk Sewer Connection Fee:

The per-acre connection fee applicable to all subsequent connections to the Southeast Airport Area Sanitary Trunk Sewer shall be established by applying interest to the previous year's per acre connection fee at the rate of nine percent per annum, simple interest. The schedule of connection fees shall be administered and applied as

provided in section 118-208 of this division.

(d) Single-family residences within the Southeast Airport Trunk Sanitary Sewer Benefited District, in existence or under construction upon the effective date of the ordinance from which this section derives, and located within the corporate limits are eligible for connection to the Southeast Airport Trunk Sanitary Sewer. Owners of such residences on parcels of less than one acre in size located within the city and within the benefited district may connect such residences to the Southeast Airport Trunk Sanitary Sewer upon approval of their application for connection, payment of the connection fee for the parcel, and construction of appropriate connection structures, as determined necessary by the city engineer. Owners of such residences on parcels in excess of one acre in size located within the city and within the benefited district may connect such residences to the Southeast Airport Trunk Sanitary Sewer upon approval of their application for connection, subdivision of the parcel into a residence parcel and an outlot, payment of the connection fee for the residence parcel, and construction of appropriate connection structures, as determined necessary by the city engineer. All other property located within the corporate limits and within the Southeast Airport Trunk Sanitary Sewer Benefited District shall be eligible for connection to the Southeast Airport Trunk Sanitary Sewer upon approval of an application for connection by the owner thereof and payment of the connection fee for such property, provided such property has been appropriately subdivided for development, and provided that all sanitary sewer improvements necessary to serve the property have been constructed and approved by the city.

**21-70.07. Southeast Airport Area Trunk Sanitary Sewer; fee for connection.**

(a) Pursuant to section 118-208 of the Municipal Code of Des Moines, Iowa, the Southeast Airport Trunk Sanitary Sewer Benefited District is hereby established for the purpose of collecting within said district a fee from those property owners who shall make application to connect their properties to said sewer.

(b) The boundaries of the Southeast Airport Trunk Sanitary Sewer Benefited District shall be as follows:

Beginning at a point on the north line of the northwest quarter of Section 32, Township 78 North, Range 24 West of the 5th P.M. said point being 25.00 feet west of the north quarter corner of said Section 32 said north quarter corner being at the intersection of Army Post Road and Fleur Drive; thence southerly along a line 25.00 feet west of and parallel with the west line of said northwest quarter of said Section 32 to the southeast corner of Lot 13 Wakonda Heights, an official plat; thence westerly along the south line of Lots 13 through 7 of said Wakonda Heights to the northwest corner of Lot 6 of Airport Commerce Park Plat 1, an official plat; thence southerly along the west line of said Lot 6 to the north right-of-way line of Rittenhouse Street; thence westerly along the north right-of-way line of Rittenhouse Street to a point on the northerly extension of the west line of Lot 5 of Airport Commerce Park Plat 1, an official plat; thence southerly along the west line of said Lot 5 and Lot 4 of Airport Commerce Park Plat 1, an official plat to a point 110.00 feet south of the northwest corner of said Lot 4; thence easterly 257.00 feet along a line 110.00 feet south of and parallel with the north line of said Lot 4; thence southerly 358.00 feet along a line parallel with and 257.00 feet east of the

west line of said Lot 4; thence easterly along a line parallel with the south line of said Lot 4 to the east line of said Lot 4; thence southerly along the east line of said Lot 4 to the southwest corner of said Lot 4 and the easterly extension of Lot 3 of Airport Commerce Park Plat 1, an official plat; thence easterly along the south line of said Lot 3 to the southeast corner of said Lot 3; thence continuing easterly along the extension of said Lot 3 to a point on the west right-of-way line of Fleur Drive said point being 33.00 feet west of the east line of said southwest quarter of Section 32; thence south along the west right-of-way line of Fleur Drive parallel with and 33.00 feet west of the east line of said southwest quarter of Section 32 to a point of the north right-of-way line of county line road said point being 33.00 feet north of the south line of said southwest quarter of Section 32; thence along the north right-of-way line of county line road said line being 33.00 feet north of and parallel with the south line of said southwest quarter of Section 32 to the west line of said southwest quarter of Section 32; thence northerly 180.00 feet along the west line of said southwest quarter of Section 32; thence northwesterly along a line to a point 250.00 feet west of the east line of the southeast quarter of Section 31, Township 78 North, Range 24 West of the 5th P.M. and 380.00 feet north of the south line of said southeast quarter of Section 31; thence northwesterly along a line to a point 1,180.00 feet west of the east line of said southeast quarter and 820.00 feet north of the south line of said southeast quarter of Section 31; thence northwesterly along a line to a point 660.00 feet east of the west line of said southeast quarter and 1,070.00 feet north of the south line of said southeast quarter of Section 31; thence northerly along a line 660.00 feet east of and parallel with the west line of said southeast quarter to the north line of said

southeast quarter of Section 31; thence northerly 140.00 feet along a line 660.00 feet east of and parallel with the west line of the northeast quarter of said Section 31; thence westerly along a line 140.00 feet north of and parallel with the south line of said northeast quarter of Section 31 to the west line of said northeast quarter of Section 31; thence northerly along the west line of said northeast quarter of Section 31 to the north line of said northeast quarter of Section 31; thence easterly along the north line of said northeast quarter of Section 31 to the east line of said northeast quarter of Section 31; thence easterly along the north line of said northwest quarter of Section 32 to the point of beginning, all now included in and forming part of the City of Des Moines, Polk County, Iowa;

and

The northwest quarter of the northwest quarter of Section 5, Township 77 North, Range 24 West of the 5th P.M., all now included in and forming part of Warren County, Iowa.

Sec. 2. This ordinance shall be in full force and effect from and after its passage and publication as provided by law.

FORM APPROVED:

Terrence L. Timmins, Deputy City Attorney

Preston A. Daniels, Mayor

Attest:

I, Donna V. Boetel-Baker, City Clerk of the City of Des Moines, Iowa, hereby certify that the above and foregoing is a true copy of an ordinance (Roll Call No. 02-1714), passed by the City Council of said City at a meeting held July 8, 2002 signed by the Mayor on July 8, 2002 and published as provided by law in the Business Record on July 22, 2002 Authorized by Publication Order No. 3333.

Donna V. Boetel-Baker, City Clerk