

ORDINANCE 12-18

AN ORDINANCE ADOPTING CHAPTER 100A OF THE CODE OF ORDINANCES RELATING TO THE ESTABLISHMENT OF OTHER CONNECTION OR ACCESS CHARGES.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MARION, IOWA:

Section 1. The Code of Ordinances is amended by adding the following new Chapter 100A:

100.01A GENERAL PROVISIONS. The purpose of this chapter is to establish access or connection charges for certain properties within the City to recover the costs of designing and constructing various facilities, not covered by Chapter 100, from property owners who connect to such facilities subsequent to their construction. In the event the Council determines the necessity of constructing a major facility and determines that the utilization of an access or connection charge is the most equitable manner in which to recover the City's costs associated therewith, the Council shall first hold a public hearing on the proposed adoption of an ordinance to establish a benefited district and an access or connection charge.

100.02A DEFINITIONS. The following terms are defined for use in this chapter:

1. "Benefited district" means that area of the City established by agreement between the City and Owner to which service can feasibly be provided by a major facility of a given design and capacity.
2. "Connection" means the act of connecting private property to public property by use of the platting process.
3. "Major facility or facilities" means and includes storm or sanitary sewer mains, storm or sanitary sewer trunk lines or storm or sanitary sewer interceptors eight (8) inches in diameter or larger, and storm or sanitary sewer force mains, pumping stations, detention basins or streets.

100.03A CONNECTION CHARGE REQUIRED. After the effective date of the ordinance establishing a benefited district and an access or connection charge, no owner of property within the district, whose property is eligible for connection to a major facility, shall make such connection until the required access or connection charge has been paid. The access or connection charge required by this chapter is in addition to, and not in lieu of, any other fees required under any other provisions of this Code of Ordinances. In the event a property owner makes a connection to a major facility without having paid the required access or

connection charge, the City shall disconnect the connection until the required fee or charge has been paid.

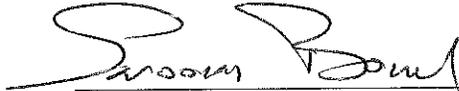
100.04A CONNECTION AVENUE DISTRICT.

1. There is hereby established a benefited district to be known as the Connection Avenue District. Said district encompasses the property lying within the following boundaries:

Parcel B Plat of Survey #895, as recorded in Book 4581, page 157, in the records of the Linn County Recorders Office, which is a part of the Lots 15 and 17, of the Irregular Survey of the Southwest Fractional Quarter of Section 19, Township 84 North, Range 6 West of the Fifth Principal Meridian, Linn County, Iowa, and Turning Stone Addition to the City of Marion, Iowa, and to all property covered by the Norman Gunnison Family Trust Agreement approved September 12, 2008.

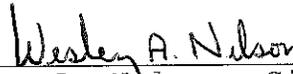
2. The schedule of fees for connecting property in said benefited district are as follows: \$169.60 per lineal frontage foot at the time of final platting.

Passed and approved this 21st day of June, 2012.



Snooks Bouska, Mayor

ATTEST:



Wesley A. Nelson, City Clerk

CERTIFICATE OF SERVICE

The undersigned City Clerk of Marion, Iowa certifies that the ordinance summarized shown immediately above was published in the Marion Times on the 28th day of June, 2012.

Wesley A. Nelson/
City Clerk