

**Chapter 12.30.  
STORM WATER PROGRAM**

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**12.30.010 Storm Water program established.**

Pursuant to the authority of section 384.84, The Iowa Code, as amended, the city council hereby establishes a storm water utility in the city. The entire city, as increased from time to time, shall constitute a single storm water drainage system district. (Ord. 2009-0582; 90/T-9312)

**12.30.020 Storm Water program maintenance fee.**

1. There is hereby established a charge against all real property within the City of Sioux City, for the storm water and drainage system. The monies derived from the charge shall be used for the operation, maintenance, reserve capital costs, and debt service of the storm sewer and drainage system. The fee for each such property shall be based on the lot area, a runoff weighting factor, and a unit financial charge. The fee is determined as follows:
2. Storm water program maintenance fee equals the runoff weighting factor, multiplied by parcel area (in square feet), multiplied by unit financial charge (in dollars per square foot).
3. Runoff weighting factor. The runoff weighting factor is determined by the type of land use, and indicates the relative volume of storm water runoff from a land parcel, as a function of the percentage of impervious surfaces covering each land parcel. The runoff weighting factor is to be assigned by drainage code, which is determined by the City Assessor's land use code, as shown in Table I:

TABLE I

Runoff Drainage Code	Land Use	Weighting Factor
10	Single-family (lot area of 30,000 square feet or less	7.5
11	Estate (lot area over 30,000 square feet)	2.5
12	Duplex	7.5
13	Townhouses	7.5
14	Apartment building (1-3 stories)	11.25
15	Apartment building (4 stories or more)	11.25
16	Dormitories	11.25
17	Mobile homes and trailers	11.25
18	Other residential	11.25
21	Apparel and textiles	17.0
22	Wood, furniture, fixtures	17.0

23	Lumberyards	17.0
24	Printing and publishing	17.0
25	Warehouse, indoor storage	17.0
26	Electronic, scientific, optical	17.0
27	Construction yards, including plumbing, electrical, heating contractors	17.0
28	Chemical, petroleum storage	17.0
29	Other light, pollution free manufacturing not included elsewhere	17.0
31	Food, agricultural processing, stockyards, rendering	17.0
32	Paper and pulp	17.0
33	Chemical, petroleum, rubber and plastic	17.0
34	Stone, glass, clay, cement, brick	17.0
35	Primary metal, smelting	17.0
36	Metal fabricating	17.0
37	Salvage, junkyard, resource recycling	7.5
38	Other heavy manufacturing not elsewhere coded	17.0
41	Bus, railroad yards, terminals, right-of-way	5.0
42	Airport	5.0
43	Auto parking ramps and lots (Commercial or public only - auxiliary parking)	18.75
44	Highway and street right-of-way	5.0
45	Communication (TV, radio, etc.)	17.0
46	Utilities (gas, sewer, water, telephone, etc.)	17.0
47	Truck terminal	17.0
48	Military base	17.0
49	Other transportation, communication and utilities not elsewhere coded	17.0
51	Wholesale - food, produce	18.75
52	Wholesale - other	18.75
53	Extensive retail - building supplies, including lumber, home repair supplies	18.75
54	Extensive retail - farm equipment and implements	18.75
55	Extensive retail - new and used car dealers	18.75
56	Extensive retail - recreational vehicles, marine	18.75
57	Extensive retail - tires, batteries, auto accessories	18.75
58	Extensive retail - auto repair, body shop	18.75
59	Extensive retail - other retail with outside storage	18.75
61	Food store	18.75
62	Neighborhood commercial, hardware, drugs, laundromat, beauty shop, barbershop, neighborhood shopping center	18.75
63	Gasoline, auto service station	18.75
64	Department store, discount store, regional shopping center	18.75
65	Clothes and apparel	18.75
66	Specialty retail - Jewelry, gifts, etc.	18.75
67	Furniture, household appliances	18.75
68	Other retail not elsewhere coded	18.75
71	Banks and financial institutions	18.75
72	Churches	11.25
73	Nursing homes and hospitals	11.25
74	Colleges and universities, adult education	11.25
75	Primary and secondary education	11.25
76	Day care centers	11.25
77	Medical offices, clinics	18.75

78	Government offices	18.75
79	Offices not elsewhere coded (real estate, law, etc.)	18.75
81	Cultural activities - library museums, etc.	18.75
82	Assembly areas, arenas, stadiums	18.75
83	Theaters	18.75
84	Restaurants, bars, lounges	18.75
85	Hotels, motels, resort lodging	18.75
86	Public parks, golf courses, fairgrounds	1.0
87	Private country club and other recreational uses	1.0
88	Other cultural and entertainment uses, not elsewhere coded	1.0
91	Farms and cropland, first 10 acres	1.0
91A	Farms and cropland, in excess of the first 10 acres	.075
91B	Farms and cropland in excess of the first 10 acres upon which terraces or dams have been constructed	.06
92	Feedlots	1.0
93	Grasslands, the first 10 acres	1.0
93A	Grasslands in excess of the first 10 acres	.075
93B	Grasslands in excess of the first 10 acres upon which terraces or dams have been constructed	.06
94	Mining and quarrying	1.0
95	Cemetery	1.0
96	Sanitary landfills	1.0
97	Vacant	1.0
98	Under construction	1.0
99	Other not elsewhere coded	1.0

4. A property owner may file a written appeal with the city if the property owner believes the annual maintenance fee for his property is in error. Prior to a hearing being held on this appeal, the property owner shall provide an affidavit and drawing documenting the calculation to determine the percentage of impervious area on the subject property. The written appeal will be heard by the city in accordance with the formal appeal policy established by the city council on or before April 30, of the year the maintenance fees are charged to the subject property. The city may conduct its own review of the amount of impervious area on the subject property or it may rely upon the affidavit of the property owner to determine the storm water runoff the subject property contributes to the drainage system of the city. The runoff weighting factor is then determined through utilization of Table II. The calculation shall be completed by July 1 of the year the written appeal was requested.

A property owner may file a written appeal with the City to request adjoining parcels be combined for calculation of a runoff weighting factor as calculated in Table I or Table II.

TABLE II

Percentage Impervious Area	Average Runoff to Rainfall Ratio (R*)	Runoff Weighting Factor (R x 25)
0%	0.04	1.0
10%	0.19	4.75
15%	0.26	6.5
20%	0.30	7.5

30%	0.38	9.5
40%	0.45	11.25
50%	0.53	13.25
60%	0.60	15.0
70%	0.68	17.0
80%	0.75	18.75
90%	0.83	20.75
100%	0.90	22.5

\*These values are derived from the "STORM" equation (Figure 5-20, Page 5-49), A statistical Method for the Assessment of Urban Storm Drainage, EPA, Washington, D.C., January 1979. Exception: For low percentage impervious surfaces (0% to 20%), a linear relationship was assumed between the "STORM" equation and empirical data derived from drainage runoff in high depression storage, loose soils, and flat areas.

6. Interpolation of the runoff weighting factor for a given percentage of impervious area not listed in Table II may be obtained by assuming a linear relationship between the values listed.

7. The city manager may direct that the runoff weighting factor for a given parcel be calculated by a detailed site investigation and Table II, where an obvious departure from the percentage of impervious surfaces of similar land uses exists.

A determination of the runoff weighting factor, resulting from a detailed site investigation and Table II, brought about either by written appeal from a property owner or direction from the city manager, shall be used in the calculation of the subject parcels storm water program maintenance fee and shall replace the factor previously derived from Table I, even if the resulting value is higher.

8. Parcel area. Parcel area is to be obtained from the records of the Sioux City Assessor's office or certified by registered land surveyor.

9. Annual Unit Financial Charge. The annual unit financial charge is \$0.00028. The minimum annual charge for any parcel of land shall be \$10.

10. Special rule for drainage code 11, 10 acres or over. Such parcels with drainage code 11 may have their maintenance fee calculated as follows:

- a. The first 43,560 square feet shall have a runoff weighting factor of 2.5.
- b. The next 392,040 square feet shall have a runoff weighting factor of 1.0.
- c. The remaining area over 435,600 square feet shall have a runoff weighting factor of .25.

(Ord. 2009-0582; 91/T-10201; 91/T-9572)

### **12.30.030 Special Rule for Certain Nonprofit Organizations.**

1. The annual unit financial charge for the following nonprofit organizations shall be \$0.00017:
  - a. Church property with tax code "4";
  - b. Religious school property with tax code "5";
  - c. Educational campus property with tax code "17";
  - d. School district property with tax code "21." (Ord. 2009-0582; 92/U-728)
2. Tax codes shall be assigned by the city assessor. (Ord. 2009-0582; 90/T-9312)

### **12.30.040 Special Rule for Farm Land.**

The maximum annual charge for land use codes 91, 91A, 91B, 93, 93A, 93B in excess of ten acres shall be \$432 for any one parcel or for more than one parcel if all parcels are contiguous to one another under common ownership. Ord. 2009-0582; 92/U-728, 90/T-9312)

**12.30.050 Collection.** The storm water program maintenance fee established in section 12.30.010 shall be an annual charge. A proportionate amount of the maintenance fee is due at the same time and in the same manner as the garbage, water or sewer utility payments. The city manager may authorize annual billings to those accounts that do not otherwise receive a city utility bill or the property owner may request an annual bill. All charges shall be payable

in advance. (Ord. 2009-0582; 90/T-9312)

**12.30.060 Annual review.** The unit financial charge shall be reviewed annually and shall be revised as necessary to keep revenues reasonably in balance with anticipated expenditures. Excess funds may be carried forward from year to year in order to build sufficient funds for large drainage construction projects which are scheduled or programmed for the near future. In addition, funds may be carried over to provide sufficient monies for unanticipated repairs, replacements, or maintenance of the drainage system. (Ord. 2009-0582; 90/T-9312)

**12.30.070 Land use determination.**

For the period January 1, 2011, through June 30, 2011, the annual fee for each parcel shall be based on July 2009 land use. Land use will be updated annually each July and will determine the fee for the fiscal year beginning that July and ending on the following June 30. (Ord. 2009-0582; 90/T-9312)

**12.30.080 Termination of utility services and assessment of unpaid charges.**

Utility services may be terminated for nonpayment of the storm water program maintenance fees in accordance with the procedures set forth in Chapter 12.10, this Code. Unpaid storm water program maintenance fees may be charged or assessed in the manner provided by Chapter 12.10, this Code. (Ord. 2009-0582; 90/T-9312)

**12.30.090 Assistance to low income residents.**

A resident who receives property tax credit from the state of Iowa pursuant to Chapter 425, The Iowa Code, shall be entitled to have the resident's storm water program maintenance fee paid up to a maximum of twenty dollars per year.

A resident shall make application for assistance on forms provided by the city. The director of finance and administrative services shall certify eligibility and requisition payment of the drainage fee. (Ord. 2009-0582; 2006-0415; 92/T-10660)

**12.30.100 Sunset Provision Repealed by 2009-0582** This section has been repealed, see archives.