

**CONSTRUCTION FEE RESOLUTION FOR 15" AND 18" SANITARY TRUNK
SEWER PORTION OF NORTH DEADWOOD AVENUE SANITARY SEWER
EXTENSION PROJECT SSW02-1258**

WHEREAS, sanitary trunk sewers have been extended in the area of North Deadwood Avenue (City Project No. SSW02-1258: North Deadwood Avenue Sanitary Sewer Extension, Tatanka Road I Harley Drive Area) as shown on Exhibit "A," which has been attached hereto and incorporated herein by this reference; and

WHEREAS, Sections 13.08.365 of the Rapid City Municipal Code and SDCL 9-48-15 authorize the City Council to require properties benefited by a main or trunk sewer to pay their proportionate share of the cost to construct such sewer by imposing sewer construction fees; and

WHEREAS, the City expended \$582,470.76 to construct this project; and

WHEREAS, The City's Public Works Director is recommending that the cost of constructing this project be paid by the properties which will benefit from its construction prior to such properties being served by the City's sewer system; and

WHEREAS, the City's Public Works Director is recommending the sewer construction fees to the benefiting area shown on Exhibit "A" be apportioned on a per-acre basis. The basis for the recommendation that the fee be apportioned on a per-acre basis is the benefiting area includes properties which will benefit from the sewer installation, but do not necessarily abut upon the newly constructed sewer main. Thus, these properties may need to extend additional sewer mains at their cost prior to connecting to this infrastructure; and

WHEREAS, the City Council, having considered the recommendation of the City's Public Works Director and having made such investigation as it finds necessary, determines that the owners of properties within the benefiting area should pay their proportionate share of the cost to construct this project on a per acre basis.

NOW THEREFORE, BE IT RESOLVED, by the City of Rapid City that the owners of property in the benefiting area, as shown in Exhibit "A," shall be required to pay a proportionate share of the cost of constructing the 15" and 18" sanitary trunk sewer associated with North Deadwood Avenue Sanitary Sewer Extension, City Project No. SSW02-1258, prior to being allowed to connect to the City's sewer system; and

BE IT FURTHER RESOLVED, that the sewer construction fee to be collected from each property owner within the benefiting area is \$744.05 per acre owned; and

BE IT FURTHER RESOLVED, that the sewer construction fee is to be collected prior to the owner of any property within the benefiting area being allowed to connect to the City's sewer system; and

BE IT FURTHER RESOLVED, that Ninety Percent (90%) of all sewer construction

fees collected as established herein shall accrue to the Utility Facilities Fund (.16 Fund); and

BE IT FURTHER RESOLVED, that Ten Percent (10%) of all sewer construction fees collected as established herein shall accrue to the Sewer Utility Enterprise Fund; and

BE IT FURTHER RESOLVED, that such utility construction fees shall remain in effect until such time as the balance of the project costs totaling \$582,470.76 is collected, at which time this Resolution and the sewer construction fee shall automatically expire.

Dated this ___ day of _____, 2008.

CITY OF RAPID CITY

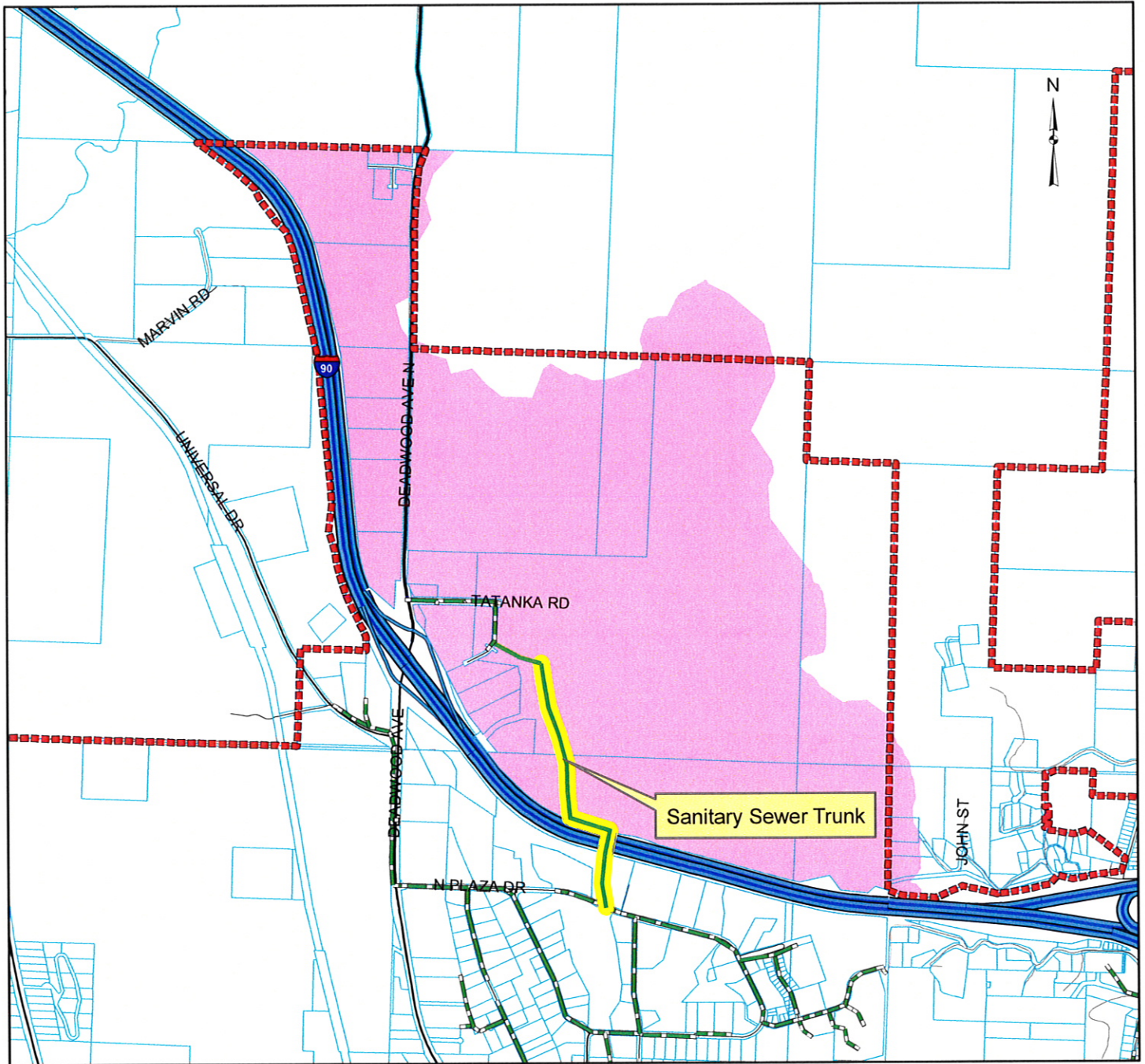
Mayor

ATTEST:

Finance Officer

(SEAL)

Exhibit A



15" AND 18" SANITARY TRUNK SEWER PORTION OF NORTH DEADWOOD AVE SANITARY SEWER EXTENSION PROJECT

Legend

