

**ORDINANCE TO AMEND THE CODE OF ORDINANCES, CITY OF MARSHALLTOWN,
IOWA BY AMENDING CHAPTER 53: STORM WATER BY AMENDING SECTION 53.006
RATE STRUCTURE AND STORM WATER RATE**

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MARSHALLTOWN, IOWA:

Section 1. The Code of Ordinances, City of Marshalltown is hereby amended by repealing Section 53.006 and replacing with the following:

(A) Any property, lot, parcel of land, building or premises that is tributary directly or indirectly to the storm water system of the city, shall be subject to a rate based upon the quantity of impervious area situated thereon. This charge is not related to the water and/or sewer service and does not rely on occupancy of the premises to be in effect. All properties having impervious area of at least 150 square feet within the corporate limits of the city will be assigned the rate.

(B) A unit of impervious surface area on an average single-family, residential property or equivalent residential unit (ERU) is the quantity used for assessing storm water charges. One ERU equals 2,800 square feet of impervious area for the city.

(C) The Storm Water Utility charge is calculated based on the following method.

(1) Single-family residential customers and duplexes with gross property area less or equal to two acres will be assigned one ERU and assessed a storm water charge that is equivalent to one ERU unit rate per month.

(2) All other developed properties shall be assigned a number of ERUs based upon the property's individually measured impervious area (in square feet) divided by one ERU, or 2,800 square feet, and rounding up to the nearest integer. The monthly storm water charge assessed to each of these properties is the number of ERUs times the ERU unit rate.

(3) Storm water charges for residential customers with gross property area greater than two acres or non-residential developments shall be based on measurements of impervious areas.

(D) Impervious area measurements shall be maintained by the city's Engineering Department for all residential customers with parcels greater than two acres and non-residential customers to determine their share of the storm water management costs. In no event shall any owner specified herein pay less than the rate required for one ERU per month. As part of the building permit process, property owners shall coordinate with the city's Building Inspection and Engineering staff to ensure that, as impervious areas change on the owner's property due to construction or demolition, the Engineering Department maintains up to date records of impervious areas for use in determining property Storm Water Utility billing.

(E) Commencing on July 1, 2024, and continuing thereafter, the monthly unit rate shall be \$4.20 per equivalent residential unit (ERU).

Section 2. The Code of Ordinances of the City of Marshalltown is hereby amended and all ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

Section 3. If any section, provision, or part of this ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the ordinance as a whole or any section, provision, or part thereof not adjudged invalid or unconstitutional.

Section 4. This ordinance shall be in effect after its final passage, approval, and publication as provided by law.


Passed this 11th day of March, 2024, and signed this 15th day of March, 2024.

CITY OF MARSHALLTOWN, IOWA



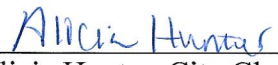
Joel Greer, Mayor

ATTEST:



Alicia Hunter, City Clerk

I, Alicia Hunter, City Clerk of the City of Marshalltown, Iowa, do hereby certify that the foregoing ORDINANCE was passed and approved by the City Council of the City of Marshalltown, Iowa, on the 11th day of March, 2024, and was published in the Marshalltown Times-Republican, a newspaper of general circulation in the City of Marshalltown, Iowa, on the 15th day of March, 2024.



Alicia Hunter, City Clerk