

**Resolution #2011-001**  
**CONSTRUCTION FEE RESOLUTION FOR TOMAHAWK DRIVE**  
**SANITARY SEWER EXTENSION PROJECT SS10-1905**

WHEREAS, SDCL 9-47-16 and Section 13.08.365 of the Rapid City Municipal Code (RCMC) authorize the City Council to require properties benefited by the construction of sanitary sewer pipes or mains to pay their proportionate share of the cost to construct such sanitary sewer pipe or main prior to being allowed to connect to the City's sanitary sewer utility; and

WHEREAS, an 8" sanitary sewer main was extended in Tomahawk Drive per City Project No. SS10-1905 and

WHEREAS, this project was constructed in order to eliminate non-conforming sewer lines pursuant to Section 13.06.020 of the RCMC; and

WHEREAS, the total cost of constructing this sanitary sewer main was \$40,865.45; and

WHEREAS, of this amount \$31,801.89 is the portion of the total cost which is attributable to elimination of the non-conforming sanitary sewer lines; and

WHEREAS, the City will pay \$20,000 of this cost pursuant to Section 13.06.020 of the RCMC; and

WHEREAS, the City's engineering staff had identified the total area that will benefit from construction of this sanitary 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 balance of the cost to construct this sanitary sewer main be paid by the two properties which will benefit from its construction prior to such properties being served by the City's sanitary sewer utility; and

WHEREAS, the City's Public Works Director is recommending the construction fees to the benefiting area shown on Exhibit A be apportioned equally on a per-property 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 property basis.

NOW THEREFORE, BE IT RESOLVED, by the City of Rapid City, that prior to being allowed to connect to the City's sanitary 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 8" sanitary sewer main shown in City Project No. SS10-1905; and

BE IT FURTHER RESOLVED that the owners of the property shown on Exhibit A shall pay \$5,900.95 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 \$11,801.89 has been collected, at which time this Resolution and the utility construction fee shall automatically expire.

Dated this \_\_\_\_ day of \_\_\_\_\_, 2011

CITY OF RAPID CITY

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
Finance Officer

(SEAL)