

**ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GALAX**  
**VIRGINIA TO AMEND STORMWATER UTILITY FEES**

**WHEREAS**, after public hearing, duly advertised, City Council of the City of Galax, Virginia has determined to AMEND Section 125-19 of the Galax City Code to revise certain Stormwater Utility fees, imposed pursuant to Section 15.2-2114 of the Code of Virginia, 1950, as amended.

**THEREFORE, BE IT ORDAINED**, by the City Council of the City of Galax, that section 125-19 (A) of the Galax City Code is hereby amended to read as follows:

- A. There is hereby established a stormwater utility fee (“fee”) imposed on all tax parcels in the City upon which improvements have been constructed having impervious surfaces. Such fee shall be based on the status of the parcel and improvements as of January 1 of each year regardless of whether the parcel is subject to taxation under Chapter 135 of the City Code of the City of Galax, Virginia. All revenue from the fee shall be deposited into a stormwater utility enterprise fund for the sole purpose of funding the activities described in Subsection H below.

**AND BE IT FURTHER ORDAINED**, by the City Council of the City of Galax, that section 125-19 (G) of the Galax City Code is hereby amended to read as follows:

- G. Exemptions. Notwithstanding Subsections A through F above, the following parcels shall be exempt from the stormwater utility fee:
- (1) Parcels owned by a federal, state, or local government, or public entity, that holds a permit to discharge stormwater from a municipal separate storm sewer system, except that this exemption shall apply only to parcels or portions of parcels covered by any such permit and shall not apply to parcels owned and maintained by the City of Galax that are not otherwise exempt under Subsection G(2) below;
  - (2) Public roads and street rights-of-way that are owned and maintained by the Commonwealth of Virginia or the City of Galax; and,
  - (3) Tax parcels having less than one square foot of impervious improved surface area.

**AND BE IT FURTHER ORDAINED**, by the City Council of the City of Galax, that section 125-19 (I) of the Galax City Code be, and it is hereby is, amended to read as follows:

- I. **Stormwater utility fee calculation.** Utility fees shall be charged to owners of all property in the City, unless otherwise exempted in subsection (G) above.
- (1) Rates will be based upon equivalent residential units (ERU). An ERU will be the equivalent of 4,700 square feet of impervious surface area, which will include all buildings, structures and other impervious surfaces which contribute to stormwater runoff.

- (2) The minimum annual charge shall be equal to one ERU, even when credits are provided as outlined in subsection (J). The number of ERU's will be determined by the Administrator or his designee.
- (3) A residential tax parcel shall be charged one ERU annually. A non-residential tax parcel shall be charged the annual fee in the amount specified for the range of impervious area of the actual impervious area of the tax parcel, as per Table 1-19A.
- (4) The ERU rate shall be \$75.00 annually.
- (5) The utility fee for any class of property shall apply regardless of whether the property in question is unoccupied or occupied at the relevant time.
- (6) The stormwater utility fees shown below are hereby authorized for all utility customers in the City.

<i>Range of Impervious Area (sf)</i>		<i>ERU</i>	<i>Annual Fee</i>
Equal to or Exceeding	But Less Than		
1	6,000	1.0	\$ 75.00
6,000	8,000	1.3	\$ 98.00
8,000	10,000	1.7	\$ 128.00
10,000	13,000	2.1	\$ 158.00
13,000	17,000	2.8	\$ 210.00
17,000	22,000	3.6	\$ 270.00
22,000	29,000	4.7	\$ 353.00
29,000	38,000	6.2	\$ 465.00
38,000	49,000	8.1	\$ 608.00
49,000	64,000	10.4	\$ 780.00
64,000	83,000	13.6	\$1020.00

83,000	108,000	17.7	\$1328.00
108,000	140,000	23.0	\$1725.00
140,000	182,000	29.8	\$2235.00
182,000	237,000	38.7	\$2903.00
237,000	308,000	50.4	\$3780.00
308,000	400,000	65.5	\$4913.00
>400,000		85.1	\$6383.00

All remaining provisions of Section 125-19 of the Code of the City of Galax not specifically amended hereby shall continue in full force and effect.

This ordinance shall take effect immediately upon adoption.

Date of Public Hearing: 01-08-2024

Effective Date: 01-08-2024


Council Member Vice Mayor White offered the foregoing ordinance, which was seconded by Council Member Martha Warr.

Thereupon, the ordinance was put to a vote upon its final adoption, the results as follows:

For:

Against:

Dated: 01-08-2024

Approved:   
**Willie Greene, Mayor**

Attest:   
**Michael Burnette, City Manager**