

Resolution # 2016-014

**Construction Fee Resolution for Mall Drive Utilities
Sanitary Sewer Extension - Oversize
PROJECT NO. ST08-1753**

WHEREAS, SDCL 9-48-15 and Section 13.16.350 of the Rapid City Municipal Code (RCMC) authorize the City Council to require properties benefited by the construction of sewer pipes or mains to pay their proportionate share of the cost to construct such sewer pipe or main prior to being allowed to connect to the City's sewer utility; and

WHEREAS, 10" and 12" sewer mains were extended in Mall Drive per City Project No. ST08-1753; and

WHEREAS, the total oversize cost of constructing this sewer main was \$369,877.33, of which \$29,544.08 is for sanitary sewer oversize; and

WHEREAS, the City's engineering staff had identified the total area that will benefit from construction of this 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 this 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 construction fees be apportioned to the benefiting area shown on Exhibit A, based on the benefits that accrue to such property, and as such, should be established on a per-acre basis; 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 benefitting 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 in Exhibit A shall be required to pay a proportionate share of the cost of constructing the 10" & 12" sewer main shown in City Project No. ST08-1753; and

BE IT FURTHER RESOLVED that the owners of the property shown on Exhibit A shall pay \$257.40 per acre to connect 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 \$29,544.08 has been collected, at which time this Resolution and the utility construction fee shall automatically expire.

Dated this ____ day of _____, 2016

CITY OF RAPID CITY

Mayor

ATTEST:

Finance Officer

(SEAL)