



## MEMO

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**TO:** Utilities Committee

**FROM:** Paula Vandehey, Director of Public Works *PAV*

**DATE:** May 7, 2014

**SUBJECT:** Request to amend Section 20-237 of Chapter 20 of the Municipal Code related to customer classifications for Stormwater Utility charges.

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In 2011 Section 20-237 of Chapter 20 of the Municipal Code related to customer classifications for Stormwater Utility charges was modified to account for ERU's (Equivalent Runoff Units) associated with private roadways. The format of the Ordinance language was also converted from narrative to chart. As part of this Code amendment, Section 1(j) related to a minimum charge equal to 0.4 ERU's for any Class 5 parcel was inadvertently deleted. We are requesting that the Code be amended to reinstate the minimum ERU language.

Attached for you information is a copy of the Code language from 2008 and 2011.

Attachments

**ADOPTED:** October 1, 2008  
**PUBLISHED:** October 6, 2008  
Office of the City Clerk

136 - 08

**AN ORDINANCE AMENDING SECTION 20-237 OF CHAPTER 20 OF THE MUNICIPAL CODE OF THE CITY OF APPLETON, RELATING TO CUSTOMER CLASSIFICATION.**

(Utilities Committee 9-17-08)

The Common Council of the City of Appleton does ordain as follows:

**Section 1:** That Section 20-237 of Chapter 20 of the Municipal Code of the City of Appleton, relating to customer classification, is hereby amended to read as follows:

**Sec. 20-237. Customer classification.**

(a) For purposes of imposing the stormwater charges, all lots and parcels within the City are classified into the following six (6) customer classes:

- (1) Residential – Single Family, Manufactured/Mobile Home, Bed and Breakfast with four (4) units or less and detached, individual condominium units located on public roads
- (2) Residential – Duplex, two (2) unit condominiums and Bed and Breakfast with five (5) units or more
- (3) Residential – Multifamily and Condominiums located on public roads
- (4) Residential – Located on private roads
- (5) Non-residential and multi-use
- (6) Undeveloped

(b) The Director shall prepare a list of lots and parcels within the City of Appleton and assign a classification of residential, non-residential or undeveloped to each lot or parcel.

(c) The average square footage of impervious area of ERU is established to be equivalent to 2,368 square feet.

(d) The charges imposed for Class (1) and Class (4) residential properties shall be the rate for one (1) ERU.

(e) The charges imposed for Class (2) residential properties shall be the rate for one-half (½) of one (1) ERU for each individual dwelling unit existing on the property. (ERU rate multiplied by the number of dwelling units.)

(f) The charges imposed for Class (3) residential properties shall be the rate of four-tenths of one ERU (0.4) multiplied by the number of individual dwelling units existing on the property.

(g) The charges imposed for Class (5) properties as defined herein shall be the rate for one (1) ERU, multiplied by the numerical factor obtained by dividing the total impervious area of a non-residential property by the square footage of one (1) ERU. The factor shall be rounded down to the nearest one-tenth (0.1), i.e.

$$\text{ERU rate multiplied by } \frac{\text{impervious area}}{\text{ERU}}$$

(h) The charges imposed for Class (6) properties as defined herein shall be the rate for one (1) ERU multiplied by a factor established by resolution and then divided by the square footage for one (1) ERU established by resolution.

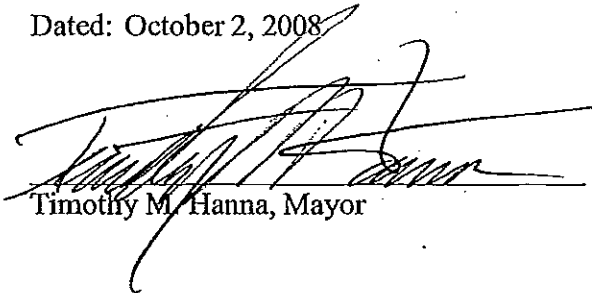
(i) The Director shall be responsible for determining the impervious area based on the best available information, including, but not limited to, data supplied by the City Assessor, aerial photography, the property owner, tenant or developer. The Director may require additional information as necessary to make the determination. The billing amount shall be updated by the Director based on the building permit process.

\* (j) The minimum charges for any Class 5 parcel shall be equal to the rate for four-tenths (0.4) of one (1) ERU.

(k) All unoccupied developed lots and parcels shall be subject to the stormwater utility charges.

**Section 2:** This ordinance shall be in full force and effect from and after its passage and publication.

Dated: October 2, 2008

  
Timothy M. Hanna, Mayor

  
Cynthia I. Hesse, City Clerk

**AN ORDINANCE AMENDING SECTION 20-237 OF CHAPTER 20 OF THE MUNICIPAL CODE OF THE CITY OF APPLETON, RELATING TO CUSTOMER CLASSIFICATION.**

(Utilities Committee – 12-15-10)

The Common Council of the City of Appleton does ordain as follows:

**Section 1:** That Section 20-237 of Chapter 20 of the Municipal Code of the City of Appleton, relating to customer classification, is hereby amended to read as follows:

**Sec. 20-237. Customer classification.**

(a) For purposes of imposing the stormwater charges, all lots and parcels within the City are classified as follows:

Classification	ERUs imposed	
	Public Road	Private Road
Single Family	1	1
Detached Individual Condominiums	1	1
Duplex	.5/unit	1/unit
Duplex Condominiums	.5/unit	1/unit
Multifamily Condominiums	.4/unit	1/unit
Mobile Homes	.5/unit	1/unit
Bed & Breakfast (fewer than 5 units)	1	1
Bed & Breakfast (5 units or more)	.5/unit	1/unit
Multifamily rental	.4/unit	1/unit
Non-Residential and Multi-Use	One (1) ERU, multiplied by the numerical factor obtained by dividing the total impervious area of a non-residential property by the square footage of one (1) ERU, rounded down to the nearest one-tenth (0.1), i.e.:  ERU rate x $\frac{\text{impervious area}}{\text{ERU}}$	One (1) ERU, multiplied by the numerical factor obtained by dividing the total impervious area of a non-residential property by the square footage of one (1) ERU, rounded down to the nearest one-tenth (0.1), i.e.:  ERU rate x $\frac{\text{impervious area}}{\text{ERU}}$
Undeveloped	One (1) ERU multiplied by a factor established by resolution then divided by the square footage for one (1) ERU established by resolution	One (1) ERU multiplied by a factor established by resolution then divided by the square footage for one (1) ERU established by resolution

(b) The Director shall prepare a list of lots and parcels within the City of Appleton and assign a classification to each lot or parcel.

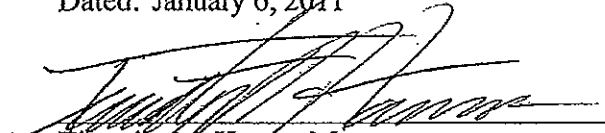
(c) The average square footage of impervious area of ERU is established to be equivalent to 2,368 square feet.

(d) The Director shall be responsible for determining the impervious area based on the best available information, including, but not limited to, data supplied by the City Assessor, aerial photography, the property owner, tenant or developer. The Director may require additional information as necessary to make the determination. The billing amount shall be updated by the Director based on the building permit process.

(e) All unoccupied developed lots and parcels shall be subject to the stormwater utility charges.

**Section 2:** This ordinance shall be in full force and effect from and after its passage and publication.

Dated: January 6, 2011



Timothy M. Hanna, Mayor



Cynthia I. Hesse, City Clerk