

KGD

ORDINANCE NO. 14918

ORDINANCE MODIFYING MARSHALLTOWN CITY CODE CHAPTER 28,
ARTICLE IV, "STORM WATER" TO MODIFY THE STORM WATER UTILITY RATE
AND MANAGE AND CONTROL STORM WATER RUNOFF, RENUMBERING
SECTIONS 28-130 THROUGH 28-136 AS SECTIONS 28-134 THROUGH 28-139
AND REPLACING SECTIONS 28-120 THROUGH 28-136

Section 1. THE CODE OF ORDINANCES, CITY OF MARSHALLTOWN, Chapter 28, Article IV is hereby replaced with "STORM WATER MANAGEMENT AND DRAINAGE SYSTEMS UTILITY," in the form attached hereto.

Section 2. The City of Marshalltown, Iowa Storm Water Utility Rate Credit Policy contemplated by Section 28-133, as amended, shall be adopted by Council Resolution.

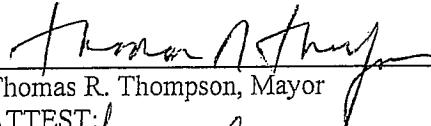
Section 3. Repealer Clause. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 4. Severability Clause. 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 5. Effective Date. This ordinance shall be effective from and after the final passage, approval and publication as provided by law.

PASSED AND APPROVED this 23 day of April, 2013.

CITY OF MARSHALLTOWN, IOWA



Thomas R. Thompson, Mayor

ATTEST:



Shari L. Coughenour, CMC/City Clerk

I, Shari L. Coughenour, CMC, 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 23 day of April, 2013, and was published in the Marshalltown Times-Republican, a newspaper of general circulation in the City of Marshalltown, Iowa, on the 2 day of May, 2013.

Dated this 6 day of May, 2013.



Shari L. Coughenour, CMC, City Clerk

Chapter 28

Article IV. Storm Water Utility

Sec. 28-120. Purpose and objective.

Sec. 28-121. Creation of a storm water management and drainage systems utility.

Sec. 28-122. Definitions.

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Sec. 28-127. Powers and duties of the City.

Sec. 28-128. Responsibility for Storm Water Management and Drainage System.

Sec. 28-129. Requirements for Onsite Storm Water Systems, Enforcement and Inspections.

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Sec. 28-131. Billing and collection.

Sec. 28-132. Adjustments to storm water service charges.

Sec. 28-133. Exemptions and credits applicable to storm water rate charges.

Sec. 28-134. Statewide Urban Designs and Specifications.

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Sec. 28-137. When Detention Required

Sec. 28-138A. Detention Requirements for Redevelopment

Sec. 28-138B. Fee in Lieu of Detention

Sec. 28-139. Detention Requirement Effective Date

Sec. 28-120. Purpose and Objective.

- a) The purpose of this Article is to establish a policy and procedure for managing and controlling the quantity and quality of storm water runoff, within the city limits of Marshalltown, Iowa. The management shall include the establishment of a storm water utility to provide revenues for whatever aspects of this requirement are deemed appropriate by the City.
- b) The city finds, determines and declares that the storm water drainage system provides benefits and services to all property within the city limits. Such benefits include, but are not limited to: the provision of adequate systems for collection, conveyance, detention, treatment and release of storm water for quality and quantity management that minimize impacts on receiving waters.
- c) In order to manage additions and improvements to the city storm water systems, the City must have adequate and stable funding for its storm water management program operating and capital investment needs.

(Ord. No. 14713, §1, 7-14-2003, Ord. No. 14918, §1, insert date ordinance adopted)

Sec. 28-121. Creation of a Storm Water Management and Drainage Systems Utility.

- a) The function of the Storm Water Management and Drainage Systems Utility [hereinafter referred to as "storm water utility"] within the Department of Public Works is to provide for the safe and efficient capture of storm water runoff, mitigate the damaging effects of storm water runoff, correction of storm water problems, to fund activities of storm water management, and include design, planning, regulations, education, coordination, construction, operations, maintenance, inspection and enforcement activities.
- b) There is hereby established a storm water utility within the City of Marshalltown, Iowa which shall be responsible for creating revenue for storm water management throughout the City's corporate limits, and shall provide for the management, protection, control, regulation, use, and enhancement of storm water systems and facilities. Such utility shall be under the operational direction of the Public Works Director. The corporate limits of the City, as increased from time to time, shall constitute the boundaries of the storm water utility district.
- c) The City shall establish a Storm Water Utility Fund in the City budget and accounting system, separate and apart from its General Fund, for the purpose of dedicating and protecting all funding applicable to the purposes and responsibilities of the utility.

(Ord. No. 14918, §1, insert date ordinance adopted)

Sec. 28-122. Definitions.

“*City*” means City of Marshalltown.

“*Adjustment*” means a modification in a nonresidential customer’s storm water rate for certain activities that impact storm water runoff or impact the City’s costs of providing storm water management.

“*Director*” means the director of the Storm Water Utility.

“*Detached Dwelling Unit*” means developed land containing one structure which is not attached to another dwelling and which contains one or more bedrooms, with a bathroom and kitchen facilities, designed for occupancy by one family. Detached dwelling units may include houses, manufactured homes, and mobile homes located on one or more individual lots or parcels of land.

“*Developed Agricultural Properties*” means a lot or parcel of real estate used as a “farm,” which may contain one or greater dwelling units and/or other building structures but does not include undeveloped properties.

“*Developed Property*” means property altered from its natural state by the construction or installation of a structure equaling more than 150 square feet of impervious surface thus increasing the amount of rainwater or surface water runoff.

“*Exempt Property*” includes public streets, alleys and sidewalks; all undeveloped properties.

“*Ground Water*” means sub-surface water or water stored in pores, cracks, and crevices in the ground below the water table.

“*Impervious Area*” means the number of square feet of hard-surfaced areas that either prevent or resist the entry of water into soil surface, as it entered under natural conditions as undeveloped property, and/or that cause water to run off the surface in greater quantities or at an increased rate of flow from that present under natural conditions as undeveloped property. This includes but is not limited to roofs, roof extensions, patios, porches, driveways, sidewalks, pavement, athletic courts, and semi-impervious surfaces such as gravel which are used as driveways or parking lots.

“*Nonresidential properties*” means all properties not encompassed by the definition of residential shall be defined as nonresidential. Nonresidential properties shall include: single-family and duplex properties with gross area greater than 2 acres; apartment building properties; condominium properties; mobile home parks; developed agricultural properties; commercial property; industrial property; institutional property; governmental property; churches; hospitals; schools; transient rentals; parking lots; federal, state, county and local properties; and any other property not mentioned in the lists of properties.

“*Occupant*” means the person residing or doing business on the property. In a family or household situation, the person responsible for the obligation imposed shall be the adult head of the household. In a shared dwelling or office situation, the adult legally responsible for the management or condition of the property shall be responsible.

“*Owner*” means the legal owner(s) of record as shown on the tax rolls of the City of Marshalltown, except where there is a recorded land sale contract, the purchaser thereunder shall be deemed the owner.

“*Residential Property*” means all single-family and duplex properties located within the corporate limits of the City of Marshalltown with gross area less than or equal to 2 acres.

“*Storm water*” means storm water runoff, snowmelt runoff, and surface runoff and drainage.

“*Storm Sewer*” means a sewer, which carries storm water, surface runoff, street wash waters, and drainage, but which excludes sanitary sewage and industrial wastes, other than permitted discharges.

“*Storm Water Drainage System*” means all man-made facilities, structures, and natural watercourses owned by the City of Marshalltown, used for collection and conveying storm water to, through and from drainage areas to the points of final outlet including, but not limited to, any and all of the following: conduits and appurtenant features, canals, creeks, catch basins, ditches, streams, gullies, ravines, flumes, culverts, siphons, streets, curbs, gutters, dams, floodwalls, levees, and pumping stations.

“*Storm Water Facilities*” means various storm water and drainage works that may include inlets, pipes, pumping stations, conduits, manholes, energy dissipation structures, stream channels, outlets, retention/detention basins, infiltration practices and other structural components.

“*Storm Water Management*” means the tasks required to control storm water runoff using storm water management systems, to protect the health, safety, and welfare of the public, and comply with relevant state and federal regulations.

“*Storm Water Management Systems*” address the issues of drainage management (flooding) and environmental quality (pollution, erosion, and sedimentation) of receiving rivers, streams, creeks, lakes, ponds, and reservoirs

through improvements, maintenance, regulation and funding of plants, works, instrumentalities and properties used or useful in the collection, retention, detention, and treatment of storm water or surface water drainage.

“Storm Water Rate” means the periodic rate applicable to a parcel of developed land, which charge shall be reflective of the service provided by the City of Marshalltown Storm Water Utility. Storm water rates are based on measurable parameters which influence the storm water utility’s cost of providing services and facilities, with the most important factor being the amount of impervious area on each parcel of developed land.

“Storm Water Utility” means the utility established under this Section for the purpose of managing storm water and imposing charges for the recovery of costs connected with such storm water management.

“Surface Water” means water bodies and any water temporarily residing on the surface of the ground including lakes, reservoirs, rivers, ponds, streams, puddles, channelized flow and runoff.

“Undeveloped Property” means land in its unaltered natural state or which has been modified to such minimal degree as to have a hydrologic response comparable to land in an unaltered natural state shall be deemed undeveloped.

Undeveloped land shall have minimal concrete pavement, asphalt, or compacted gravel surfaces or structures which create an impervious surface.

“User” means the owner and/or occupant of any developed property within the corporate limits of the City of Marshalltown, and shall mean any person who uses property which maintains connection to, discharges to, or otherwise receives services from the City for storm water management. The occupant of any habitable property is deemed the user. If the property is not occupied, then the owner shall be deemed the user.

“Water Course” A natural overland route through which water passes, including drainage courses, streams, creeks, and rivers.

(Ord. No. 14918, §1, insert date ordinance adopted)

Sec. 28-123. Storm Water Utility Fund.

a) Funding for the storm water utility’s activities may include, but are not limited to: storm water rate charges; storm water permits and inspection fees; other funds or income obtained from federal, state, local, and private grants, bonds or loans.

b) All rate charges and all sources of revenue generated by or on behalf of the storm water utility shall be deposited in a storm water utility fund and used exclusively for management of the storm water utility.

(Ord. No. 14918, §1, insert date ordinance adopted)

Sec. 28-124. Storm Water Utility Budget.

The City shall adopt an operating and capital budget for the storm water utility each fiscal year. The budget shall set forth revenues for such fiscal year and estimated expenditures for operations, maintenance, improvements, replacement and debt service.

(Ord. No. 14918, §1, insert date ordinance adopted)

Sec. 28-125. Rate Structure and Storm Water Rate.

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 of Marshalltown will be assigned the rate.

Establishment of Storm Water Utility Rate

a) The storm water utility rate for single-family residential properties with gross area less than or equal to 2 acres shall be based on the following schedule:

Fiscal Year 2013-2014 = \$3.00/month

Fiscal Year 2014-2015 = \$3.54/month

Fiscal Year 2015-2016 = \$4.26/month

b) The storm water utility rate structure for nonresidential properties shall be a tiered rate structure utilizing ranges of impervious area. All properties shall pay the rate for the tier that their measured impervious area falls within. The tiered rates are based the following schedule:

Tier	Property Impervious Area	FY 2013-2014	FY 2014-2015	FY 2015-2016
		Rate/	Month	
1	150 - 10,000 ft ²	\$7.74	\$9.11	\$10.97
2	10,000.1 - 50,000 ft ²	\$15.48	\$18.22	\$21.94
3	50,000.1 - 100,000 ft ²	\$30.96	\$36.44	\$43.88
4	100,000.1 - 250,000 ft ²	\$61.92	\$72.88	\$87.76
5	250,000.1 - 500,000 ft ²	\$123.84	\$145.76	\$175.52
6	500,000.1 - 1,000,000 ft ²	\$247.68	\$291.52	\$351.04
7	1,000,000.1 - Max	\$495.36	\$583.04	\$702.08

The impervious area on each property shall be determined by the storm water utility.

c) The rates shall become effective on the first day of July in each year.

(Ord. No. 14918, §1, insert date ordinance adopted)

Sec. 28-126. Powers of Director of the Storm Water Utility.

Storm water service charges incurred pursuant to this ordinance may be collected by the storm water utility director or designee who is also responsible for the regulation, collection, rebating and refunding of such storm water charges.

(Ord. No. 14918, §1, insert date ordinance adopted)

Sec. 28-127. Powers and Duties of the City.

The City shall have the following powers, duties, and responsibilities with respect to the storm water utility:

- Administer the design, construction, maintenance and operation of the utility system, including capital improvements designated in the comprehensive drainage plan.
- Acquire, construct, lease, own, operate, maintain, extend, expand, replace, clean, dredge, repair, conduct, manage, and finance such facilities, operations, and activities, as are deemed by the City to be proper and reasonably necessary for a system of storm and surface water management. These facilities may include, but are not limited to, surface and underground drainage facilities, storm sewers, watercourses, ponds, ditches, and such other facilities relating to collection, runoff, treatment and retention as will support a storm water management system.
- The City shall separately account for the storm water utility finances. The storm water utility shall prepare an annual budget, which is to include all operation and maintenance costs and costs of borrowing. The budget is subject to approval by the City Council. Any excess of revenues over expenditures in a year shall be retained in a segregated fund, which shall be used for storm water utility expenses in subsequent years. Storm water utility fees collected shall be deposited in the storm water utility fund and shall be used for no other purpose.

(Ord. No. 14918, §1, insert date ordinance adopted)

Sec. 28-128. Responsibility for Storm Water Management and Drainage System.

- The City storm water management and drainage system consists of all rivers, streams, creeks, branches, lakes, reservoirs, ponds, drainage ways, channels, ditches, swales, storm sewers, culverts, inlets, catch basins, pipes, head walls and other structures, natural or man-made, within the political boundaries of the City of Marshalltown which control and/or convey storm water and through which the City intentionally diverts surface waters from its public streets and properties. The City owns or has legal access for purposes of operation, maintenance and improvements to those segments of this system which
 - are located within public streets, rights-of-way, and easements;
 - are subject to easements of rights-of-entry, rights-of-access, rights-of-use, or other permanent provisions for adequate access for operation, maintenance, and/or improvement of systems and facilities; or

- 3) are located on public lands to which the City has adequate access for operation, maintenance, and/or improvement of systems and facilities. Operation and maintenance of storm water systems and facilities which are located on private property or public property not owned by the City of Marshalltown and for which there has been no public dedication of such systems and facilities for operation, maintenance, and/or improvement of the systems and facilities shall be and remain the legal responsibility of the property owner.
- b) It is the intent of this section to protect the public health, safety and general welfare of all properties and persons in general, but not to create any special duty or relationship with an individual person or to any specified property within or without the boundaries of the City of Marshalltown. The City of Marshalltown expressly reserves the right to assert all available immunities and defenses in any action seeking to impose monetary damages upon the City, its officers, employees and agents arising out of any alleged failure or breach of duty or relationship as may now exist or hereafter be created.
(Ord. No. 14918, §1, insert date ordinance adopted)

Sec. 28-129. Requirements for Onsite Storm Water Systems, Enforcement and Inspections.

- a) All property owners and developers of developed real property within the City of Marshalltown shall provide, manage, maintain, and operate onsite storm water systems sufficient to collect, convey, detain, and discharge storm water in a safe manner consistent with all City, State, and Federal laws and regulations.
- b) Pursuant Iowa Code Section 364.12(3) or successor section of the State Code, any failure to meet this obligation may constitute a nuisance and may be subject to an abatement action filed by the City. In the event a nuisance is found to exist, which the owner fails to properly abate within such reasonable time as allowed by the City, the City may enter upon the property and cause such work as is reasonably necessary to be performed, with the actual cost thereof assessed against the owner in the same manner as a tax levied against the property. The City shall have the right, pursuant to the authority of this section, for its designated officers and employees to enter upon private and public property owned by entities other than the City, upon reasonable notice to the owner thereof, to inspect the property and conduct surveys and engineering tests thereon in order to assure compliance.

(Ord. No. 14918, §1, insert date ordinance adopted)

Sec. 28-130. Right to Appeal.

Any customer who believes the provisions of this chapter have been applied in error may appeal in the following manner:

- a) An appeal must be filed in writing with the City of Marshalltown City Administrator. In the case of service charge appeals, the appeal shall include a survey prepared by a registered Iowa land surveyor or professional engineer containing information on the total property area, the impervious surface area and any other features or conditions which influence the hydrologic response of the property to rainfall events.
- b) Using the information provided by the appellant, the City Administrator shall conduct a technical review of the conditions on the property and respond to the appeal in writing within thirty (30) days.
- c) In response to an appeal, the City Administrator may adjust the storm water service charge applicable to a property in conformance with the general purpose and intent of this chapter.
- d) A decision of the City Administrator which is adverse to an appellant may be further appealed to the City Council within thirty (30) days of receipt of notice of the adverse decision. Notice of the appeal shall be served on the City Council by the appellant, stating the grounds for the appeal. The City Council shall schedule a public hearing within thirty (30) days. All decisions of the City Council shall be served on the appellant by registered mail, sent to the billing address of the appellant.
- e) All decisions of the City Council shall be final.

(Ord. No. 14918, §1, insert date ordinance adopted)

Sec. 28-131. Billing and Collection.

- a) A storm water service charge bill may be sent through the United States mail or by alternative means, notifying the customer of the amount of the bill, the date the payment is due, and the date when past due. Failure to receive a bill is not justification for non-payment. Regardless of the party to whom the bill is initially directed, liability for payment of the storm water management charge attributable to that property shall be joint and several as to the owner and occupant.

- b) All comprehensive storm water service charges are due and payable thirty days after the date of billing.
- c) A penalty of five percent shall be added to a comprehensive storm water service charge when the charge is not paid in said thirty days.

OR A one and one-half percent (1.5%) per month late charge shall be billed based on the unpaid balance of any storm water utility service charge that becomes delinquent.

OR Each storm water service charge rendered under or pursuant to this chapter is hereby made a lien upon the corresponding lot, parcel of land, building or premises that are tributary directly or indirectly to the storm water system of the city, and, if the same is not paid within sixty days of invoice date, it shall be certified to the county treasurer, who shall place a lien on said property as allowed by law and be collected in the same manner as property taxes.

- d) The storm water utility charges in this division shall constitute a lien upon the premises served by the storm water management and drainage system utility. Quarterly, the director of public works may furnish to the city clerk a list of all storm water utility charges that have remained unpaid and delinquent for a period of 60 days prior to the end of that quarter, together with the name of the owner and the legal description of the property or premises for each separate bill, and this list may be certified to the county auditor by the city clerk for collection in the same manner as taxes, and when so collected the proceeds shall become a part of the storm water utility fund of the city. Failure to send or receive a bill for comprehensive storm water service charge is not a defense to the collection of the service charges.
- e) Suits for collection shall be commenced by the City in the Iowa District Court for Marshall County. No lien shall be imposed for delinquent collections unless a judgment is first obtained from a court of competent jurisdiction. The City may employ any lawful means to collect funds owed, and is not restricted to filing a lawsuit.
- f) The storm water utility service charge may be billed on a common statement and collected along with other city utility services.

(Ord. No. 14918, §1, insert date ordinance adopted)

Sec. 28-132. Adjustments to Storm Water Service Charges.

Increase adjustments (debit) will be made to nonresidential service charges by property owners adding additional impervious area such as rooftops, parking lots, driveways and walkways.

(Ord. No. 14918, §1, insert date ordinance adopted)

Sec. 28-133. Exemptions and Credits Applicable to Storm Water Rate Charges.

All public or private property shall be subject to storm water utility rate charges except as provided in this Ordinance below. The following areas are exempt from storm water utility rate charges:

- a) Undeveloped property as defined in this Ordinance.
- b) Streets, alley ways, and highways in the public and private domain are exempt from utility service charges or connection fees. Railroad rights-of-way (tracks) shall be exempt from storm water rate charges. However, railroad stations, maintenance buildings, or other developed land used for railroad purposes shall not be exempt from storm water service charges.

Decrease adjustments (credit) can be made to nonresidential property rates for performing activities that reduce the impact of storm water runoff to the storm water system or lessen the burden in accordance with the City of Marshalltown Storm Water Utility Rate Credit Policy as set by Council Resolution.

(Ord. No. 14918, §1, insert date ordinance adopted)

Sec. 28-134. Statewide Urban Designs and Specifications.

The City of Marshalltown adopts the Statewide Urban Designs and Specifications (SUDAS) standards prepared by the Center of Transportation Research and Education at Iowa State University, for Storm water Management and Drainage as set out in its 2004 Design Manual and Specifications, Sections 1, 2, 3, and 8 of Chapter 2 of said Manual.

(Ord. No. 14918, §1, insert date ordinance adopted)

Sec. 28-135. Detention Required

Storm water runoff detention shall be required on Low Density Single or Two Family Residential subdivisions of four (4) or more lots and all Medium and High Density Multifamily Residential, Commercial and Industrial development in the City of Marshalltown.

(Ord. No. 14918, §1, insert date ordinance adopted)

Sec. 28-136. Storm Runoff Design Requirements

- a) Design of storm water detention in the City of Marshalltown and as regulated in Section 8.4 of the Iowa Statewide Urban Design Standards Manual shall be based on the following detention requirements:
- b) Runoff shall be detained from a 100 year storm event with the property in a developed state.
- c) The Release Rate from detention shall be based on a rate not to exceed a 5 year storm event on the property undeveloped.

(Ord. No. 14918, §1, insert date ordinance adopted)

Sec. 28-137. When Detention Required

On any development of one (1) acre or more, storm water detention shall be planned and installed as part of the required Pollution Prevention Plan and as an erosion control device. At no time shall occupancy be granted prior to completion of the detention facility.

(Ord. No. 14918, §1, insert date ordinance adopted)

Sec. 28-138A. Detention Requirements for Redevelopment

Any redevelopment of a lot to repair, replace or add-on to the existing improvements, that generate runoff greater than that discharged prior to redevelopment shall require detention. Said detention facilities shall at a minimum, provide for the increased volume of runoff generated by the redevelopment (preferably for runoff from the whole development), unless the original detention facility was designed for the proposed new redevelopment.

(Ord. No. 14918, §1, insert date ordinance adopted)

Sec. 28-138B. Fee in Lieu of Detention

If a developer can demonstrate that detention facilities are unfeasible to construct, the City of Marshalltown may grant exception to the detention requirement and said developer shall pay a fee in lieu of constructing storm water detention facilities. The fee shall be based on the type of development/zoning, the runoff coefficient set by the City, and a fee of \$15,000 per acre prorated by the runoff coefficient. The fee is calculated as follows:

a) Category Runoff Coefficient

- 1) Low Density – Single & two family residential 0.40
 - i) \$6,000 per acre or fraction thereof to be developed.
- 2) Medium-High Density – Multifamily Residential 0.80
 - i) \$12,000 per acre or fraction thereof to be developed.
- 3) Commercial 0.90
 - i) \$13,500 per acre or fraction thereof to be developed.
- 4) Industrial 0.80
 - i) \$12,000 per acre or fraction thereof to be developed

(Ord. No. 14918, §1, insert date ordinance adopted)

Sec. 28-139. Detention Requirement Effective Date

All new Medium and High Density Residential, Commercial or Industrial development shall be required to have storm water detention, unless a building permit was issued prior to this ordinance passage and publication. Low Density Single and Two Family Residential subdivisions of four (4) lots or more shall also have detention requirements unless a preliminary plat was approved by the City Council prior to passage and publication of this ordinance.

(Ord. No. 14746, §1, 9-13-2004, Ord. No. 14918, §1, insert date ordinance adopted)

Affidavit of Publication

STATE OF IOWA,
Marshall County, ss.

City of Marshalltown
Summary of Ordinance 14918

I, Diane Caloud, being first duly sworn, on oath depose and say that Marshalltown Newspaper, LLC is a corporation for pecuniary profit organization under the law of the State of Iowa, with its principal place of business in Marshalltown, Iowa; that the "Times-Republican" is a daily newspaper of general circulation printed wholly in the English language and published by said corporation at the city of Marshalltown, in Marshall County, Iowa; that I am the Accounting Manager of said corporation and a full time employee of the said newspaper, and have personal knowledge of the facts stated herein; that the Notice hereto attached in the above entitled action was published in the regular daily edition of the said "Times-Republican" once each week for:

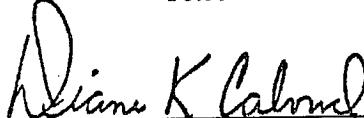
One

consecutive weeks on the days and dates as follows, to-wit:

May 2, 2013

Statutory fees for publishing said notice are:

16.59



Sworn to before me and subscribed in my presence by the said Diane Caloud this

Third Day of May, 2013



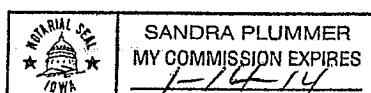
Sandra Plummer, Notary Public

Marshall County, Iowa

Commission No. 766297

Commission Expires January 14, 2014

Account No. and Account Name
L02000 City of Marshalltown



PUBLIC NOTICE SUMMARY OF ORDINANCE 14918

Ordinance 14918, passed on the third reading on April 22, 2013, and signed by the Mayor on April 23, 2013, modifies the Storm Water Utility provisions of the city code relating to management and control of Storm Water Runoff, by establishing a storm water utility fund and imposing upon property owners a storm water utility rate according to the measured impervious area and property usage of each lot, providing nuisance authority against property owners and developers who fail to provide and maintain onsite storm water systems in a safe manner, and providing rights of appeal. The ordinance also adopts the Statewide Urban Design Standards Manual for runoff, detention and release rate requirements.

A copy of the entire Ordinance, including the rate tables, is available for viewing at City Hall, 24 North Center Street, Marshalltown, Iowa. A copy of the ordinance may also be obtained by email, please contact clerk@ci.marshalltown.ia.us.

The Ordinance becomes effective upon publication of this summary.

Shari L. Coughenour, CMC,
City Clerk
City of Marshalltown

14957