

CONSTRUCTION FEE RESOLUTION FOR 8" SEWER MAIN IN ELYSIAN HEIGHTS CONSTRUCTED AS PART OF SUBDIVISION IMPROVEMENTS.

WHEREAS, the City of Rapid City required as part of the subdivision improvements for Elysian Heights Subdivision (Growth Management File DEV06-849) that the Developer install an 8" sewer line at a deeper depth than he otherwise would have been required to in order to allow the line to serve properties outside his development; and

WHEREAS, the City paid \$85,000 to build the deeper sewer main to serve additional properties outside the development; and

WHEREAS, Sections 13.08.365 of the Rapid City Municipal Code and SDCL 9-48-15 authorize the City Council to require properties benefited by a main or trunk sewer to pay their proportionate share of the cost to construct such sewer by imposing sewer construction fees; and

WHEREAS, The City's Public Works Director is recommending the City's portion of the cost to construct this main be paid by the properties which will benefit from its construction prior to such properties being served by the City's sewer system; and

WHEREAS, the City's Public Works Director has identified the properties which will benefit from the increased depth of the sewer main and is recommending the sewer construction fees to the benefiting area shown on Exhibit "A" be apportioned equally to all lots in the benefiting area. The benefiting area includes properties which do not directly abut on the 8" sewer main, thus these properties may need to extend additional sewer mains prior to connecting to the City's sewer system; and

WHEREAS, the City Council, having considered the recommendation of the City's Public Works Director and having made such investigation as it finds necessary, determines that the owners of properties within the benefiting area should pay their proportionate share of the cost to construct this project and that such fees are appropriate and in the City's best interests.

NOW THEREFORE, BE IT RESOLVED, by the City of Rapid City, that a sewer construction fee is imposed on the owners of property in the benefiting area, as shown in Exhibit "A," prior to being allowed to connect to the City's sewer system; and

BE IT FURTHER RESOLVED, that the sewer construction fee to be collected from each property owner within the benefiting area is \$3,035.71 per lot; and

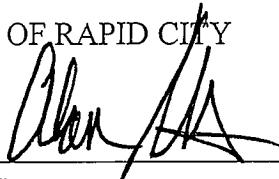
BE IT FURTHER RESOLVED, that the sewer construction fee is to be collected prior to the owner of any property within the benefiting area being allowed to connect to the City's sewer system; and

BE IT FURTHER RESOLVED, that all sewer construction fees collected as established herein shall accrue to the Sewer Utility Enterprise Fund; and

BE IT FURTHER RESOLVED, that such utility construction fees shall remain in effect until such time as the balance of the project costs totaling \$85,000 is collected, at which time this Resolution and the sewer construction fee shall automatically expire.

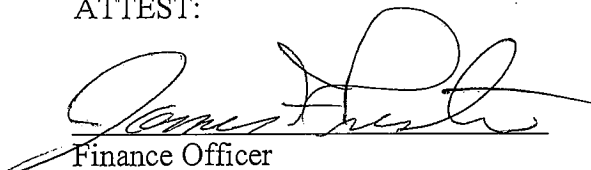
Dated this 15 day of SEPTEMBER, 2008.

CITY OF RAPID CITY



Mayor

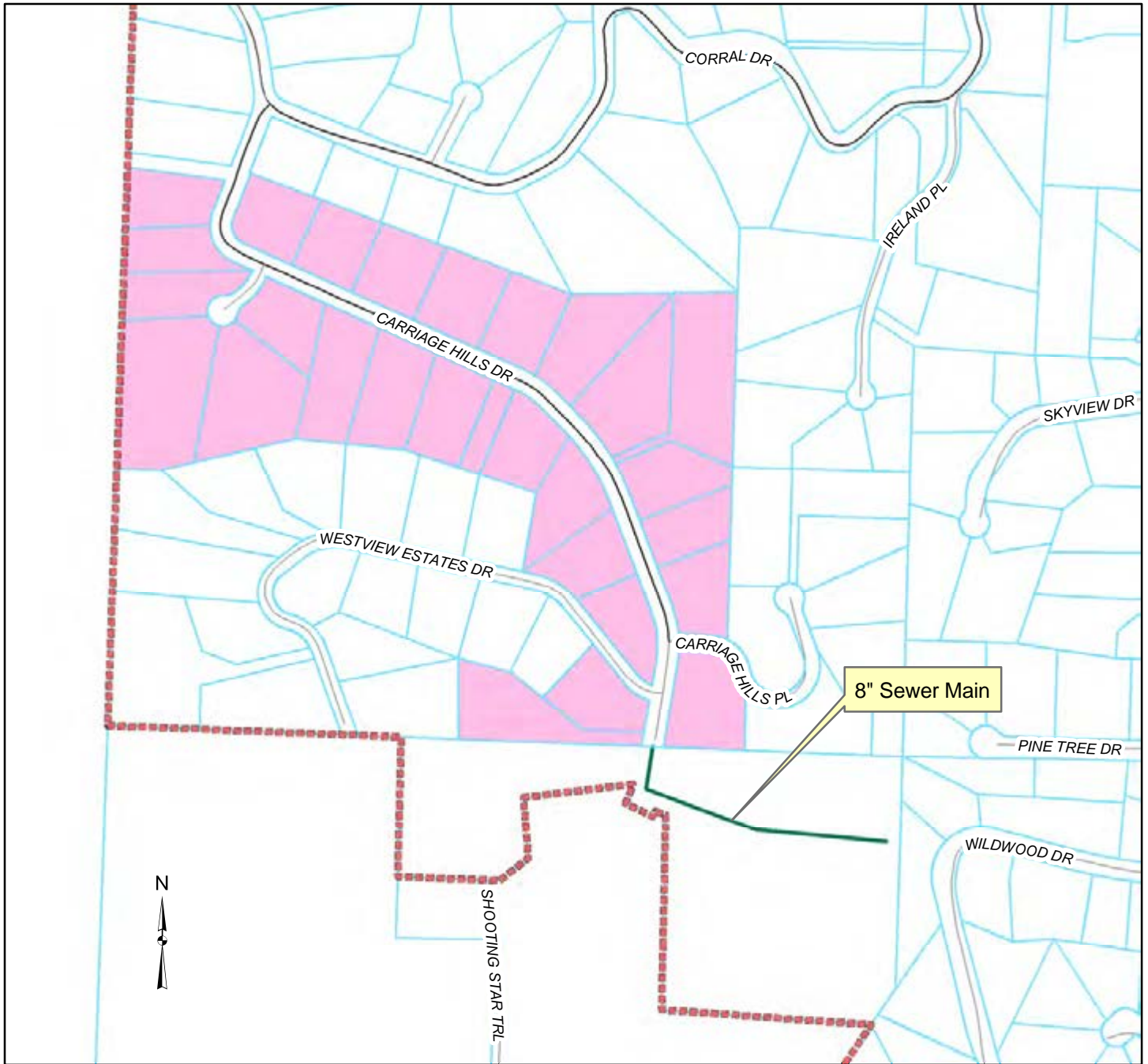
ATTEST:



Finance Officer

(SEAL)

Exhibit A



ELYSIAN HEIGHTS SUBDIVISION SEWER CONSTRUCTION FEE BENEFITING AREA

Legend

- 8" Sewer Main
- Benefiting Area
- Parcels
- Rapid City Limits

