

**..Title**

AN ORDINANCE AMENDING SECTION 43-67.1 OF THE DULUTH CITY CODE, 1959, AS AMENDED, MODIFYING CREDITS AVAILABLE UNDER THE STORMWATER UTILITY

**..Body**

CITY PROPOSAL:

The city of Duluth does ordain:

Section 1. That Section 43-61.1 of the Duluth City Code, 1959, as amended, is hereby amended to read as follows:

**Section 43-67.1 Credit-treatment and rate reductions**

An applicant who has applied for and has been approved for a credit under this section against the stormwater fee payable with regard to any served property shall be entitled to credit against the fee payable with regard to the served property as follows as long as approval of the Application had not been revoked:

(a) For property served by a water quality control structure which is not a green water quality control infrastructure-a percentage of the fee payable pursuant to Section 43-66 above with regard to the served property established by the PUC.

(b) For property served by for a green water quality control infrastructure- a percentage of the fee payable pursuant to Section 43-66 above with regard to the served property established by the PUC.

(c) For property served by a rate control structure which reduces the runoff rate from the served property to the level of a 25 year flood- a percentage of the fee payable pursuant to Section 43-66 above with regard to the served property established by the PUC.

(d) For property served by a rate control structure which reduces the runoff rate from the served property to the level of a 10 year flood- a percentage of the fee payable pursuant to Section 43-66 above with regard to the served property established by the PUC.

~~(e) For property served by a rate control structure which reduces the runoff rate from the served property to the level of a 25 year flood- a percentage of the fee payable pursuant to Section 43-66 above with regard to the served property established by the PUC.~~

(f) For property served by a rate control structure which reduces the runoff rate from the served property to the level of a 100 year flood- a percentage of the fee payable

pursuant to Section 43-66 above with regard to the served property established by the PUC.

(g) For property which was previously undeveloped or from which previously existing development is being removed and replaced by new development, a percentage, as determined by the city engineer, representing the reduced runoff rate from its previous state to the runoff rate after its development or redevelopment.

(h) Any portion of any property which is not served property shall not be entitled to any credit.

Section 2. : That this ordinance shall take effect 30 days after its passage and publication.

**..Statement of Purpose**

STATEMENT OF PURPOSE: The purpose of this ordinance is to better align the credits for rate control structural BMPs to the UDC design requirements for stormwater management. The UDC requires each development to model and analyze the site for the 2, 10 and 100 year design storms. This simplifies the process of credit allocation for a site as this modeling may have already been completed and/or is required for any new development and redevelopment projects. This reduces the effort by a customer/property owner to model additional storm events and reduces city staff efforts in determining credit validity.