

Chapter 67 - Municipal Storm Sewer

67.01 Establishment

The Municipal Storm Sewer System shall be operated as a public utility pursuant to Minnesota Statutes Section 444.075, from which revenues will be derived subject to the provisions of this chapter and Minnesota Statutes. The storm water drainage utility will be part of the Public Works Department and under the administration of the Public Works Director.

67.02 Definition Of Residential Equivalent Factor (Ref)

One REF is defined as the ratio of the average volume of runoff generated by one acre of a given land use to the average volume of runoff generated by one acre of typical single-family residential land during a standard one year rainfall event.

67.03 Fees

Storm water drainage fees for parcels of land shall be determined by multiplying the REF for a parcel's land use by the parcel's acreage and then multiplying the resulting product by the storm water drainage rate as set forth in Section 51.01 of this Code. The REF values for various land uses, per zoning districts as defined in Section 43.05, are as follows:

zoning district	REF	zoning district	REF
B1	1.67	R2	1.33
B2	2.33	R3	1.67
B3	2.33	RR	0.67
M1	1.67	RS	0.83
M2	2.00	AG	0.0
R1	1.00	C1	0.0
R1.5	1.33		

The storm water drainage rate used to calculate the actual charge per property shall be established by City Council and shall be as set forth in Section 51 of this Code.

67.04 Adjustments

The City Council may adopt policies recommended by the Public Works Director, by resolution, for adjustment of the storm water drainage fee for parcels based upon hydrologic data to be supplied by property owners, which data demonstrates a hydrologic response substantially different from the standards. Such adjustments of

storm water drainage fees shall not be made retroactively.

67.05 Exemptions

The following land uses are exempt from storm water drainage fees:

1. City of Winona rights of way and property
2. Vacant, unimproved land with ground cover.
3. Land used for Park/Recreation or Golf

67.06 Payment Of Fees

Fees for storm water drainage shall be computed every three (3) months and invoiced by the Finance Director for each account along with water and sewer charges.

67.07 Recalculation Of Fee

If a property owner or person responsible for paying the storm water drainage fee questions the correctness of an invoice for such charge, such person may have the determination of the charge recomputed by written request to the Public Works Director made within two (2) months of mailing of the invoice in question by the City.

67.09 Penalty For Late Payment

Each quarterly billing for storm water drainage fees not paid when due shall incur a penalty charge of five percent (5%) of the amount past due.

67.10 Unpaid Fees

All amounts due and unpaid shall be a lien against the real property benefited. The amount due may be levied and collected as a special assessment in the manner provided by Minnesota Statutes, Section 429.061 to 429.081 and Section 444.075. The assessment shall be payable in a single installment. In addition, the City shall also have the right to bring a civil action or to take other legal remedies to collect unpaid fees." Ordinance No. 3556 12/02/02.