

(Published in the Tulsa Daily Commerce
& Legal News,

July 31, 2008.)

ORDINANCE NO. 21857

AN ORDINANCE AMENDING TITLE 11-A, TULSA REVISED ORDINANCES, SECTION 202; INCREASING THE MONTHLY STORMWATER DRAINAGE SYSTEM SERVICE CHARGE AND ESTABLISHING OCTOBER 1, 2008, AS TO WHEN SUCH INCREASED RATES SHALL BECOME OPERATIVE; PROVIDING FOR SEVERABILITY; AND DECLARING AN EMERGENCY.

BE IT ORDAINED BY THE CITY OF TULSA:

Section 1. That Title 11-A, Chapter 2, Sections 202 Tulsa Revised Ordinances, be and the same is hereby amended to become operative on October 1, 2008, to read as follows:

"SECTION 202. RATE SCHEDULE

The monthly service charge rate shall be established at Five and 27/100 Dollars (\$5.27) for each Equivalent Service Unit assigned to a lot, tract, or parcel of real estate as provided in this section.

A. **Residential Property.** Residential property within the corporate limits of the City shall be assigned one Equivalent Service Unit for each developed lot, tract, or parcel of record with the County Clerk, the resulting service charge being Five and 27/100 Dollars (\$5.27) for each such lot, tract, or parcel. However, in the case of duplex development with two (2) dwelling units on the same lot, tract or parcel, a service charge of Five and 27/100 Dollars (\$5.27) shall be made to each dwelling unit.

B. **All Other Real Estate.** The impervious surface of all other lots, tracts, or parcels of developed real estate within the corporate limits of the City shall be measured to determine the equivalent service units to be assigned to such lots, tracts or parcels. The service charge shall be Five and 27/100 Dollars (\$5.27) for each Equivalent Service Unit or portion of an Equivalent Service Unit.

C. **Operative Date.** The rates established in this section shall become operative on October 1, 2008, for all billing areas provided for in Title 11-C, Tulsa Revised Ordinances, Chapter 9, Section 900, with a "service from date" on or after October 1, 2008.

D. **Credit for Private Maintenance of Detention Facilities.** Any property that is directly served by an approved on-site detention or retention facility may apply for

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and receive an adjustment in annual service charges for use of the City's stormwater drainage system. The Director shall adjust the service charge for such properties according to the mitigative effect of the facility on annual maintenance and operation costs, provided that:

1. The owner remains responsible for all costs of proper operation and maintenance of the facility;
2. The facility was constructed in compliance with City Drainage Standards; and
3. The owner obtained the proper permits from the City.

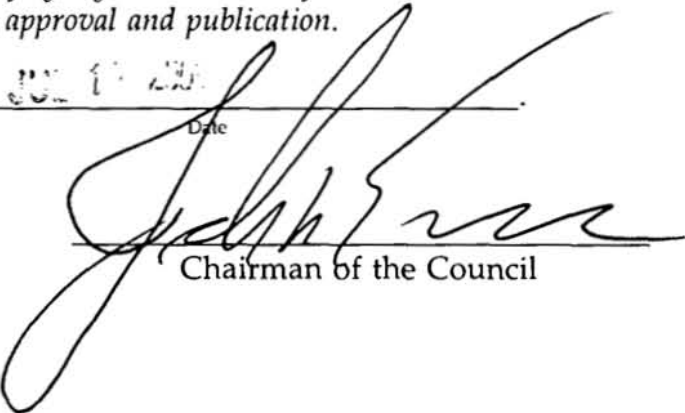
E. **Inspection.** The Director shall have the right to inspect the on-site facility at any reasonable time to determine if it is in compliance with the approved design and is capable of functioning properly. If the facility's performance might be affected because it fails to meet the proper operating standards, has been altered, or is in disrepair, the property owner shall pay the monthly service charge at the normal rate without benefit of reduction. Any property with an on-site detention facility which is maintained by the Public Works Department shall be charged normal annual service charge rates."

Ord. Nos. 16589, 17285, 17737, 17957, 18220, 18728, 19291, 19869, 20606, 21316, 21575

Section 2. SEVERABILITY. If any section, subsection, paragraph, subparagraph, sentence, clause or phrase of this Ordinance shall be declared invalid for any reason whatsoever, such decision shall not affect the remaining portions of this Ordinance, which shall remain in full force and effect, and to this end, the provisions of this Ordinance are hereby declared to be severable.

Section 3. EMERGENCY CLAUSE. That an emergency is now declared to exist for the preservation of the public peace, health and safety, by reason whereof this ordinance shall take effect immediately from and after its passage, approval and publication.

ADOPTED by the Council: _____



 Chairman of the Council

pb

ADOPTED as an emergency measure: _____

JUL 17 2008

Date

[Handwritten Signature]

Chairman of the Council

OFFICE OF THE MAYOR

Received by the Mayor: _____

Date

at _____

Time

Kathy Taylor, Mayor

By _____

Secretary

JUL 22 2008

APPROVED by the Mayor of the City of Tulsa, Oklahoma: _____

Date

at 2:00 pm.

[Handwritten Signature]

Mayor



ATTEST:

[Handwritten Signature: Ann Bennett]

Deputy City Clerk

APPROVED:

[Handwritten Signature: Maurice O. Puffer]

City Attorney

[Handwritten mark]