

CITY OF LAKE ELMO  
COUNTY OF WASHINGTON  
STATE OF MINNESOTA

ORDINANCE NO. 08-108

AN ORDINANCE RELATING TO THE ESTABLISHMENT  
OF LATERAL BENEFIT ASSESSMENTS FOR TRUNK WATER MAIN  
AND TRUNK/INTERCEPTOR SEWER IMPROVEMENTS

**SECTION 1.** The City Council of the City of Lake Elmo hereby ordains that Title V: General Provisions; Chapter 11: General Code Provisions, by adding the following language:

**§ 50.17 Definitions**

**MUNICIPAL URBAN SERVICE AREA.** An area guided for municipal sanitary sewer service.

**SECTION 2.** The City Council of the City of Lake Elmo hereby further ordains that Title V: Public Works; Chapter 50: Water, be amended by repealing City Code Section 50.17 in its entirety and by adding the following language:

**§ 50.17 LATERAL BENEFIT ASSESSMENTS FOR TRUNK WATER MAIN AND TRUNK / INTERCEPTOR SEWER IMPROVEMENTS**

- A. A full lateral benefit assessment shall be levied for any building unit which is directly served by a trunk utility main and therefore requires no lateral main, if the building unit resides in a municipal urban service area designated by the City of Lake Elmo Comprehensive Plan. The building unit must connect to the municipal utility service within two years of the installation of the trunk utility main.
- B. A lateral benefit assessment shall be levied for any building unit which is directly served by a trunk utility main and therefore requires no lateral main, if the building resides outside a municipal urban service area as designated by the City of Lake Elmo Comprehensive Plan. A stub shall be placed in front of the building unit and the building unit shall be levied at an equivalent of .5 lateral benefit assessment. If the building unit requests connection to water service subsequent to the completion of the utility main, the building unit shall be levied the remaining .5 lateral benefit assessment and charged all related connection and Availability Charges consistent with the City of Lake Elmo's current fee schedule and the cost of any restoration to the street, right of way, or water transmission infrastructure that results from the building unit connection.
- C. The Council shall set the fee from time to time by resolution, using the most recent project data.

**SECTION 3. Effective Date.** This ordinance shall become effective immediately upon adoption and publication in the official newspaper of the City of Lake Elmo.

SECTION 4. **Adoption Date.** This Ordinance 08-108 was adopted on this 17<sup>th</sup> day of June 2014, by a vote of 3 Ayes and 0 Nays.

LAKE ELMO CITY COUNCIL

  
\_\_\_\_\_  
Mike Pearson, Mayor

ATTEST:

  
\_\_\_\_\_  
Adam Bell, City Clerk

This Ordinance 08-108 was published on the 25 day of JUNE, 2014.