

CITY OF LAKE ELMO
WASHINGTON COUNTY
STATE OF MINNESOTA
ORDINANCE 12-057

**ORDINANCE AMENDING SECTION 53.04 OF LAKE ELMO CITY CODE PERTAINING TO
SURFACE WATER MANAGEMENT FEE ADJUSTMENT CREDIT**

(Last Amended Ordinance 08-041, passed 4-5-2011)

Section 1: Amendment: Section 53.04 of the Lake Elmo City Code is hereby amended to read as follows:

(A) Surface water management fee adjustment credits.

(1) The City Council, upon report and recommendation of the City Administrator, Finance Director and Public Works Director, shall apply a credit to a property owner's surface water management fee provided the property owner has contributed to the management of surface water through intentional acts of retaining or re-using surface water to have a minimal impact on the municipal surface water management system or surface waters of the State of Minnesota. The Council may apply a 25% to 75% credit based on the property owner's employment of surface water retention practices in accordance with Section 150.277 of Lake Elmo City Code. These practices include the installation of:

- a. Rain Barrel;
- b. Rain Garden;
- c. Retention Pond;
- d. Swales, Ditches or man-made watercourses;
- e. Riparian Area Plantings;
- f. Other practices that may be deemed as intentional detention of surface water run-off.

(2) The City Council, may grant a one-time or ongoing credit based the effectiveness of the surface water retention as it relates to the management of the municipal surface water management system as a whole. For practices, such as rain gardens constructed in the adjacent right-of-way, the City Council may grant an ongoing credit in exchange for the adjacent property owner's participation in the maintenance of the surface water retention device. This credit will not exceed 50% of the annual surface water management fee.

(3) The City Council, upon the report and recommendation of the City Administrator and Finance Director, may apply a financial hardship credit of no greater than 75% based on a review of the property owner's ability to pay.

(4) All credits are subject to City Code Section 53.07 for hearing or re-computation.

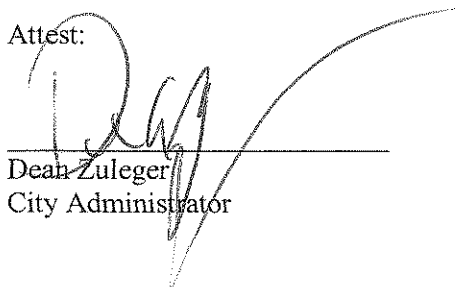
Section 2: Effective Date: This ordinance becomes effective on the date of its publication, or upon the publication of a summary of the ordinance as provided by Minn. Stat. § 412.191, Subdivision 4.

ADOPTION DATE: Adopted by Lake Elmo City Council on the fifteenth day of May 2012.

CITY OF LAKE ELMO


Dean A. Johnston
Mayor

Attest:


Dean Zuleger
City Administrator