

CHAPTER 100  
**STORM SEWER UTILITY**

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**100.01 PURPOSE.** It is determined and declared to be necessary and conducive to the protection of the public health, welfare, safety and convenience of the City and its residents that charges be levied and collected from the owners or occupants of all lots, parcels of real estate, and buildings that discharge storm water or surface or subsurface waters, directly or indirectly, to the City storm water drainage system, and that the proceeds of such charges so derived be used for the purposes of operation, maintenance, repair, replacement and debt service for construction of the storm water drainage improvements comprising the storm water management utility.

**100.02 DEFINITIONS.**

1. “Developed property” means real property upon which a structure or impervious surface has been placed or constructed, thus increasing the amount of rainwater or surface water runoff.
2. “Dwelling unit” means a singular unit or apartment providing complete, independent living facilities for one or more persons including permanent provisions for living, sleeping, eating, cooking and sanitation.
3. “Exempt property” means public streets, alleys, and sidewalks; all undeveloped property.
4. “Impervious area” means hard-surfaced areas which either prevent or resist the entry of water into the soil mantle, as it entered under natural conditions as undeveloped property, and/or cause water to run off the surface in greater quantities or at an increased rate of flow from that present under natural conditions as undeveloped property.
5. “Nonresidential property” means any property developed for commercial, industrial, governmental or institutional use, including churches, hospitals, parking lots and multiuse properties incorporating residential uses.
6. “Residential property” means a residential structure designed as a single family dwelling or a structure with two or more dwelling units.
7. “Storm Water Drainage System” means the system of publically or privately owned or operated rivers, creeks, ditches, drainage channels, pipes, basins, street gutters, and lakes within the City through which or into which storm water runoff, surface water or subsurface water is conveyed or deposited.

8. “Storm Water Drainage System District” means the area served by the storm water utility.
9. “Storm Water Management System” means the existing storm water management facilities and storm water drainage system of the City and all improvements thereto which by this division are constituted as the property and responsibility of this utility, to be operated as an enterprise fund to, among other things, conserve water, control discharges and flows necessitated by rainfall events; and incorporate methods to collect, store, absorb, inhibit, treat, use or reuse water to prevent or reduce flooding, over-drainage, environmental degradation and water pollution or otherwise affect the quality or quantity or discharge from such system.
10. “Storm Water Management Utility” means the enterprise fund utility created by this chapter to operate, maintain and improve the system and for such other purposes as stated in this chapter.
11. “Undeveloped property” means any real property that has no impervious area.
12. “User” means any person owning, operating or otherwise responsible for property within the City, which directly or indirectly discharges storm water or subsurface waters to any portion of the storm water management system, including direct or indirect discharges to the City’s storm water drainage system. The term “user” means any person responsible for the direct or indirect discharge of storm water or surface or subsurface waters to the City’s storm water drainage system.

**100.03 DISTRICT.** The entire city is hereby organized into one storm water utility district.

**100.04 POWERS AND DUTIES.** The City and its designated agents shall have the following powers, duties and responsibilities with respect to the storm water utility:

1. Prepare ordinances as needed to implement this division and forward the ordinances to the Council for consideration and adoption, and adopt such regulations and procedures as are required to implement this chapter and carry out its duties and responsibilities.
2. Administer the design, construction, maintenance and operation of the utility system, including capital improvements.
3. Administer and enforce this chapter and all ordinances, regulations, and procedures relating to the design, construction, maintenance, operation and alteration of the utility system, including but not limited to the quantity, quality and/or velocity of storm water conveyed thereby.
4. Inspect private systems as necessary to determine the compliance of such systems with these chapters and any ordinances or regulations adopted pursuant to this chapter.

5. Review plans, approve or deny, inspect and accept extensions to the storm water drainage system.
6. Establish and enforce regulations to protect and maintain water quality within the system in compliance with water quality standards established by State and/or Federal agencies as adopted or amended.
7. Annually analyze the cost of services and benefits provided, and the system and structure of fees, charges, fines and other revenues of the utility, and make recommendations regarding adjustment to such fees, charges, fines and other revenues.

#### **100.05 DETERMINATION OF STORM WATER UTILITY CHARGE.**

1. Residential Property.
  - A. The storm water utility charge for residential properties shall be \$3.00 per month.
  - B. The storm water utility charge shall commence upon the earlier of the following:
    - (1) The issuance of a certificate of occupancy;
    - (2) Ninety (90) days after construction is halted, provided construction is at least 50% complete; or
    - (3) Ninety (90) days after construction is completed, even if a certificate of occupancy has not been issued for the property.
2. Nonresidential Property.
  - A. The storm water utility charge for nonresidential properties shall be \$5.00 per month.
  - B. The storm water utility charge shall commence upon the earlier of the following:
    - (1) The issuance of a certificate of occupancy;
    - (2) Ninety (90) days after construction is halted, provided construction is at least 50% complete; or
    - (3) Ninety (90) days after construction is completed, even if a certificate of occupancy has not been issued for the property.

**100.06 STORM WATER UTILITY CHARGE.** Every user owning or occupying property that is not exempt property in the City of Tiffin shall pay to the City a storm water utility charge as determined in this chapter. In the event that the owner and the occupant of a particular property are not the same, the liability for payment of the storm water utility charge attributable to the property shall be joint and several as to the owner and occupant.

All storm water utility charges are due and payable under the same terms and conditions provided for payment of a combined service account as contained in Section 92.03 of the Tiffin Code of Ordinances. All city utility services may be discontinued in accordance with the provisions contained in Section 92.04 if the combined service account becomes delinquent and the provisions

contained in Section 92.05, Section 92.06, and Section 92.07 shall also apply in the event of a delinquent account.