

ORDINANCE NUMBER 06-18-18-2

AN ORDINANCE OF THE CITY OF NEW LONDON, CONNECTICUT, PROVIDING FOR THE ESTABLISHMENT OF A MUNICIPAL STORM WATER MANAGEMENT AUTHORITY.

WHEREAS, General Statute §22a-497 allowed and provided grants for certain municipalities to participate in a municipal stormwater authority pilot program; and

WHEREAS, per said statute §22a-497, the Commissioner of Energy and Environmental Protection selected the City of New London to participate in such pilot program; and

WHEREAS, General Statute §22a-498 authorizes municipalities selected by the Commissioner of Energy and Environmental Protection pursuant to §22a-497 to create a municipal storm water authority that may levy fees from property owners of the municipality; and

WHEREAS, General Statute §22a-498a (P.A. No. 13-222) grants additional powers to a municipal storm water authority created pursuant to §22a-498 if such storm water authority is located in a distressed municipality having a population of not more than 28,000; and

WHEREAS, the City of New London (hereinafter "City") is a distressed municipality and has a population of not more than 28,000; and

WHEREAS, said statute §22a-498a permits a municipal storm water authority to be a body politic and corporate entity with the following powers: (1) To sue and be sued; (2) to acquire, hold and convey any estate, real or personal; (3) to contract; (4) to borrow money, including by the issuance of bonds, provided the issuance of such bonds is approved by the legislative body of the municipality in which such authority district is located; (5) to recommend to the legislative body of such municipality the imposition of a levy upon the taxable interests in real property within such authority district, the revenues from which may be used in carrying out any of the powers of such authority; (6) to deposit and expend funds; and (7) to enter property to make surveys, soundings, borings and examinations to accomplish the purposes of section 22a-498; and

WHEREAS, the City of New London has a separate storm water facility from its sewage treatment facilities, consisting of underground pipes and catch basins that receives storm water and ground water from roads and sidewalks that flow into the City's catch basins for ultimate discharge into the Thames River, Long Island Sound and Alewife Cove; and

WHEREAS, the City of New London has been covered by the DEEP MS4 permits since 2004; the City has created a storm water management plan, conducted annual sampling of selected storm water pipes, and submitted annual reports on the progress of the City's program to DEEP; and

WHEREAS, the federal and state governments beginning in 2017 will require the City of New London over the next five years to continue to perform all current activities and implement new activities for the treatment of storm water discharge from the City's storm water system.

such other fees. Any unpaid fee or portion thereof shall be a lien upon the real property for which it is imposed and shall have the same priority as a lien imposed for non-payment of real estate taxes.

(d) Definitions

- i. "Storm Water" means water resulting from precipitation, including without limitation rain, snow, and snow melt.
- ii. "Storm Water Management System" means any structure, feature or appurtenance subject to this ordinance, or a rule promulgated pursuant to this ordinance, that is designed to collect, detain, retain, treat, or convey storm water or storm water runoff, including without limitation buffer strips, swales, gutters, catch basins, closed conduits, detention systems, pretreatment systems, wetlands, pavement, unpaved surfaces, structures, water courses, or surface waters.
- iii. "Developed property" shall include property with any impervious surfaces located thereon.

Section 2.

A. All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

B. If any provision of this ordinance or the application thereof to any person or circumstances is held to be invalid, such invalidity shall not affect other provisions or applications of any other part of this ordinance that can be given effect without the invalid provisions or applications; and to this end, the provisions of this ordinance and the various applications thereof are declared to be severable.

C. This ordinance shall become effective after its passage as set forth in Section 27 of the City of New London Charter.

Date Approved by City Council: June 18, 2018

Effective Date: July 19, 2018

Signed: [Signature]

Anthony L. Nolan, City Council President

Countersigned: [Signature]

Jonathan Ayala, City Clerk

SCHEDULE A

QUARTERLY STORMWATER FEE

RESIDENTIAL, UP TO 1000 S.F.	\$7.50
RESIDENTIAL, 1,001 S.F. TO 2,000 S.F.	\$15.00
RESIDENTIAL, 2,001 S.F. TO 3,000 S.F.	\$22.50
RESIDENTIAL, 3,001 S.F. AND GREATER.	\$37.50
THE FOLLOWING CATEGORIES ARE BILLED IN INCREMENTS OF 100 S.F. I.C. (0.1 REU) WITH A MINIMUM QUARTERLY CHARGE OF 1000 S.F. I.C. (1 REU).	
RESIDENTIAL, 4 UNITS AND GREATER.	\$7.50/1000 S.F. I.C.
COMMERCIAL.	\$7.50/1000 S.F. I.C.
TAX EXEMPT.	\$7.50/1000 S.F. I.C.
INDUSTRIAL.	\$7.50/1000 S.F. I.C.
MUNICIPAL.	\$7.50/1000 S.F. I.C.
ALL OTHER CATEGORIES.	\$7.50/1000 S.F. I.C.

- 1 RESIDENTIAL EQUIVALENT UNIT (REU) = 1000 SQUARE FEET OF IMPERVIOUS COVER
- MINIMUM QUARTERLY FEE IS EQUAL TO 1 REU OR 1000 S.F.
- IMPERVIOUS COVER (I.C.)
- SQUARE FEET (S.F.)