

★ **Roll Call Number**

Agenda Item Number

68 A

Date September 14, 2009

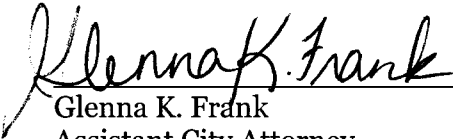
An Ordinance entitled, "AN ORDINANCE to amend the Municipal Code of the City of Des Moines, Iowa, 2000, adopted by Ordinance No. 13,827, passed June 5, 2000, amended by Ordinance No. 14,435 passed April 25, 2005, by amending Section 118-217, relating to the connection fees for Clover Hill Area Trunk Sanitary Sewer System Benefited District",

presented.

Moved by _____ that this ordinance be considered and given first vote for passage.

FORM APPROVED:

(First of three required readings)


Glenna K. Frank
Assistant City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
COLEMAN				
HENSLEY				
KIERNAN				
MAHAFFEY				
MEYER				
VLASSIS				
TOTAL				
MOTION CARRIED			APPROVED	
_____ Mayor				

CERTIFICATE

I, DIANE RAUH, City Clerk of said City hereby certify that at a meeting of the City Council of said City of Des Moines, held on the above date, among other proceedings the above was adopted.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal the day and year first above written.

_____ City Clerk

68 A

ORDINANCE NO. _____

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. 14,435 passed April 25, 2005, by amending Section 118-217, relating to the connection fees for Clover Hill Area Trunk Sanitary Sewer System Benefited District.

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. 14,435 passed April 25, 2005, is hereby amended by amending Section 118-217 relating to the connection fees for Clover Hill Area Trunk Sanitary Sewer System Benefited District, as follows:

Sec. 118-217. Fee for connection to the Clover Hill Area Trunk Sanitary Sewer System Benefited District.

- (a) Pursuant to section 118-208 of this division the Clover Hill 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 Clover Hill 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 Clover Hill Area Trunk Sanitary Sewer System Benefited District who shall ~~hereafter~~ make application to connect their properties to the sewer pursuant to Section 118-208 of this division. The connection fee for the Clover Hill Benefited District shall be \$3,410.232,771.05 for each acre of property ~~for which application is hereafter made for connection to said~~ connected to the trunk sewer during the period from July 1, 2009 to June 30, 2010. ~~Thereafter, the per-acre connection fee for connections to the sewer shall be annually adjusted; Provided, however, that upon completion of construction of said sewer, the said connection fee shall be subject to adjustment if the actual cost of constructing said sewer is less than the estimated cost thereof; And further provided that upon completion of the construction of said~~

~~sewer, it is the City's intention to amend this provision to include a schedule of connection fees herein, pursuant to which there will be an annual adjustment of the connection fee as of July 1st of each year, increasing the connection fee in each subsequent year by applying simple interest thereto at the rate of 9% five percent per annum, simple interest, as per the following schedule:~~

<u>Connection Fee</u> <u>Per Acre</u>	<u>For the Period</u>	
	<u>From</u>	<u>To</u>
\$2,771.05	July 1, 2009	June 30, 2010
\$2,909.60	July 1, 2010	June 30, 2011
\$3,048.16	July 1, 2011	June 30, 2012
\$3,186.71	July 1, 2012	June 30, 2013
\$3,325.26	July 1, 2013	June 30, 2014
\$3,463.81	July 1, 2014	June 30, 2015
\$3,602.37	July 1, 2015	June 30, 2016
\$3,740.92	July 1, 2016	June 30, 2017
\$3,879.47	July 1, 2017	June 30, 2018
\$4,018.02	July 1, 2018	June 30, 2019
\$4,156.58	July 1, 2019	June 30, 2020
\$4,295.13	July 1, 2020	June 30, 2021
\$4,433.68	July 1, 2021	June 30, 2022
\$4,572.23	July 1, 2022	June 30, 2023
\$4,710.79	July 1, 2023	June 30, 2024
\$4,849.34	July 1, 2024	June 30, 2025
\$4,987.89	July 1, 2025	June 30, 2026
\$5,126.44	July 1, 2026	June 30, 2027
\$5,265.00	July 1, 2027	June 30, 2028
\$5,403.55	July 1, 2028	June 30, 2029 and after

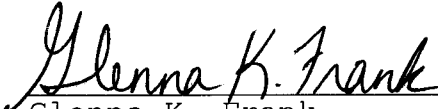
The schedule of connection fees shall be administered and applied in section 118-208 of this division.

- (d) Single-family residences within the Clover Hill 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 Clover Hill 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 Clover Hill 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 Clover Hill Area Trunk Sanitary Sewer System Benefited District shall be eligible for connection to the Clover Hill 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.

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