

Resolution No. 12-015
CONSTRUCTION FEE RESOLUTION FOR HEIGHTS DRIVE SANITARY
SEWER EXTENSION PROJECT SS09-1831

WHEREAS, SDCL 9-48-15 and Section 13.08.365 of the Rapid City Municipal Code (RCMC) authorize the City Council to require properties benefited by the construction of sewer pipes or mains to pay their proportionate share of the cost to construct such sewer pipe or main prior to being allowed to connect to the City's sewer utility; and

WHEREAS, an 8" sewer main was extended in Heights Drive per City Project No. SS09-1831 and

WHEREAS, the total cost of constructing this sewer main was \$961,118.18; and

WHEREAS, the City's engineering staff had identified the total area that will benefit from construction of this sewer main, as shown on Exhibit A, which has been attached hereto and incorporated herein; and

WHEREAS, the City's Public Works Director is recommending 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 utility; and

WHEREAS, a portion of this project was constructed in order to eliminate a non-conforming sewer line pursuant to Section 13.06.020 of the RCMC; and

WHEREAS, the portion of the total cost which is attributable to the elimination of the non-conforming sanitary sewer line is \$12,206.99; and

WHEREAS, the City will pay \$6,103.49 of this cost pursuant to Section 13.06.010 of the RCMC; and

WHEREAS, the City's engineering staff has identified the property which is currently non-conforming on Exhibit A, and labeled as "Non-conforming Fee"; and

WHEREAS, the City Council has established a maximum connection fee of \$7,500 for sewer construction projects identified in the Source Water Protection Study (W07-1684) prepared by Stanley Consultants in July 2009; and

WHEREAS, this project has been identified by the Director of Public Works as a source water protection project; and

WHEREAS, the City's Public Works Director is recommending the construction fees to be the benefiting area shown on Exhibit A be apportioned based on the benefits that accrue to such property, and as such, should be established on a per-property basis; 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 it is in the best interests of the City and its sewer utility that the owners of properties within the benefiting area should pay their proportionate share of the cost to construct this project on a per property basis.

NOW THEREFORE, BE IT RESOLVED, by the City of Rapid City, that prior to being allowed to connect to the City's sanitary sewer system, the owners of property in the benefiting area shown in Exhibit A shall be required to pay a proportionate share of the cost of constructing the 8" sewer main shown in City Project No. SS09-1831; and

BE IT FURTHER RESOLVED that the owners of the property shown on Exhibit A shall pay \$7,500 to connect to the City's sewer utility except the lot labeled "Non-Conforming Service Line Fee" which shall pay \$6,103.49 to reconnect to the City's sewer utility at such time the existing service line no longer functions as designed; and

BE IT FURTHER RESOLVED that all 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 \$321,103.49 has been collected, at which time this Resolution and the utility construction fee shall automatically expire.


Dated this 6 day of February, 2012

CITY OF RAPID CITY



Mayor

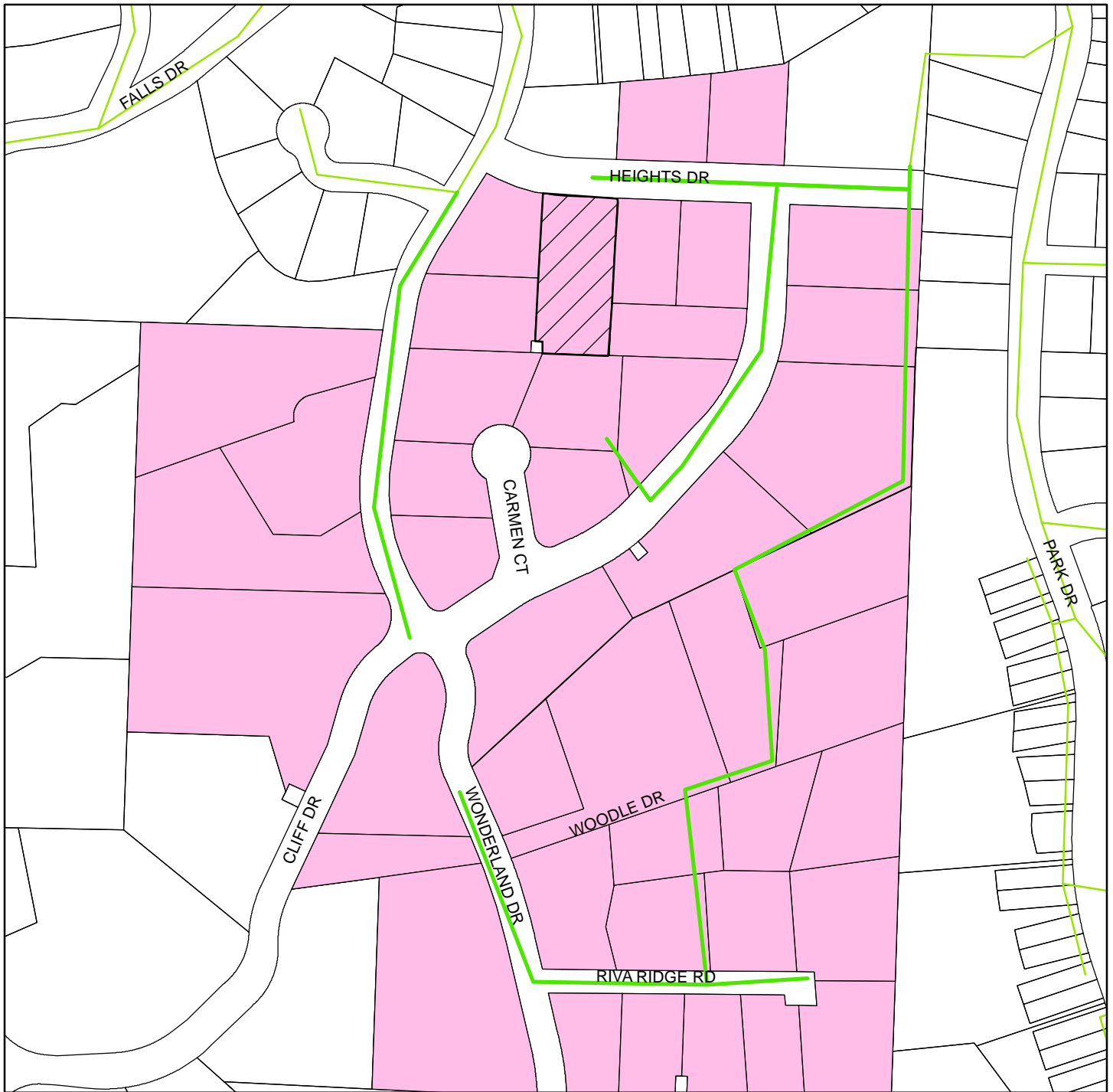
ATTEST:



Finance Officer




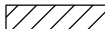
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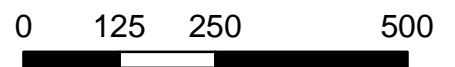
Exhibit A



HEIGHTS DRIVE SANITARY SEWER EXTENSION 8" SEWER CONSTRUCTION FEE BENEFITING AREA

Legend

-  Sanitary Sewer
-  Existing Sanitary Sewer
-  Benefiting Area
-  Non-conforming Fee



1 inch = 250 feet

