

**RESOLUTION 23-11132**

**A RESOLUTION LEVYING AND ASSESSING STORM  
SEWER FEES FOR PROPERTIES WITHIN THE CITY OF  
BILLINGS, PROVIDING FOR NOTICE, HEARING AND  
FINAL ADOPTION**

WHEREAS, under Section 7-13-4301, M.C.A, the City of Billings is authorized to construct, reconstruct, operate, and maintain a storm sewer system; and

WHEREAS, Billings, Montana City Code and Title 7, Chapter 13, Part 43 of the Montana Code Annotated authorizes the City of Billings to adjust storm sewer rates and charges to provide for the sufficient collection of revenues adequate for the payment of the reasonable expense of said system.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BILLINGS, MONTANA:

1. **ANNUAL STORM SEWER FEE.** That for the purpose of defraying the cost of upgrading, repairing, and maintaining the City Storm Sewer System, an annual storm sewer fee is imposed for fiscal year 2024, upon all lots or portions of lots as identified in the City's property tax record files. Rates are hereby levied and assessed as listed and described on EXHIBIT "A" attached hereto and by this reference said exhibit is made a part hereof.
2. **EXEMPTION.** Storm Sewer Fee assessments shall not be paid by the City General Fund, Public Safety Fund, Library Fund, Airport Fund or MET Transit Fund.
3. **DISPOSITIONS OF COLLECTIONS.** Monies collected from assessments shall be paid into the Municipal Storm Sewer System Fund, of Billings, Montana.
4. **NOTICE OF HEARING.** On Monday, **June 26, 2023**, at 5:30 o'clock p.m., or as soon thereafter as the matter may be considered on the agenda in the Council Chambers of the City Hall, Billings, Montana, the City Council will hear objections to the adoption of this resolution. The City Clerk is hereby directed to publish notice thereof twice, at least five (5) days prior to the hearing, in the Yellowstone County News.
5. **EFFECTIVE DATE.** This resolution shall be effective upon adoption.

ADOPTED and APPROVED by the City Council of the City of Billings, Montana  
on the 26<sup>th</sup> day of June, 2023.



ATTEST:

BY: Denise R. Bohlman  
Denise Bohlman, CITY CLERK

CITY OF BILLINGS:

BY: William A. Cole  
William A. Cole, MAYOR

***Exhibit A***

**STORM SEWER FEE**

<b>ZONE</b>	<b>RATE</b>	
VACANT	1,110.00	Cap
AT RATE	0.001901	per sq. ft.
CBD	0.019462	per sq. ft.
CMU1	0.013401	per sq. ft.
CMU2	0.013749	per sq. ft.
CX	0.014615	per sq. ft.
DX	0.013401	per sq. ft.
EBCW	0.013401	per sq. ft.
EBIS	0.014615	per sq. ft.
EBMS	0.019462	per sq. ft.
EBRMS	0.019462	per sq. ft.
EBRSV	0.012524	per sq. ft.
I1	0.014615	per sq. ft.
I2	0.016252	per sq. ft.
N1	0.006146	per sq. ft.
N2	0.006146	per sq. ft.
N3	0.006146	per sq. ft.
NMU	0.012524	per sq. ft.
NO	0.010549	per sq. ft.
NX1	0.011004	per sq. ft.
NX2	0.011183	per sq. ft.
NX3	0.011352	per sq. ft.
P1	0.003231	per sq. ft.
P2	0.003231	per sq. ft.
P3	0.012925	per sq. ft.
PD	0.008902	per sq. ft.
RMH	0.007255	per sq. ft.

**City Council Regular**

**Date:** 06/26/2023  
**Title:** Public Hearing and Resolution Setting Annual Storm Sewer Assessments for Fiscal Year 2024  
**Presented by:** Jennifer Duray  
**Department:** Public Works  
**Presentation:** Yes  
**Legal Review:** Yes  
**Project Number:** N/A

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**RECOMMENDATION**

Staff recommends that City Council conduct a public hearing and approve the proposed resolution setting storm sewer assessments rates for FY24.

**BACKGROUND (Consistency with Adopted Plans and Policies, if applicable)**

Storm sewer assessments are set annually by resolution. Storm assessments are based on zoning and square footage to reflect the relative storm water runoff of various land uses. The existing rates are not adequate to provide for the capital investment and operating costs necessary to continue providing service at the current level. The attached resolution specifies the proposed rates that will result in an estimated overall 5.6% increase for FY24. During the Public Works budget presentation to Council in May 2023, staff discussed that most recent Construction Cost Index (CCI) was 5.6%.

**ALTERNATIVES**

City Council may:

- Approve the recommended resolution
- Approve an amended resolution; or
- Not approve a resolution. If Council does not approve a resolution, an amended resolution to establish storm sewer assessments will need to be considered at a future City Council meeting to establish rates for FY24.

**FISCAL EFFECTS**

The proposed increase in the storm sewer assessment rates would increase an average 9,691 square foot residential lot by \$3.16 from \$56.40 per year to \$59.56 per year and will generate an additional \$291,000 for the storm sewer fund in FY24.

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**Attachments**

Resolution

