



**ORDINANCE NO. 1376-2024**

**AN ORDINANCE OF THE CITY OF TAHLEQUAH, OKLAHOMA, AMENDING THE TAHLEQUAH CITY CODE, PART 18, STORMWATER MANAGEMENT; CHAPTER 18-1, STORMWATER MANAGEMENT PROGRAM; SECTION 18-107, FEES; PROVIDING FOR CODIFICATION, SEVERABILITY, REPEALER, AND DECLARING AN EMERGENCY.**

NOW THEREFORE, BE IT ORDAINED BY the City Council of the City of Tahlequah, Oklahoma:

**SECTION 1. AMENDATORY.** Chapter 18-1 of Part 18 of the Tahlequah City Code is hereby added and shall read as follows:

**Section 18-107 Fees.**

- A. It is the purpose of this part to improve the public health, safety and welfare by providing for, acquiring, constructing, operating, equipping and maintaining within the City of Tahlequah, a Stormwater Management program. In order to provide revenue to fund the costs associated with a Stormwater Management program, there is hereby established a Stormwater management fee. All revenues collected from the Stormwater Management fee shall be deposited to the Stormwater management fund. The Stormwater Management program and fees provided are intended for, but are not limited to, the following purposes:
1. Costs of development, administration, and implementation of the Stormwater Management program including operation costs, capital expenses, salaries and consulting fees;
  2. Public education and outreach;
  3. Stormwater pollution prevention activities;
  4. Illicit discharge detection and elimination;
  5. Inspection, monitoring, surveillance, and enforcement activities;
  6. Abatement, remediation, and restoration activities;
  7. Field sampling and testing equipment, supplies, and services;
  8. Laboratory testing equipment, supplies, and services;
  9. Engineering and GIS equipment, supplies and services;
  10. Storm sewer system development, mapping, upgrades, and repairs;
  11. Retrofitting developed areas for pollution control;
  12. The acquisition by gift, purchase, or condemnation of real and personal property, and interests therein, necessary to construct, operate, and maintain the municipal storm sewer system;
  13. Other equipment, supplies, and activities which are reasonably required;
  14. A master drainage plan, watershed management plan, or related drainage studies created to lessen storm water runoff impacts, protect water quality or prevent flooding;
  15. Short or long term financing for flood or hazard mitigation programs related to Stormwater Management payable to or through the general fund, the trust authority or agency funds of the City; and
  16. Matching funds for state or federal grants that relate to Stormwater Management.
- B. The City of Tahlequah, through its City council, is hereby authorized to charge just and reasonable fees as deemed necessary for operation of the City's Stormwater Management program. All fees and charges shall be assessed and collected as other charges are collected against water meters in operation on the several premises within the City of Tahlequah. Said fees and charges shall be subject to adjustment as deemed necessary and approved by action of the City Council and are hereby initially established as follows:
1. Stormwater Management Fees: The following fees shall apply to all properties located within the incorporated limits of the City of Tahlequah:
    - a. ~~\$2~~ Four Dollars (\$4.00) per month for each residential water customer.
    - b. \$4 Eight Dollars (\$8.00) per month for each nonresidential (commercial) water customer with a water meter that is under two inches in size.

- c. \$10 Twenty Dollars (\$20.00) per month for each industrial or commercial property or other nonresidential water customer with a water meter that is two inches or more in size.
  - d. Outside City limits users of City water service that are surrounded by the corporate limits of the City shall pay the inside rates.
2. Exemptions: Exemptions shall include properties owned by or otherwise granted or dedicated to the City of Tahlequah, Tahlequah public works authority and other beneficiary trusts of the City. Exemptions for entities utilizing low impact development techniques will be accepted at the discretion of the Administrator upon application for a waiver. Undeveloped properties with no impervious surface coverage are exempt.

**SECTION 2. CODIFICATION.** The City Clerk is hereby directed to enter the added section into the appropriate place in the Tahlequah City Code of Tahlequah, Oklahoma, as authorized and approved by this Ordinance.

**SECTION 3. SEVERABILITY.** If any provision, paragraph, word, section of article of this Ordinance is invalidated by a court of competent jurisdiction, the remaining provisions, paragraphs, words, sections, and chapters shall not be affected and shall continue in full force and effect.

**SECTION 4. REPEALER.** All other Ordinances and parts of other Ordinances Inconsistent or conflicting with any part of this Ordinance are hereby repealed to the extent of such inconsistency or conflict.

**SECTION 5. EFFECTIVE DATE.** This Ordinance to become effective on the 1<sup>st</sup> day of July, 2024.

**SECTION 6. EMERGENCY.** An immediate necessity existing for the preservation of the public peace, health, and safety, an emergency is hereby declared to exist by reason of which this Ordinance shall be in full force and effect from and after passage, approval and publication or posting.

**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF TAHLEQUAH, OKLAHOMA, THIS 1<sup>st</sup> DAY OF APRIL, 2024.**



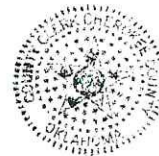
**ATTEST:**

*Whitney Shaw*  
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 City Clerk

**THE CITY OF TAHLEQUAH, OKLAHOMA**

*Suzanne Myers*  
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 Suzanne Myers, Mayor

I-2024-002083 Book 1408 Pg 616  
 04/05/2024 2:52pm Pg 0615-0616  
 Fee: \$20.00 Doc: \$0.00  
 Cheryl Trammel - Cherokee County Clerk  
 State of OK



**APPROVED AS TO FORM AND LEGALITY this 1<sup>st</sup> day of April, 2024.**

*John Tyler Hammons*  
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 John Tyler Hammons, City Attorney