



**Roll Call Number**

**Agenda Item Number**

63

**Date** April 15, 2024

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, as heretofore amended, is hereby amended, by amending Section 118-275(d), relating to the volume charge for sewer services rate to be applied to residential and nonresidential properties",

presented. **(Council Communication No. 24-152)**

Moved by \_\_\_\_\_ that this ordinance be considered and given first vote for passage. Seconded by \_\_\_\_\_.

FORM APPROVED:

(First of three required readings)

  
Thomas G. Fisher Jr.  
Assistant City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
BOESEN				
SIMONSON				
VOSS				
COLEMAN				
WESTERGAARD				
MANDELBAUM				
GATTO				
TOTAL				
MOTION CARRIED			APPROVED	

**CERTIFICATE**

I, LAURA BAUMGARTNER, 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.

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
City Clerk

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, as heretofore amended, by amending Section 118-275(d), relating to the volume charge for sewer services rate to be applied to residential and nonresidential properties.

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, as heretofore amended, by amending Section 118-275(d), relating to the volume charge for sewer services rate to be applied to residential and nonresidential properties, as follows:

**Sec. 118-275. Establishment of ERU, ERU rate and stormwater management charge.**

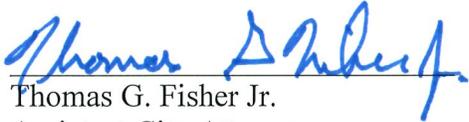
- (a) For purposes of this division, an ERU shall be equivalent to 2,349 square feet of impervious property.
- (b) Except as provided in this division, every contributor owning or occupying a single-family residential property, a multifamily residential property, an unclassified residential property, or a nonresidential property, other than exempt property, shall pay to the city at the office of the city's collection agent, at the same time payment is made for water service, a stormwater management charge to be determined and billed as provided in this division. In the event the owner and the occupant of a particular property are not the same, the liability for payment of the stormwater management charge attributable to that property shall be joint and several as to the owner and occupant. The stormwater management charge shall be a monthly service charge and shall be determined by this division and the ERU and ERU rate which is established in this division and from time to time adjusted as provided in this division.
- (c) The stormwater management charges provided in sections 118-276 through 118-279 of this division shall be applied and computed for each contributor during the customary billing periods as to all bills mailed by the city's collection agent, and such charges shall thereafter be paid and collected as provided in this division.
- (d) The ERU rate to be applied to residential and nonresidential properties shall be as follows:

From	To	ERU Rate
<u>January 1, 2022</u>	<u>December 31, 2022</u>	<u>\$15.87</u>
<u>January 1, 2023</u>	<u>June 30, 2023</u>	<u>\$16.35</u>
July 1, 2023	<u>June 30, 2024</u>	\$17.17
<u>July 1, 2024</u>	<u>June 30, 2025</u>	<u>\$18.20</u>
<u>July 1, 2025</u>		<u>\$19.29</u>

- (e) The director shall periodically review the ERU rate and/or budget for the stormwater management utility system. If at any time the director determines that the ERU rate and/or the budget for the stormwater management utility system requires adjustment, the director shall report such determination to the city manager and city council. The city council may at any time adjust the ERU rate by adoption of an ordinance amending this section, and may at any time adjust the budget for the stormwater management utility system by adoption of an appropriate resolution.
- (f) No revenues generated by the stormwater utility user fee shall be used for any purpose other than stormwater expenses.

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

FORM APPROVED:



Thomas G. Fisher Jr.  
Assistant City Attorney