

RESOLUTION #2010-103
CONSTRUCTION FEE RESOLUTION FOR EGLIN STREET
REALIGNMENT SEWER MAIN EXTENSION

WHEREAS, SDCL 9-48-15 and Section 13.08.365 of the Rapid City Municipal Code (RCMC) authorize the City Council to require properties benefited by construction of a main or trunk sewer to pay their proportionate share of the cost to construct such sewer prior to being allowed to connect to the City's sewer utility; and

WHEREAS, a sewer main was extended as part of the realignment of Eglin Street in the general area between Lowery Lane and Elk Vale Road, per plans filed with the City under City Development File No. DEV 06-825; and

WHEREAS, a 12" sanitary sewer main, which was larger than what was needed to serve the developer's property was installed to provide additional capacity for future growth in the area; and

WHEREAS, the City paid the developer \$15,085.22 to build the oversize portion of the 12" sewer main; and

WHEREAS, the City's engineering staff has identified the total area that will benefit from construction of this oversize sewer main, as shown on Exhibit A, which has been attached hereto and incorporated herein; and

WHEREAS, the City's Public Works Director is recommending the cost to construct the oversize portion of the sewer main be paid by the properties which will benefit from its construction prior to such properties being served by the City's sewer utility; and

WHEREAS, the City's Public Works Director is recommending the sewer construction fees to the benefiting area shown on Exhibit A be apportioned based on the benefits that accrue to such property, and as such, should be established on a per-acre basis. "Benefiting areas" include those properties that will benefit from the sanitary sewer main. These properties do not necessarily directly abut the sewer main. Thus, the owner's of these properties may need to extend additional sewer mains and other necessary infrastructure, at their own cost, prior to connecting to the 12" sewer main; 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 it is in the best interests of the City and its sewer utility 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 prior to being allowed to connect to the City's sewer system, the owners of property in the benefiting area shown on Exhibit A shall be required to pay a proportionate share of the cost of constructing the 12" sewer main shown in City Development File No. DEV 06-825; and

BE IT FURTHER RESOLVED that the owners of the property shown in Exhibit A shall pay \$72.08 per acre prior to connecting to the City's sewer utility; and

BE IT FURTHER RESOLVED that all 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 \$15,085.22 has been collected, at which time this Resolution and the utility construction fee shall automatically expire.

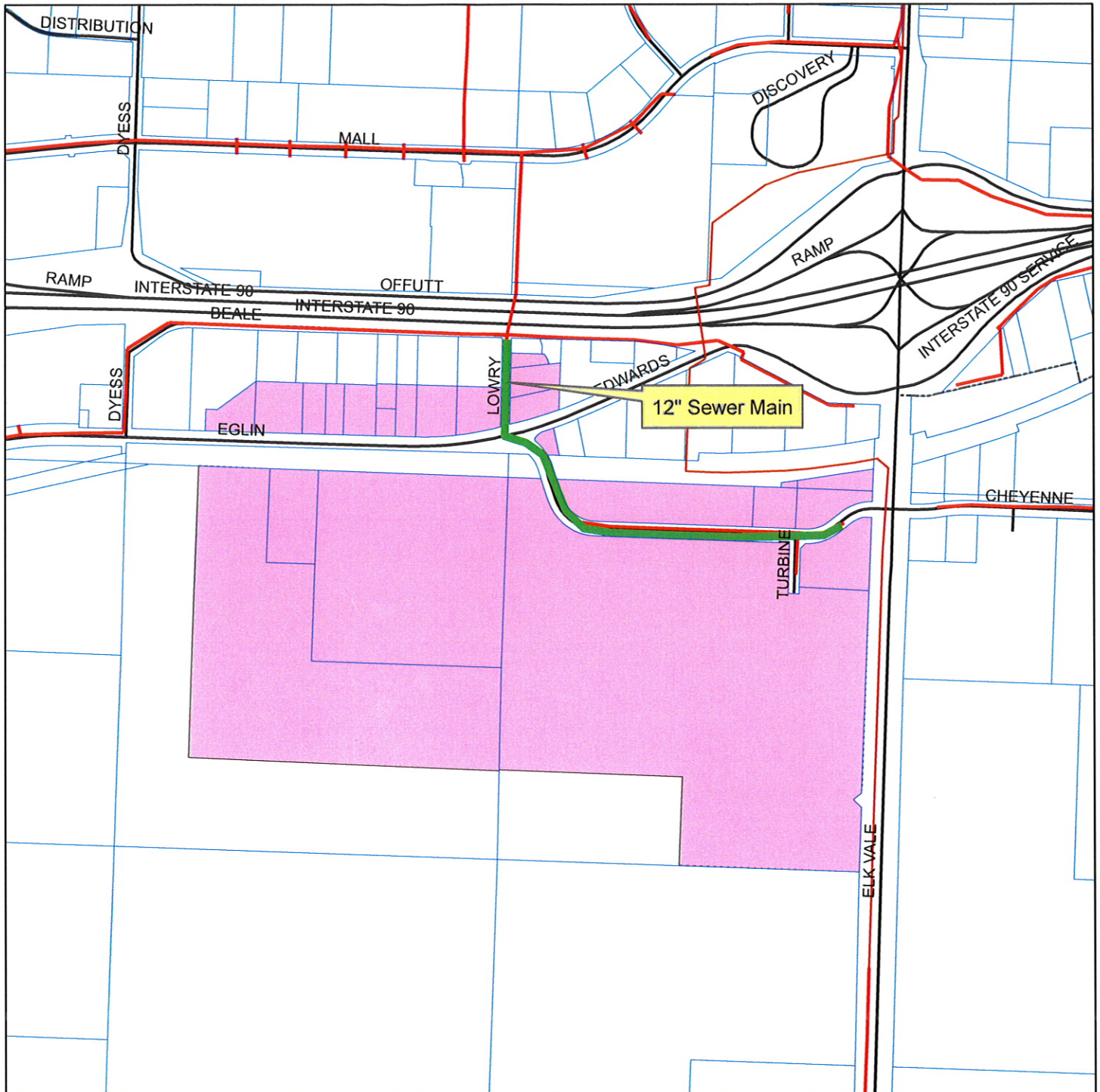
Dated this ____ day of _____, 2010.

CITY OF RAPID CITY

Mayor

ATTEST:

Finance Officer
(SEAL)



EGLIN STREET REALIGNMENT SANITARY SEWER MAIN PROJECT LOCATION AND BENEFITING AREA

Legend

- Sewer Main Extension
- Sewer Pressurized Main
- Sewer Gravity Main
- Benefiting Area

0 300 600 1,200 1,800
1 inch = 1,000 feet

