

RESOLUTION 92- 120

RESOLUTION ESTABLISHING NEW DRAINAGE FEES AND  
REPEALING RESOLUTION NO. 4765 AND ALL  
RESOLUTIONS IN CONFLICT HEREWITH

WHEREAS, on May 1, 1989, the City Council adopted Resolution No. 4765 entitled, "RESOLUTION ESTABLISHING NEW DRAINAGE FEES AND REPEALING RESOLUTION NO. 4581 AND ALL RESOLUTIONS IN CONFLICT HEREWITH"; and

WHEREAS, because of changing conditions and increased demands for drainage facilities, it is necessary and desirable to modify and add to previously fixed drainage fees;

NOW, THEREFORE,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MADERA AS FOLLOWS:

1. The following fees are hereby fixed and imposed as and for drainage fees in the City of Madera:

a. Except as hereinafter provided, Fifteen Cents (\$0.15) per square foot for all commercial and industrial structures, to be collected by the Building Department upon application for a building permit. In the event a builder or developer on any project or projects for which a building permit or multiple building permits are to be issued includes provisions for construction of storm drain lines or other drainage facilities, such builder or developer shall be entitled to a credit against the fees provided in this paragraph in such amount or amounts as may be determined by the City Engineer based upon the engineer's determination of the cost of said facilities and the benefit to the City therefrom.

b. A monthly service fee of Two Dollars (\$2.00) per month for each existing residential unit on any lot except as hereinafter provided

for apartments.

c. A fee of Two Tenths of a Cent (\$.002) per square foot of each structure per month containing more than two residential units, up to a maximum of Eighty Dollars (\$80.00) per month for lots containing not more than forty (40) units, a maximum of One Hundred Sixty Dollars (\$160.00) per month for lots containing not more than eighty (80) units, and a maximum of Two Hundred Forty Dollars (\$240.00) per month for lots containing eighty-one (81) or more units.

d. A fee of four-tenths of a cent (\$.004) per square foot of ground floor building area per month for all other properties in the City of Madera, except churches, up to a maximum of Eighty Dollars (\$80.00) per month.

e. A fee of two tenths (\$.002) per square foot of ground floor building area for churches in the City of Madera, up to a maximum of Eighty Dollars (\$80.00) per month.

2. The term "Ground Floor Building Area" shall be as determined by the Code Enforcement Department of the City of Madera.

3. All fees imposed herein, other than initial fees collected for new construction, shall become a charge due and payable to the City and added to municipal charges for sewer, water, disposal and/or other charges, payable in the same manner, and subject to the same rules and regulations applicable thereto. Such monthly charges shall also be imposed on all newly-improved property at the time of application for municipal services.

4. The Finance Director is directed to place the revenues collected pursuant to the provisions contained in this Resolution into the Storm Drain Fund. Fees collected with the issuance of building permits shall be

used for construction and/or acquisition of drainage facilities in connection with new development. Of the revenue collected on a monthly basis, two-thirds (66.6%) shall be used exclusively for the replacement and construction of storm drainage facilities approved by the City Council and for such purposes as are authorized by law. The balance, or one-third (33.3%) of the total monthly revenues shall be designated for maintenance of storm drain facilities and ponding basins. The City Administrator shall include a program of facility and ponding basin maintenance for City Council consideration as part of the annual budget.

5. The fees and charges contained in this Resolution shall be reviewed on a periodic basis by the City Council.

6. Resolution No. 4765, entitled "RESOLUTION ESTABLISHING NEW DRAINAGE FEES AND REPEALING RESOLUTION NO. 4581 AND ALL RESOLUTIONS IN CONFLICT HEREWITH", adopted May 1, 1989, is hereby repealed.

7. This Resolution shall be effective immediately upon adoption but shall be operative January 1, 1993.

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PASSED AND ADOPTED by the City Council of the City of Madera this 21st  
day of December, 1992, by the following vote:

AYES: Councilmembers O'Rourke, Scalzo, Armentrout, Perez and Mayor Wells.

NOES: None.

ABSENT: None.

/s/ John W. Wells  
Mayor of the City of Madera

ATTEST:

/s/ Nicholas A. Pavlovich  
City Clerk of the City of Madera