

ORDINANCE NO. 14,887

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, amended by Ordinance No. 13,849 passed August 7, 2000, and Ordinance No. 13,964 passed July 9, 2001, and Ordinance No. 14,115 passed July 28, 2002 and Ordinance No. 14,253 passed July 28, 2003 by amending Sections 118-210, 118-211, 118-212, 118-213, 118-214 and 118-215, relating to connection fees for the Easter Lake Area, Four Mile East, Northwest Airport Area, Southwest Airport Area, Southeast Airport Area and Northeast Four Mile Area Trunk Sanitary Sewer System Benefited Districts.

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, amended by Ordinance No. 13,849 passed August 7, 2000, and Ordinance No. 13,964 passed July 9, 2001, and Ordinance No. 14,115 passed July 28, 2002 and Ordinance No. 14,253 passed July 28, 2003 is hereby amended by amending Sections 118-210, 118-211, 118-212, 118-213, 118-214 and 118-215, relating to connection fees for the Easter Lake Area, Four Mile East, Northwest Airport Area, Southwest Airport Area, Southeast Airport Area and Northeast Four Mile Area Trunk Sanitary Sewer System Benefited Districts, as follows:

Sec. 118-210. Fee for connection to Four Mile East Trunk Sewer.

- (a) Pursuant to section 118-208 of this division the Four Mile East Trunk Sewer Benefited District is established for the purpose of collecting within such district a fee from those property owners who shall make application to connect their properties to the sewer.
- (b) The boundaries of the Four Mile East Trunk 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 Four Mile East Trunk Sewer 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 Four Mile East Benefited District shall be \$1,135.00 for each acre of property connected to the trunk sewer during the period from initial enactment of the connection fee on September 6, 1994 until July 1, 1995. Thereafter, the per-acre connection fee for connections to the sewer shall be annually adjusted as of July 1 of each year by applying simple interest thereto at the rate of nine percent per annum, simple interest until July 1, 2009 and then at five percent per annum, simple interest, as per the following schedule:

Connection Fee Per Acre	For the Period	
	From	To
\$1,134.66	July 1, 1995	June 30, 1996

\$1,236.78	July 1, 1996	June 30, 1997
\$1,338.90	July 1, 1997	June 30, 1998
\$1,441.02	July 1, 1998	June 30, 1999
\$1,543.14	July 1, 1999	June 30, 2000
\$1,645.26	July 1, 2000	June 30, 2001
\$1,747.38	July 1, 2001	June 30, 2002
\$1,849.50	July 1, 2002	June 30, 2003
\$1,951.62	July 1, 2003	June 30, 2004
\$2,053.74	July 1, 2004	June 30, 2005
\$2,155.86	July 1, 2005	June 30, 2006
\$2,257.98	July 1, 2006	June 30, 2007
\$2,360.10	July 1, 2007	June 30, 2008
\$2,462.22	July 1, 2008	June 30, 2009
\$2,518.95	July 1, 2009	June 30, 2010
\$2,575.68	July 1, 2010	June 30, 2011
\$2,632.41	July 1, 2011	June 30, 2012
\$2,689.14	July 1, 2012	June 30, 2013
\$2,745.88	July 1, 2013	June 30, 2014
\$2,802.61	July 1, 2014	June 30, 2015 and after

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 Four Mile East Trunk 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 major sanitary sewer facility. 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 Four Mile East Trunk 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, and 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 Four Mile East Trunk 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 Four Mile East Trunk Sewer Benefited District shall be eligible for connection to the Four Mile East Trunk 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. The city council may, pursuant to agreement with the city of Pleasant Hill, authorize the connection of properties outside the corporate limits of Des Moines to the Four Mile East Trunk Sewer. Upon council approval of such agreement, the properties outside the corporate limits of Des Moines identified in such agreement shall be eligible to connect to the Four Mile East Trunk Sewer.

Sec. 118-211. Fee for connection to Easter Lake Area Trunk Sewers.

- (a) Pursuant to section 118-208 of this division, the Easter Lake Area Trunk Sewers

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 Easter Lake Area Trunk Sewers 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 Easter Lake Area Trunk Sewers Benefited District who shall make application to connect their properties to the sewer pursuant to section 118-208 of this division. The initial connection fee for the Easter Lake Area Benefited District shall be \$2,088.24 for each acre of property connected to the trunk sewer during the period from initial enactment of the connection fee on October 3, 1994 until July 1, 1995. Thereafter, the per-acre connection fee for connections to the sewer shall be annually adjusted as of July 1 of each year by applying simple interest thereto at the rate of nine percent per annum, simple interest until July 1, 2009 and then at five percent per annum, simple interest, as per the following schedule:

Connection Fee Per Acre	For the Period	
	From	To
\$1,749.02	July 1, 1995	June 30, 1996
\$1,906.43	July 1, 1996	June 30, 1997
\$2,063.84	July 1, 1997	June 30, 1998
\$2,221.25	July 1, 1998	June 30, 1999
\$2,378.66	July 1, 1999	June 30, 2000
\$2,536.07	July 1, 2000	June 30, 2001
\$2,693.48	July 1, 2001	June 30, 2002
\$2,850.90	July 1, 2002	June 30, 2003
\$3,008.31	July 1, 2003	June 30, 2004
\$3,165.72	July 1, 2004	June 30, 2005
\$3,323.13	July 1, 2005	June 30, 2006
\$3,480.54	July 1, 2006	June 30, 2007
\$3,637.95	July 1, 2007	June 30, 2008
\$3,795.36	July 1, 2008	June 30, 2009
\$3,882.82	July 1, 2009	June 30, 2010
\$3,970.28	July 1, 2010	June 30, 2011
\$4,057.73	July 1, 2011	June 30, 2012
\$4,145.18	July 1, 2012	June 30, 2013
\$4,232.63	July 1, 2013	June 30, 2014
\$4,320.08	July 1, 2014	June 30, 2015 and after

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 Easter Lake Area Trunk Sewers 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 Easter Lake Area Trunk Sewers. 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 Easter Lake Area Trunk Sewers 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 Easter Lake Area Trunk Sewers 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 Easter Lake Area Trunk Sewers Benefited District shall be eligible for connection to the Easter Lake Area Trunk Sewers 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.

Sec. 118-212. Fee for connection to Southwest Airport Area Trunk Sanitary Sewer System.

- (a) Pursuant to section 118-208 of this division, the Southwest Airport Area Trunk Sanitary Sewer System 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 Southwest Airport Area Trunk Sanitary Sewer System 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 Southwest 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 Southwest Airport Trunk Sanitary Sewer System Benefited District shall be \$1,840.51 for each acre of property connected to the trunk sewer during the period from initial enactment of the connection fee on July 16, 2001 to June 30, 2002. Thereafter, the per-acre connection fee for connections to the sewer shall be annually adjusted as of July 1 of each year by applying simple interest thereto at the rate of nine percent per annum, simple interest until July 1, 2009 and then at five percent per annum, simple interest, as per the following schedule:

Connection Fee Per Acre	For the Period	
	From	To
\$1,840.51	July 16, 2001	June 30, 2002
\$2,006.15	July 1, 2002	June 30, 2003
\$2,171.80	July 1, 2003	June 30, 2004
\$2,337.44	July 1, 2004	June 30, 2005
\$2,503.09	July 1, 2005	June 30, 2006
\$2,668.73	July 1, 2006	June 30, 2007
\$2,834.38	July 1, 2007	June 30, 2008
\$3,000.03	July 1, 2008	June 30, 2009
\$3,092.06	July 1, 2009	June 30, 2010
\$3,184.08	July 1, 2010	June 30, 2011
\$3,276.11	July 1, 2011	June 30, 2012
\$3,368.13	July 1, 2012	June 30, 2013
\$3,460.16	July 1, 2013	June 30, 2014
\$3,552.18	July 1, 2014	June 30, 2015
\$3,644.21	July 1, 2015	June 30, 2016

\$3,736.24	July 1, 2016	June 30, 2017
\$3,828.26	July 1, 2017	June 30, 2018
\$3,920.29	July 1, 2018	June 30, 2019
\$4,012.31	July 1, 2019	June 30, 2020
\$4,104.34	July 1, 2020	June 30, 2021 and after

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 Southwest Airport Area Trunk Sanitary Sewer System 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 Southwest Airport Trunk Sanitary Sewers. 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 Southwest Airport Area Trunk Sanitary Sewers 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 Southwest Airport Area Trunk Sanitary Sewers 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 Southwest Airport Area Trunk Sanitary Sewer System Benefited District shall be eligible for connection to the Southwest Airport Area Trunk Sanitary Sewers 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.

Sec. 118-213. Fee for connection to the Northwest Airport Area Trunk Sanitary Sewer System.

- (a) Pursuant to section 118-208 of this division, the Northwest Airport Area Trunk Sanitary Sewer System 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 Northwest Airport Area Trunk Sanitary Sewer System 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 Northwest 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 Northwest Airport Area Trunk Sanitary Sewer System Benefited District shall be \$1,825.69 for each acre of property connected to the trunk sewer during the period from initial enactment of the connection fee on July 16, 2001 to June 30, 2002. Thereafter, the per-acre connection fee for connections to the sewer shall be annually adjusted as of July 1 of each year by applying simple interest thereto at the rate of nine percent per annum, simple interest until July 1, 2009 and then at five percent per annum, simple interest, as per the following schedule:

	For the Period
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Connection Fee Per Acre	From	To
\$1,825.69	July 16, 2001	June 30, 2002
\$1,990.00	July 1, 2002	June 30, 2003
\$2,154.32	July 1, 2003	June 30, 2004
\$2,318.63	July 1, 2004	June 30, 2005
\$2,482.94	July 1, 2005	June 30, 2006
\$2,647.25	July 1, 2006	June 30, 2007
\$2,811.57	July 1, 2007	June 30, 2008
\$2,975.88	July 1, 2008	June 30, 2009
\$3,067.16	July 1, 2009	June 30, 2010
\$3,158.44	July 1, 2010	June 30, 2011
\$3,249.73	July 1, 2011	June 30, 2012
\$3,341.01	July 1, 2012	June 30, 2013
\$3,432.30	July 1, 2013	June 30, 2014
\$3,523.58	July 1, 2014	June 30, 2015
\$3,614.87	July 1, 2015	June 30, 2016
\$3,706.15	July 1, 2016	June 30, 2017
\$3,797.44	July 1, 2017	June 30, 2018
\$3,888.72	July 1, 2018	June 30, 2019
\$3,980.00	July 1, 2019	June 30, 2020
\$4,071.29	July 1, 2020	June 30, 2021 and after

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 Northwest Airport Area Trunk Sanitary Sewer System 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 Northwest Airport Area Trunk Sanitary Sewers. 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 Northwest Airport Area Trunk Sanitary Sewers 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 Northwest Airport Area Trunk Sanitary Sewers 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 Northwest Airport Area Trunk Sanitary Sewer System Benefited District shall be eligible for connection to the Northwest Airport Area Trunk Sanitary Sewers 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.

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 simple interest thereto at the rate of nine percent per annum, simple interest until July 1, 2009 and then at five percent per annum, simple interest, as per the following schedule:

Connection Fee Per Acre	For the Period	
	From	To
\$2,968.02	July 1, 2002	June 30, 2003
\$3,235.14	July 1, 2003	June 30, 2004
\$3,502.26	July 1, 2004	June 30, 2005
\$3,769.38	July 1, 2005	June 30, 2006
\$4,036.50	July 1, 2006	June 30, 2007
\$4,303.63	July 1, 2007	June 30, 2008
\$4,570.75	July 1, 2008	June 30, 2009
\$4,719.15	July 1, 2009	June 30, 2010
\$4,867.55	July 1, 2010	June 30, 2011
\$5,015.95	July 1, 2011	June 30, 2012
\$5,164.35	July 1, 2012	June 30, 2013
\$5,312.76	July 1, 2013	June 30, 2014
\$5,461.16	July 1, 2014	June 30, 2015
\$5,609.56	July 1, 2015	June 30, 2016
\$5,757.96	July 1, 2016	June 30, 2017
\$5,906.36	July 1, 2017	June 30, 2018
\$6,054.76	July 1, 2018	June 30, 2019
\$6,203.16	July 1, 2019	June 30, 2020
\$6,351.56	July 1, 2020	June 30, 2021
\$6,499.96	July 1, 2021	June 30, 2022 and after

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.

Sec. 118-215. Fee for connection to the Northeast Four Mile Area Trunk Sanitary Sewer System Benefited District.

- (a) Pursuant to section 118-215 of this division the Northeast Four Mile Area Trunk Sanitary Sewer System Benefited District is established for the purpose of collecting within such district a fee from those property owners who shall make application to connect their properties to the sewer.
- (b) The boundaries of the Northeast Four Mile Area 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 Northeast Four Mile Area Trunk Sanitary Sewer System Benefited District who shall make application to connect their properties to the sewer pursuant to section 118-215 of this division. The connection fee for the Four Mile East Benefited District shall be \$2,241.47 for each acre of property connected to the trunk sewer during the period from July 1, 2003 to June 30, 2004. Thereafter, the per-acre connection fee for connections to the sewer shall be annually adjusted as of July 1 of each year by applying simple interest thereto at the rate of nine percent per annum, simple interest until July 1, 2009 and then at five percent per annum, simple interest, as per the following schedule:

Connection Fee Per Acre	For the Period	
	From	To
\$2,241.47	July 1, 2003	June 30, 2004
\$2,443.21	July 1, 2004	June 30, 2005
\$2,644.94	July 1, 2005	June 30, 2006
\$2,846.67	July 1, 2006	June 30, 2007
\$3,048.40	July 1, 2007	June 30, 2008
\$3,250.14	July 1, 2008	June 30, 2009
\$3,362.21	July 1, 2009	June 30, 2010
\$3,474.28	July 1, 2010	June 30, 2011
\$3,586.35	July 1, 2011	June 30, 2012
\$3,698.43	July 1, 2012	June 30, 2013
\$3,810.50	July 1, 2013	June 30, 2014
\$3,922.57	July 1, 2014	June 30, 2015
\$4,034.65	July 1, 2015	June 30, 2016
\$4,146.72	July 1, 2016	June 30, 2017
\$4,258.79	July 1, 2017	June 30, 2018

\$4,370.87	July 1, 2018	June 30, 2019
\$4,482.94	July 1, 2019	June 30, 2020
\$4,595.01	July 1, 2020	June 30, 2021
\$4,707.09	July 1, 2021	June 30, 2022
\$4,819.16	July 1, 2022	June 30, 2023 and after

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 Northeast Four Mile Area Trunk Sanitary Sewer System 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 major sanitary sewer facility. 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 Northeast Four Mile Area 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, and 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 Northeast Four Mile Area 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 Northeast Four Mile Area Trunk Sanitary Sewer System Benefited District shall be eligible for connection to the Northeast Four Mile Area 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. The city council may, pursuant to agreement with another governmental entity, authorize the connection of properties outside the corporate limits of Des Moines to the Northeast Four Mile Area Trunk Sanitary Sewer. Upon council approval of such agreement, the properties outside the corporate limits of Des Moines identified in such agreement shall be eligible to connect to the Northeast Four Mile Area Trunk Sanitary Sewer.

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

FORM APPROVED:

Glenna K. Frank, Assistant City Attorney

T. M. Franklin Cownie, Mayor

Attest:

I, Diane Rauh, 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. 09-1704), passed by the City Council of said City at a meeting held September 14, 2009, signed by the Mayor on September 14, 2009 and published as provided by law in the Business Record on September 28, 2009. Authorized by Publication Order No. 6645.

Diane Rauh
City Clerk