



Monroe County Board of Commissioners Agenda Request Form

Date to be heard

Formal

Work session

Department

Title to appear on Agenda:

Vendor #

Executive Summary:

Fund Name(s):

Fund Number(s):

Amount(s)

Presenter:

Speaker(s) for Zoom purposes:

Name(s)

Phone Number(s)

(the speaker phone numbers will be removed from the document prior to posting)

Attorney who reviewed:

Ordinance 2021-03

An ordinance amending the stormwater system ERU rate.

WHEREAS, the Indiana Code 8-1.5-5-7 authorizes the establishment of a stormwater system user fee;

WHEREAS, in 2013, the Board of Commissioners of the County of Monroe, Indiana (“Commissioners”), established a stormwater user fee based on the Equivalent Residential Unit (“ERU”) rate of thirty-five dollars and sixteen cents (\$35.16);

WHEREAS, the stormwater user fee has not been increased since its 2013 adoption;

WHEREAS, the Monroe County Stormwater Management Board (“Board”) has recently caused a stormwater user fee rate study (“Study”) to be conducted;

WHEREAS, the Study is based on a consideration of several work programs (“Programs”) that are supported by the Monroe County Long Range Stormwater Improvement Plan, the increasing costs of maintenance and construction, staffing needs, and equipment purchase and maintenance costs;

WHEREAS, the Study resulted in fee rate determinations for each of the Programs that were considered;

WHEREAS, the Board has reviewed the Programs and the fee rate determinations and have recommended increasing the ERU rate to Seventy-Five Dollars and Seventy-Seven Cents (\$ 75.77) to cover the cost of the Program option it recommends;

WHEREAS, the Board conducted a public hearing on the recommended ERU rate on December 8, 2020;

WHEREAS, the Monroe County Council has approved the Board’s recommendation; and,

WHEREAS, the Commissioners find and conclude that the recommended ERU rate of Seventy-Five Dollars and Seventy-Seven Cents (\$ 75.77) represents the minimum rate necessary to fund the operation and maintenance of the Monroe County stormwater system and the Board’s recommended Program;

NOW, THEREFORE, BE IT ORDAINED by the Commissioners as follows:

Section 1. Monroe County Code 766-3(b) shall be, and hereby is, amended to read as follows:

766-3 Stormwater System User Fee and Fee Structure

....

- (B) Fee for Residentially Developed Property. The Stormwater System User Fee for a Residentially Developed Property is a flat rate fee of Seventy-Five Dollars and Seventy-Seven Cents (\$ 75.77), which is the rate for one Equivalent Residential Unit (“ERU Rate”).

Section 2. Monroe County Code 766-3(c) shall be, and hereby is, amended to read as follows:

766-3 Stormwater System User Fee and Fee Structure

....

- (C) Fee for Non-Residential Developed Property. The Stormwater System User Fee for a Non-Residential Developed Property shall be calculated by dividing the total impervious surface area of the property by one ERU (i.e., 5,200 square feet), and by multiplying the dividend by the ERU Rate (i.e., \$ 75.77). Calculations of the annual Fee for a Non-Residential Developed Property shall be made to the nearest cent, except the Fee shall not be less than the amount charged for Residentially Developed Property. If a Non-Residential Developed Property has less than 1,000 square feet of impervious surface area, it shall not be subject to this Fee. The Fee billing statement shall set forth the impervious surface area determination and shall constitute notice of that determination to the property owner.

Section 3. This ordinance shall take effect upon adoption.

[end of page]

SO APPROVED AND ORDAINED by the Commissioners this ____ day
of _____, 2021.

AYE VOTES

NAY VOTES

JULIE THOMAS, President

JULIE THOMAS, President

LEE JONES, Vice President

LEE JONES, Vice President

PENNY GITHENS

PENNY GITHENS

ATTEST:

CATHERINE SMITH, Auditor