



## Legislation Text

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File #: 22-145, Version: 1

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### **ACTION REQUESTED:**

Communication from the City Manager, Director of Public Works, and Corporation Counsel with a Request to ADOPT an ORDINANCE to Amend CHAPTER 31 of the CODE of the City of Peoria, Relating to the STORMWATER UTILITY FEE.

### **BACKGROUND:**

The City adopted Ordinance No. 17,523 on December 5, 2017, establishing a stormwater utility for the City of Peoria and setting forth the procedures for billing, calculation and appeals of the billing determination, among other items. Since adoption of the original ordinance, the City has questioned whether a property owner who does not contribute to or did not use the Stormwater Utility should be exempt from a portion or all of the billing. The original ordinance did not contemplate that consideration. The ordinance did, however, have a policy for properties located near or next to the Illinois River.

Under the existing ordinance if an applicant near or next to the Illinois River can show that its stormwater drains directly into the river, it is eligible for a 90% credit/exemption. The remaining 10% exists, as a minimal user fee, because every property benefits from an efficient and effective stormwater utility that, for example, allows access to properties, streets and overall safety for the motoring public.

Using the concept of the 10% community value to the proposed amendment, it allows for a similar credit/exemption of 90%, but only under limited circumstances, specifically, that an application is made that includes engineering and scientific analysis to demonstrate the water flow, water capture, etc. and what, if any, use of the utility exists at all. In other words, if a landowner can demonstrate and makes an application that no water enters the system or is detained, cleaned and then enters the system, then up to 90% credit/exemption is a possibility.

Administratively, the revised Ordinance will work as follows:

1. An application is made to the Department of Public Works with assigned detail as noted.
2. The Department of Public Works considers the detail presented and makes a recommendation to the City Manager's Office.
3. The City Manager's office considers the Department of Public Works recommendation and approves, denies, or approves in part and denies in part the requested relief or, potentially, works out a separate resolution or amount.

**NEIGHBORHOOD CONCERNS:** Well-maintained infrastructure is of concern to all neighborhoods. The fees paid into the stormwater utility fund said infrastructure. User fees should have a rational connection to use of the system.

**IMPACT IF APPROVED:** Property owners will have the opportunity to receive up to a 90% exemption if they can show they are not using the system or is cleaned before it enters the system.

**IMPACT IF DENIED:** Ordinance stays as is currently written.

**ALTERNATIVES:** N/A

**EEO CERTIFICATION NUMBER:** N/A

**WHICH OF THE GOALS IDENTIFIED IN THE COUNCIL'S 2017 - 2032 STRATEGIC PLAN DOES THIS RECOMMENDATION ADVANCE?**

1. Financially Sound City

**WHICH CRITICAL SUCCESS FACTOR(S) FROM THE COMPREHENSIVE PLAN DOES THIS RECOMMENDATION IMPLEMENT?**

1. Keep taxes and fees competitive.

**DEPARTMENT:** Legal