

COMMISSION RESOLUTION NO. 4590

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF BOZEMAN, MONTANA, ESTABLISHING RATES FOR STORMWATER SERVICE FOR THE CITY OF BOZEMAN.

WHEREAS, the City Commission of the City of Bozeman, has created a Stormwater Utility by the adoption of Ordinance No. 1831; and

WHEREAS, the Commission heard presentations and took public comment regarding the revision of stormwater rates and charges to include a flat rate, a variable rate, and a rate credit on April 21, 2014 and February 23, 2015; and

WHEREAS, The City's average single-family residential property has 2,700 square feet of impervious area with limited variation between individual residential properties and the average. The establishment of an Equivalent Residential Unit square footage of 2,700 square feet for stormwater charges is appropriate; and

WHEREAS, certain properties that are connected to stormwater infrastructure have mitigated some of the costs of stormwater service and should receive a monthly credit; and

WHEREAS, the City Commission of the City of Bozeman, following notice and public hearing established a new Rate Schedule for the Stormwater Fund.

NOW, THEREFORE, BE IT RESOLVED by the City Commission of the City of Bozeman, Montana, that the new rates for stormwater services shall be as follows:

Section 1 – Flat Rate Charge

All properties located within the city limits with a city water meter installed shall be billed a flat rate charge of \$3.23 per month for each water meter service.

Properties within the city limits that do not have water meters may be assigned the flat rate charge, if it is determined that their property contains impervious area.

Based on a 30-day month, this charge shall become effective beginning with the bills mailed in May 2015 and due in June 2015.

Section 2 – Establishment of the Impervious Area Equivalent Residential Unit (ERU)

An Equivalent Residential Unit (ERU) size of 2,700 square feet of impervious area is hereby adopted.

- A. Regardless of actual size, each single-family residential lot is assigned an ERU = 1.0.
- B. Each multi family, commercial, business, government or other property will be assigned a number of ERUs by dividing the amount of impervious area by 2,700 square feet.
- C. At no point will any property be assigned an ERU of less than 1.0.

The records of impervious area will be made and kept by the City's Stormwater Department.

Section 3 – Variable Rate Charge

All properties located within the city limits shall be billed a variable rate charge of \$2.68 per month for each Equivalent Residential Unit, as determined under Section 2.

Based on a 30-day month, this charge shall become effective beginning with the bills mailed in December 2015 and due in January 2016.

Section 4 – Credit for Properties with Existing Stormwater Infrastructure

Select properties located within the city limits shall receive a monthly credit (deduction) equal to \$1.20 per ERU if determined to have or directly contribute to stormwater infrastructure meeting current engineering design standards.

Based on a 30-day month, this charge shall become effective beginning with the bills mailed in December 2015 and due in January 2016.

The records of stormwater infrastructure and determination of any associated credit will be made and kept by the City's Stormwater Department.

Section 5 - Low Income Charge Assistance

Customers who apply for and qualify under the State's Low Income Property Tax Assistance Program, as set forth in Section 15-6-134 MCA, will receive a credit equal to their monthly stormwater flat rate charge listed above.

Section 6 – Billing Procedures

Explanatory note: Except as noted in Section 5, each customer shall pay a minimum monthly bill which includes the flat rate charge (Section 1) plus a variable rate charge (Section 3). For properties that have or directly contribute to stormwater infrastructure meeting current engineering design standards, a Credit will be granted.

Charges for stormwater services under this schedule shall be made a part of the current monthly water bill, to be shown by separate items on such bill. Separate payment of either the charge for the water, wastewater, or stormwater service will not be accepted without prior approval of the Director of Administrative Services.

Charges for stormwater service become due and payable upon receipt of the bill. If any bill is not paid on or before the fifteenth day of that month, it will then become delinquent; and if not paid in full by the fifteenth day of the following month, water service to the premises involved may be discontinued (shut-off), after a ten-day written notice. A charge of twenty five dollars (\$25.00) shall be made for any account requiring written shut-off notice. An additional charge of twenty-five dollars (\$25.00) during regular business hours or seventy-five dollars (\$75.00) during non-business hours shall be made for reinstating a water service which has been discontinued for non-payment of water, wastewater and/or stormwater service charges.

Section 7 – Late Fee

For those accounts that become delinquent, a 1.5 percent (1.5%) late fee will be assessed on the next bill. The minimum late fee shall be \$1.00.

Section 8 – Protests

In cases where stormwater service charges under this schedule are claimed to be unfair, unreasonable, or not in proportion to charges made to other stormwater customers, the person or persons against whom such charges are made may apply to the City Manager for an adjustment, stating the circumstances. The City Manager, or his designated representative, may make such adjustment of the stormwater charges as is deemed necessary, fair and equitable.

PASSED AND ADOPTED by the City Commission of the City of Bozeman, Montana, at a regular session thereof held on the 13th day of April, 2015; and effective beginning with that billing period which will first appear on the May 2015 stormwater billing.



JEFFREY K. KRAUSS
Mayor


ATTEST:



STACY ULMEN, CMC
City Clerk



APPROVED AS TO FORM:



GREG SULLIVAN
City Attorney