

REQUESTED BY MAYOR & FINANCE
DIRECTOR
INTRODUCED BY COSTELLO

ORDINANCE NO. 2016-37

AN ORDINANCE AMENDING CHAPTER 927, C.O.S., ENTITLED "STORMWATER MANAGEMENT UTILITY", PARTICULARLY SECTION 927.07 THEREOF, ENTITLED "SCHEDULE OF FEES AND CHARGES", TO ADD A MONTHLY STORMWATER SERVICE SURCHARGE TO BE USED TO FUND IDENTIFIED STORMWATER MANAGEMENT PROGRAM ACTIVITIES.

WHEREAS, the City of Stow has numerous stormwater projects that are in dire need of being undertaken; and

WHEREAS, this increase in the Stormwater Management Utility will allow the City to accelerate the timetable and increase the number of stormwater related projects from the current pace;

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF STOW, COUNTY OF SUMMIT AND STATE OF OHIO:

SECTION 1. That Chapter 927, C.O.S., entitled "Stormwater Management Utility", particularly Section 927.07 thereof, entitled "Schedule of Fees and Charges", which formerly read:

"927.07 SCHEDULE OF FEES AND CHARGES.

The schedule of fees and charges set out in this section is hereby adopted, effective with the November 2004 Stow Utility Billing, and shall apply to all zoning lots and tracts within the corporate limits of the City, except as may be altered by credits or exemptions approved by the City Council.

- (a) *Residential Property*, including single family, two family, three family homes and condominiums, except condominiums having units on multiple stories, shall be billed as follows:

Single Family	1 ERU
Two Family	2 ERUs
Three Family	3 ERUs
Condominium	1 ERU per unit

- (b) *Non-Residential Property*, including all other properties including commercial, industrial, schools, churches, governmental, apartments and condominiums having units on multiple stories, shall be billed by dividing the total impervious surface area of the parcel by 3,060 to determine the total ERUs to be charged. The minimum fee shall be One (1) ERU.
- (c) There will be no service charge for parcels of land with fewer than 200 square feet of impervious surface area.
- (d) The monthly service charge per Equivalent Rate Unit shall be \$3.00 per month, subject to revision by the City Council in accordance with this ordinance."

be, and the same is, hereby amended to read henceforth as follows:

“927.07 SCHEDULE OF FEES AND CHARGES.

The schedule of fees and charges set out in this section is hereby adopted, effective with the November 2004 Stow Utility Billing, and shall apply to all zoning lots and tracts within the corporate limits of the City, except as may be altered by credits or exemptions approved by the City Council.

- (a) *Residential Property*, including single family, two family, three family homes and condominiums, except condominiums having units on multiple stories, shall be billed as follows:

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- (b) *Non-Residential Property*, including all other properties including commercial, industrial, schools, churches, governmental, apartments and condominiums having units on multiple stories, shall be billed by dividing the total impervious surface area of the parcel by 3,060 to determine the total ERUs to be charged. The minimum fee shall be One (1) ERU.
- (c) There will be no service charge for parcels of land with fewer than 200 square feet of impervious surface area.
- (d) The monthly service charge per Equivalent Rate Unit shall be \$3.00 per month, subject to revision by the City Council in accordance with this ordinance.
- (e) *Monthly Stormwater Service Surcharge:* In addition to all other charges or fees set forth herein, all billed and/or billable properties defined under C.O.S. 927.07, both residential and non-residential, shall each be billed an additional monthly stormwater service surcharge in the amount of \$5.00 per billed or billable property regardless of the number of ERU's or ERU charges assigned or applicable to that property, with such surcharge proceeds to be used exclusively for the purposes set forth in C.O.S. 927.09.”

SECTION 2. That the Stormwater Service Surcharge created herein be, and the same is, here effective as of _____.

SECTION 3. That all other terms and provisions of Chapter 927 not amended herein, be, and the same are, hereby reaffirmed as if fully reappearing herein.

SECTION 4. This Council finds and determines that all formal actions of this Council concerning and relating to the passage of this Ordinance were taken in an open meeting of this Council and that all deliberations of this Council and of any committees and subcommittees that resulted in those formal actions were in meetings open to the public in compliance with the law.

SECTION 5. That this ordinance was adopted pursuant to Section 4.11 Charter, and shall take effect thirty (30) days after its adoption by Council and approval by the Mayor, otherwise at the earliest period allows by law.

ADOPTED BY COUNCIL _____

ATTEST _____

Bonnie J. Emahiser
CLERK OF COUNCIL

Mike Rasor
PRESIDENT OF COUNCIL

FILED WITH MAYOR _____

APPROVED

FILED WITH CLERK _____

Sara Kline
MAYOR

APPROVED AS TO FORM

EFFECTIVE DATE _____

Amber K. Zibritosky
LAW DIRECTOR

