

ORDINANCE 24-04

AN ORDINANCE OF THE CITY OF EVANSTON, WYOMING AMENDING SECTION 7-112 B., AND 7-113, THE CODE OF THE CITY OF EVANSTON, WYOMING RELATING TO STORM WATER RUNOFF PLAN REVIEW AND DRAINAGE FEES OF THE CITY OF EVANSTON, WYOMING STORM WATER RUNOFF CONTROL ORDINANCE, PROVIDING FOR SETTING OF STORM WATER PLAN REVIEW AND DRAINAGE FEES BY RESOLUTION ADOPTED BY THE EVANSTON CITY COUNCIL.

WHEREAS, Section 7-112 B and Section 7-113 of the City Code currently set plan review and drainage water fees for special building permits associated with storm water drainage at four hundred dollars (\$400.00) per submittal and drainage fees based on a per acre basis; and

WHEREAS, other development and planning fees are set by annual resolution of the City Council as part of the annual budget process; and

WHEREAS, there is a need to amend Section 7-112 B and Section 7-113 A of the City Code to permit setting of storm water plan review and drainage water fees by resolution of the City Council to be consistent with other fee setting by the City;

NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF EVANSTON, WYOMING THAT:

Section 1: Section 7-112 B. of the Evanston City Code is amended and re-enacted to provide as follows:

§ 7-112 B. Drainage Plan review fee-Land development.

B. The following fees will be levied against the development and shall be due and payable as follows: forty percent of the fee shall be paid prior to the approval of the preliminary drainage plan, and the remaining sixty percent of the review fee shall be paid prior to the approval of the final plat and final drainage plan. The review fees shall be set and established by the governing body of the City of Evanston in its annual budget resolution.

Section 2: Section 7-113 of the Evanston City Code is amended and re-enacted to provide as follows:

§ 7-113 Drainage water fee.

This drainage water fee shall be imposed on all lands being developed within the present corporate limits and within one-half mile thereof either as a special building permit or as a land development. The revenues derived therefrom shall be used primarily, but not exclusively, for the development and construction of improvements to the existing storm water facilities and for the construction of additional needed storm water facilities, such as new, main interceptor lines, detention facilities, and disposal facilities to serve the developed areas. It is not the intent of this development fee to pay for the construction of on-site storm drainage facilities for any development, but to provide the major overall interceptor lines and detention facilities to serve the conglomeration of developments.

A. Drainage water fee calculation. This drainage water charge shall be imposed upon all new developments and lands to be improved under special building permits in the City. This charge shall not be imposed upon any already developed land within the City or within one-half mile thereof at the time of the passage of this Part 7, which is November 4, 1982. The amount of said charge or fee shall be set and established by the governing body of the City of Evanston in its annual budget resolution. (1) For special building permits, the fee shall be set and established by the governing body of the City of Evanston in its annual budget resolution per acre if the amount of discharge is not limited by on-site detention;

(2) For special building permits, the fee shall be set and established by the governing body of the City of Evanston in its annual budget resolution per acre if the discharge of storm drainage waters for the development is limited to or less than 0.20 of a cfs per acre during a one-hundred-year design storm event.

(3) For land development, the fee shall be set and established by the governing body of the City of Evanston in its annual budget resolution per acre multiplied by the "Weighted Runoff Coefficient" as determined by Section 7-104A, Rational Method, if the amount of discharge is not limited by on-site detention. The weighted runoff coefficient shall not be less than 0.2.

(4) For land development, the fee shall be set and established by the governing body of the City of Evanston in its annual budget resolution per acre if the discharge of storm drainage waters for the development is limited to or less than 0.20 cfs per acre, during a one-hundred-year design storm event and provided the City engineer approves on-site detention for the development. On-site detention shall comply with the City of Evanston stormwater master plan. In computing the area of any tract of land for purposes of applying such fee, the area of any existing public street, alley way, or any canal, irrigation lateral, or natural waterway shall be deducted. The amount of said charge or fee may be changed from time to time by the governing body.

Section 3: This ordinance shall be effective on passage on third and final reading.

PASSED AND APPROVED on First Reading this 21st day of May 2024.

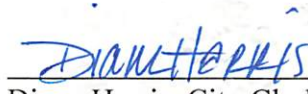
PASSED AND APPROVED on Second Reading this 4th day of June 2024.

PASSED AND APPROVED on Third and Final Reading this 18th day of June 2024.



Kent H. Williams, Mayor

ATTEST:



Diane Harris, City Clerk

Sponsored by: Councilmember Lynch

First Reading

Lynch Y
Lind Y
Perkes Y
Williams Y
Welling Y
Sellers Y
Hegeman Y

Second Reading

Lynch Y
Lind Y
Perkes Y
Williams Y
Welling Y
Sellers Y
Hegeman Y

Third Reading

Lynch Y
Lind E
Perkes Y
Williams Y
Welling Y
Sellers Y
Hegeman Y