

ORDINANCE NO (2328)

AN ORDINANCE AMENDING CHAPTER 34 OF THE CODE OF HERMISTON RELATING TO SYSTEM DEVELOPMENT CHARGES.

Whereas, the staff of the City of Hermiston is conducting a major review of the City's Code of Ordinances, now, therefore,

The City of Hermiston ordains as follows:

(New language is in *red* and *italics* and repealed language has a ~~line through it.~~)

Section 1. Section 34.01 of Chapter 34 of the Hermiston Code of Ordinances is amended to read:
34.01 **PURPOSE AND SCOPE.**

The purpose of this subchapter is to impose an equitable share of the public costs of capital improvements on development that creates the need for or increases demands on public infrastructure. The system development charges imposed herein are separate from and in addition to any applicable tax, assessment, charge or fee otherwise provided by law or imposed as a condition of development.

Section 2. Section 34.02 of Chapter 34 of the Hermiston Code of Ordinances is amended to read:
34.02 DEFINITIONS.

For the purpose of this subchapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

CAPITAL IMPROVEMENTS. Facilities or assets used for:

- (1) Water supply, treatment and distribution;
- (2) Sewer and wastewater collection, transmission, treatment and disposal;
- (3) Drainage and flood control;
- (4) Transportation; or
- (5) Parks and recreation.

Capital improvements do not include costs of operation or routine maintenance of capital improvements.

DEVELOPMENT. ~~Conducting a building or mining operation, making a physical change in the use or appearance of a structure or land, or creating or terminating a right of access.~~

Any construction of improvements on a site, including buildings, other structures, open areas such as plazas or walkways, parking and loading areas, water, sewer, and wastewater fixtures. It includes redevelopment of property requiring a building or connection permit.

IMPROVEMENT FEE. A fee for costs associated with capital improvements to be constructed after the date the fee is adopted pursuant to the provisions of this subchapter.

~~**LAND AREA.** The area of a parcel of land as measured by projection of the parcel boundaries upon a horizontal plane with the exception of a portion of the parcel within a recorded right of way or easement subject to a servitude for a public street or scenic or preservation purpose.~~

~~**OWNER.** The OWNER(S) of record title or the purchaser(s) under a recorded sales agreement, and other persons having an interest of record in the described real property.~~

PARCEL OF LAND. A lot, parcel, block or other tract of land that is or may be occupied by a structure or structures or other use, and that includes the yards and other open spaces required under the zoning, subdivision or other development ordinances.

PERMITTEE. The person to whom a building permit, development permit or right of way access permit is issued.

QUALIFIED PUBLIC IMPROVEMENT. A capital improvement that is:

- (1) Required as a condition of development approval *and is identified in the Master Plan Improvement or other applicable capital improvement plan; and is either*
- (2) ~~Identified in the System Development Charge Fund Project Plan; and~~ *Not located on or continuous to a parcel of land that is the subject of the development approval, or*
- (3) ~~Not located on or continuous to a parcel of land that is the subject of the development approval~~ *Is located in whole or in part on, or contiguous to, property that is the subject of development approval and is required to be built larger or with greater capacity than is necessary for the particular development project to which the improvement fee is related.*

REIMBURSEMENT FEE. A fee for costs associated with capital improvements constructed or under construction on the date the fee is adopted pursuant to the provisions of this subchapter *for which the City determines that capacity exists.*

SYSTEM DEVELOPMENT CHARGE (SDC). A reimbursement fee, an improvement fee or a combination thereof assessed or collected at the time of increased usage of a capital improvement, at the time of issuance of a development permit or building permit, or at the time of connection to the capital improvement. *It includes that portion of a sewer or water system connection charge that is greater than the amount necessary to reimburse the City for its average cost of inspecting and installing connections with water and sewer facilities.* ~~**SYSTEM DEVELOPMENT CHARGES**~~ *System development charge* does not include fees assessed or collected as part of a local improvement district or a charge in lieu of a local improvement

district assessment, or the cost of complying with requirements or conditions imposed by a land use decision, *expedited land division or limited land use decision*.

Section 3. Section 34.03 of Chapter 34 of the Hermiston Code of Ordinances is amended to read:

34.03 SYSTEM DEVELOPMENT CHARGE IMPOSED.

Unless exempted pursuant to ~~herein~~ *this subchapter*, a systems development charge is hereby imposed upon all development within the ~~city~~ *City and may be imposed by resolution on all development outside the boundary of the City that connects to or otherwise uses the sewer facilities, storm sewers, or water facilities of the City.*

Section 4. Section 34.04 of Chapter 34 of the Hermiston Code of Ordinances is amended to read:

34.04 METHOD FOR ESTABLISHMENT.

Systems development charges shall be established and may be revised by resolution of City Council. The resolution shall set the amount of the charge, the type of permit to which the charge applies, *interest rates on deferred charges* and, if the charge applies to a geographic area smaller than the entire ~~city~~ *City* the geographic area subject to the charge *and any other matters deemed appropriate by the City Council. The resolution may specify an inflation index and authorize the City Manager or designee to adjust the charge(s) pursuant to that index as provided in the resolution.*

Section 5. Section 34.05 of Chapter 34 of the Hermiston Code of Ordinances is amended to read:

34.05 METHODOLOGY.

(A) The methodology used to establish the reimbursement fee shall consider the cost of the then existing facilities, prior contributions by then existing system users, the value of unused capacity, rate making principles employed to finance publicly owned capital improvements, and other relevant factors *specified in state law or* identified by the City Council. The methodology shall promote the objective that future systems users shall contribute not more than an equitable share of the cost of then existing facilities.

(B) The methodology used to establish the improvement fee shall consider the cost of projected capital improvements identified *in the Master Plan Improvement or other applicable capital improvement plan* needed to increase the capacity of the systems to which the fee is related; *the need for increased capacity in the system to which the fee is related that will be required to serve the demands placed on the system by future users* and other ~~relevant~~ factors identified by the City Council. *It will be calculated to obtain the cost of capital improvements for the projected need for available system capacity for future users.*

(C) ~~The methodology used to establish the improvement fee or the reimbursement fee, or both, shall be adopted by resolution.~~ *The City may not impose a system development charge that requires an employer, defined as any person who contracts to pay remuneration for, and secures*

the right to direct and control the services of any person, to pay a reimbursement fee or an improvement fee based on:

(a) The number of individuals hired by the employer after a specified date; or

(b) A methodology that assumes that costs are necessarily incurred for capital improvements when an employer hires an additional employee.

(D) The methodology for an improvement or reimbursement fee shall not include or incorporate any method or system under which the payment of the fee or the amount of the fee is determined by the number of employees of an employer without regard to new construction, new development or new use of an existing structure by the employer.

Section 6. Section 34.06 of Chapter 34 of the Hermiston Code of Ordinances is repealed and a new section is added to read:

~~34.06 AUTHORIZED EXPENDITURE.~~

~~(A)—Reimbursement fees shall be applied only to capital improvements associated with the systems for which the fees are assessed, including expenditures relating to repayment of indebtedness.~~

~~(B)—Improvement fees shall be spent only on capacity increasing capital improvements, including expenditures relating to repayment of debt for improvements. An increase in system capacity occurs if a capital improvement increases the level of performance or service provided by existing facilities or provides new facilities. The portion of the improvements funded by improvement fees must be related to demands created by projected development.~~

~~(C)—Capital improvement being funded wholly or in part from revenues derived from the improvement fee shall be included in the Systems Development Charge Fund Project Plan adopted by the city.~~

~~(D)—System development charge revenues may be expended on the direct costs of complying with the provisions of this subchapter, including the costs of developing system development charge methodologies and providing an annual accounting of system development charge funds.~~

34.06 ADOPTION OR AMENDMENT TO METHODOLOGY.

(A) The City Council shall hold a public hearing on the adoption or amendment of the methodology on which a systems development charge is based. The methodology used to establish the improvement fee or the reimbursement fee, or both, shall be adopted by resolution or ordinance and must be available for public inspection.

(B) The City shall maintain a list of persons who have made a written request for notification prior to adoption or amendment to the system development charge methodology. Written notice shall be mailed to persons on the list at least 90 days prior to the first hearing to adopt or amend a system development charge and the methodology but be available at least 60 days prior to the first hearing. The City may periodically delete names from the list but shall first provide at least 30 days' notice to the person whose name is to be deleted that a new request for notification is required if the person wishes to remain on the notification list. Failure of a person on the list to receive notice that was mailed does not invalidate any action of the City.

(C) A change in the amount of system development charge is not an amendment if the change in amount is based on:

(1) A change in the cost of materials, labor, or real property applied to projects or project capacity as set forth on the Project Plan;

(2) The periodic application of one or more specific cost indexes or other periodic data sources, including the cost index identified §34.0. A specific cost index or periodic data source must be:

a. A relevant measurement of the average change in prices or costs over an identified time period for materials, labor, real property, or a combination of the three;

b. Published by a recognized organization or agency that produces the index or data source for reasons that are independent of the system development charge methodology; and

c. Incorporated as part of the established methodology or identified and adopted by the City Council in a separate resolution.

Section 7. Section 34.07 of Chapter 34 of the Hermiston Code of Ordinances is repealed and a new section 34.07 is added to read:

34.07 PROJECT PLAN.

~~(A) The City Council shall adopt by resolution the Systems Development Charge Fund Project Plan. This plan:~~

- ~~(1) Defines the amount of current or under construction capacity available for new development and the cost of the facilities comprising this capacity;~~
~~(2) Lists the capital improvements that may be funded with improvement fee revenues; and~~
~~(3) Lists the estimated cost and estimated construction time frame of each improvement.~~
~~(B) In adopting this plan, the City Council may incorporate by reference all or a portion of any public facilities plan, master plan, capital improvements plan or similar plan that contains the information required by this section. The City Council may modify this project plan at any time through the adoption of an appropriate resolution. (Ord. 1938, passed 9-8-97)~~

34.07 AUTHORIZED EXPENDITURE.

- (A) Reimbursement fees shall be applied only to capital improvements associated with the systems for which the fees are assessed, including expenditures relating to repayment of indebtedness.*
- (B) Improvement fees shall be spent only on capacity increasing capital improvements, including expenditures relating to repayment of debt for improvements. An increase in system capacity occurs if a capital improvement increases the level of performance or service provided by existing facilities or provides new facilities. The portion of the improvements funded by improvement fees must be related to the need for increased capacity in the system to which the fee is related that will be required to serve the demands placed on the system by future users.*
- (C) Capital improvement being funded wholly or in part from revenues derived from the systems development charges shall be included in the Master Plan Improvement or other applicable capital improvement plan. .*
- (D) System development charge revenues may be expended on the direct costs of complying with the provisions of this subchapter, including the costs of developing system development charge methodologies and providing an annual accounting of system development charge funds. System development charge revenues may be expended only in accordance with state law and may not be expended on costs associated with the construction of administrative office facilities that are more than an incidental part of other capital improvements or for the operation or maintenance of capital improvements.*

Section 8. Section 34.08 of Chapter 34 of the Hermiston Code of Ordinances is repealed and a new section 34.08 is added to read:

34.08 CHARGE COLLECTION.

- ~~(A) The systems development charge is payable upon issuance of:~~
~~(1) A building permit;~~
~~(2) A development permit for development not requiring the issuance of a building permit;~~
~~(3) Approval to connect or increase the usage of the system or systems provided by the city; or~~

~~(4) A right of way access permit.~~

~~(B) The resolution which sets the amount of the charge shall designate the permit or systems to which the charge applies.~~

~~(C) The City Manager or his designee shall collect the applicable system development charge from the permittee or system user.~~

~~(D) The City Manager or his designee shall not issue the permit or allow connection or increased usage of the system(s) until the charge has been paid in full, unless an exemption is granted pursuant to § 34.09.~~

~~(E) All moneys collected through the system development charge shall be retained in a separate fund and segregated by type of system development charge and by reimbursement versus improvement fees. (Ord. 1938, passed 9-8-97)~~

34.08 PROJECT PLAN.

(A) The City Council shall adopt by resolution the Master Plan Improvement or other capital improvement plan(s) that:

(1) Defines the amount of current or under construction capacity available for new development and the cost of the facilities comprising this capacity;

(2) Lists the capital improvements that may be funded in whole or in part with systems development charges revenues; and

(3) Lists the estimated cost and estimated construction time frame of each improvement.

(B) In adopting a plan, the City Council may incorporate by reference all or a portion of any public facilities plan, master plan, capital improvements plan or similar plan that contains the information required by this section.

(C) The City Council may modify these plans at any time through the adoption of an appropriate resolution. If a system development charge will be increased by a proposed modification to the list to include a capacity increasing public improvement, the City Council will:

(1) At least thirty (30) days prior to the adoption of the proposed modification, provide written notice to persons who have requested notice pursuant to §34.06 of this subchapter;

(2) Hold a public hearing if a written request for a hearing is received within seven (7) days prior to the date of adoption of the proposed modification.

Section 9. Section 34.09 of Chapter 34 of the Hermiston Code of Ordinances is repealed, and a new section 34.09 is added to read:

~~34.09 EXEMPTIONS.~~

~~(A) Exemptions include all structures and uses established and existing on or before the effective date of the resolution.~~

~~(B) Additions to single family dwellings that do not constitute the addition of a dwelling unit as defined by the city's Building Code are exempt from all portions of the system development charge.~~

~~(C) An alteration, addition, replacement or change in use that does not increase the parcel's or structure's use of a capital improvement are exempt from all portions of the system development charge. (Ord. 1938, passed 9-8-97)~~

34.09 CHARGE COLLECTION.

(A) The systems development charge is payable upon issuance of:

(1) A building permit;

(2) A development permit for development not requiring the issuance of a building permit;

(3) A permit or approval to connect to or increase the usage of the system or systems provided by the City; or

(4) A right of way access permit.

(B) The resolution which sets the amount of the charge shall designate the permit or systems to which the charge applies.

(C) The City Manager or designee shall collect the applicable system development charge from the permittee or system user.

(D) The City Manager or designee shall not issue the permit or allow connection or increased usage of the system(s) until the charge has been paid in full or provision for deferral has been made unless an exemption is granted pursuant to § 34.11.

(E) If development is commenced or connection is made without an appropriate permit, the system development charge is immediately payable upon the earliest date that a permit or approval was required, and it will be unlawful for anyone to continue with the construction or associated use until the system development charge has been paid.

(F) All moneys collected through the system development charge shall be retained in a separate fund and segregated by type of system development charge and by reimbursement versus improvement fees.

Section 10. Section 34.10 of Chapter 34 of the Hermiston Code of Ordinances is repealed and is reserved for future adoption.

34.10 CREDITS.

~~(A) A permittee is eligible for credit against the system development charge for constructing a qualified capital improvement. A qualified capital improvement means one that meets all of the following criteria:~~

~~(1) Is required as a condition of development approval by the city;~~

~~(2) Is identified in the adopted System Development Charge Fund Project Plan; and~~

~~(3) Is not located within or contiguous to the property or parcel that is subject to development approval; or~~

~~(4) Is not located in whole or in part on, or contiguous to, property that is the subject of development approval and required to be built larger or with greater capacity than is necessary for the particular development project to which the improvement fee is related.~~

~~(B) This credit shall be only for the improvement fee charged for the type of improvement being constructed. Credit under this section may be granted only for the cost of that portion of the improvement that exceeds the facility size or capacity needed to serve the development project.~~

~~(C) In applying the adopted methodology, the city may grant a credit against the improvement charge for capital facilities provided as part of the development that reduces the development's demand upon existing capital improvements or the need for further capital improvements or that would otherwise have to be constructed at city expense under the then-existing City Council policies.~~

~~(D) When the construction of a qualified public improvement gives rise to a credit amount greater than the improvement fee that would otherwise be levied against the project receiving development approval, the excess credit may be applied against improvement fees that accrue in subsequent phases of the original development project.~~

~~(E) — All credit requests must be in writing and filed with the city before the issuance of a building permit. Improvement acceptance shall be in accordance with the usual and customary practices, procedures and standards of the city. The amount of any credit shall be determined by the city and based upon the subject improvement construction contract documents, or other appropriate information, provided by the applicant for the credit. Upon a finding by the city that the contract amounts exceed prevailing market rate for a similar project, the credit shall be based upon market rates. The city shall provide the applicant with a credit on a form provided by the city. The credit shall state the actual dollar amount that may be applied against any system development charge imposed against the subject property. The applicant has the burden of demonstrating qualification for a credit.~~

~~(F) — Credits shall be apportioned against the property which was subject to the requirements to construct an improvement eligible for credit. Unless otherwise requested, apportionment against lots or parcels constituting the property shall be proportionate to the anticipated public facility service requirements generated by the respective lots or parcels. Upon written application to the city, however, credits shall be reapportioned from any lot or parcel to any other lot or parcel within the confines of the property originally eligible for the credit. Reapportionment shall be noted on the original credit form retained by the city.~~

~~(G) — Any credits may be assigned; however, they shall apply only to that property subject to the original condition for land use approval upon which the credit is based or any partitioned or subdivided parcel or lots of property to which the credit has been apportioned. Credits shall only apply against system development charges, are limited to the amount of the fee attributable to the development of the specific lot or parcel for which the credit is sought and shall not be a basis for any refund.~~

~~(H) — Any credit request must be submitted before the issuance of a building permit. The applicant is responsible for presentation of any credit and no credit shall be considered after issuance of a building permit.~~

~~(I) — Credits shall be used by the applicant within ten years of their issuance by the city. (Ord. 1938, passed 9-8-97)~~

34.10 RESERVED.

Section 11. Section 34.11 of Chapter 34 of the Hermiston Code of Ordinances is repealed, and a new section 11 is added to read:

~~34.11 NOTIFICATION; APPEALS.~~

~~(A) The city shall maintain a list of persons who have made a written request for notification prior to adoption or amendment of the system development charge methodology. These persons shall be so notified in writing of any proposed changes at least 45 days prior to the first hearing to adopt or amend methodology(ies). This methodology shall be available at least 30 days prior to the public hearing.~~

~~(B) No challenge to the system development charge methodology shall be accepted after 60 days following final adoption by the City Council. (Ord. 1938, passed 9-8-97)~~

34.11 EXEMPTIONS.

The following are exempt from systems development charges:

(A) Structures and uses established and existing on or before the effective date of this subchapter, to the extent of the structure or use then existing, including any then existing connections. New connections, uses or redevelopment are subject to the SDC in effect at the time of the connection, change in use or redevelopment unless otherwise exempt.

(B) Additions to single family dwellings that do not constitute the addition of a dwelling unit as defined by the City's Building Code are exempt from all portions of the system development charge.

(C) An alteration, addition, replacement or change in use that does not increase the parcels or structure's use of a capital improvement are exempt from all portions of the system development charge applicable to that capital improvement.

Section 12. Section 34.12 of Chapter 34 of the Hermiston Code of Ordinances is repealed and a new section 12 is added to read:

~~34.12 ANNUAL ACCOUNTING.~~

~~The city shall provide an annual accounting for system development charges showing the total amount of system development charges collected for each system along with a list of projects funded in whole or in part through system development charges. (Ord. 1938, passed 9-8-97)~~

34.12 CREDITS.

(A) A permittee is eligible for credit against the improvement fee for constructing a qualified capital improvement. .

(B) This credit shall be only for the improvement fee charged for the type of improvement

being constructed. Credit shall be granted only for the cost of that portion of the improvement that exceeds the facility size or capacity needed to serve the development project.

(C) In applying the adopted methodology, the City may grant a credit against the improvement charge for capital facilities provided as part of the development that reduces the development's demand upon existing capital improvements or the need for further capital improvements or that would otherwise have to be constructed at City expense under the then existing City Council policies.

(D) When the construction of a qualified public improvement gives rise to a credit amount greater than the improvement fee that would otherwise be levied against the project receiving development approval, the excess credit may be applied against improvement fees that accrue in subsequent phases of the original development project. Credits are not otherwise transferable.

(E) For a change of use, a credit will be issued against the SDC that otherwise would be due in an amount equal to the current SDC attributable to the previous use. The credit may not exceed the SDC on the new use and is not transferable.

(F) All credit requests must be in writing and filed with the City before the issuance of the permit or approval that triggers payment of the SDC. Acceptance of the qualified improvement shall be in accordance with the usual and customary practices, procedures, and standards of the City. The amount of any credit shall be determined by the City and based upon, at the discretion of the City, either the subject improvement construction contract documents, or other appropriate information or the actual completed cost of that portion of the qualified improvement that exceeds the facility size or capacity needed to serve the development and issued after acceptance of the improvement by the City. Upon a finding by the City that the contract or cost amounts exceed prevailing market rate for a similar project, the credit shall be based upon market rates. The City shall provide the applicant with a credit on a form provided by the City. The credit shall state the actual dollar amount that may be applied against any system development charge imposed against the subject property. The applicant has the burden of demonstrating qualification for a credit. If real property is donated to the City for a qualifying capital improvement, the credit will be determined by the real market value shown on the most recent County tax records or the City may require an independent appraisal in which case the credit shall be determined by the appraised fair market value.

(G) Credits shall be apportioned against the property which was subject to the requirements to construct an improvement eligible for credit. Unless otherwise requested, apportionment against

lots or parcels constituting the property shall be proportionate to the anticipated public facility service requirements generated by the respective lots or parcels. Upon written application to the City, however, the City may apportion credits from any lot or parcel to any other lot or parcel within the confines of the property originally eligible for the credit. Reapportionment shall be noted on the original credit form retained by the City.

(H) Any credits may be assigned; however, they shall apply only to that property subject to the original condition for land use approval upon which the credit is based or any partitioned or subdivided parcel or lots of property to which the credit has been apportioned. Credits shall only apply against system development charges, are limited to the amount of the improvement fee attributable to the development of the specific lot or parcel for which the credit is sought and shall not be a basis for any refund.

(I) Any credit request must be submitted before the issuance of a building permit. The applicant is responsible for presentation of any credit and no credit shall be considered after issuance of a building permit.

(J) Credits shall expire unless used by the applicant within ten years of issuance by the City.

Section 13. Chapter 34 of the Hermiston Code of Ordinances is amended by adding Section 13 to read:

34.13 DEFERRAL OF SDC

A. An applicant may apply for deferral of payment of an SDC until issuance of an occupancy permit or final inspection approval, provided that:

(1) The amount of the SDC for which deferral is sought exceeds the SDC due on construction of a single-family dwelling unit;

(2) The application is received by the City prior to issuance of the building permit or other applicable approval; and

(3) The applicant is not in default of payment of any SDC's otherwise due.

B. The deferred SDC is due and payable in full prior to issuance of the occupancy permit or final inspection approval, whichever first occurs, but no later than 12 months from issuance of the building permit or other applicable approval. The SDC due shall be the amount in effect at the time of issuance of the building permit or other applicable approval. Interest on the deferred

amount shall be charged at the U.S. prime rate in effect at the time of deferral.

C. The City Manager or designee may establish a deferred payment agreement form, which shall be recorded in the County property records and constitutes a first lien on the subject property. The City Council may, by resolution, establish an administrative fee for deferral request processing and recording.

Section 14. Chapter 34 of the Hermiston Code of Ordinances is amended by adding Section 14 to read:

34.14 REFUNDS

A. Refunds of an SDC paid may be made upon initiation of the City Manager or designee or written application filed with the City Manager or designee.

B. A refund shall be allowed for only the following reasons:

(1) A determination by the City that there was error in the calculation of the SDC. An application for a refund under this paragraph must be made no later than 30 days from the date of issuance of the building permit or other applicable approval, or occupancy permit or final inspection if deferred. The burden of proving error shall be on the applicant.

(2) Withdrawal or expiration of the building permit or other applicable approval provided the development subject to the SDC has not commenced, but in no event more than two years from issuance or approval. An application for refund under this paragraph must be made no later than 30 days from the date of expiration or withdrawal. Any subsequent building permit issuance or other applicable approval shall be subject to the SDC amounts then in effect.

C. No interest shall be paid on refunds.

Section 15. Chapter 34 of the Hermiston Code of Ordinances is amended by adding Section 15 to read:

34.15 APPEALS.

(A) Any interested person may challenge an SDC expenditure by filing an appeal with the City within two years of the expenditure. The appeal shall be heard by the City Council which may adopt rules for such challenge by resolution which procedures shall be provided to the person filing the challenge.

(B) A challenge to the system development charge methodology must be filed within 60 days following adoption or modification and may be pursued only as provided in ORS 34.010-34.100.

(C) Appeals of other decisions under this subchapter, including calculation of an SDC charge or credit, must be filed as provided in Chapter 136. The City Council shall hear the appeal unless delegated to the Code Hearings Officer.

Section 16. Chapter 34 of the Hermiston Code of Ordinances is amended by adding Section 16 to read:

34.16 ANNUAL ACCOUNTING.

The City shall provide an annual accounting, to be completed by January 1 of each year, for system development charges showing the total amount of system development charges collected for each system along with a list of projects funded in whole or in part through system development charges. It shall show any costs attributed to the costs of complying with the provisions of state law governing systems development charges, including the cost of the methodologies and the annual accounting.

Section 17. This ordinance shall take effect on the 30th day after adoption.

ADOPTED by the Common Council this 27TH day of September 2021.

SIGNED by the Mayor this 27th day of September 2021.

Dr. David Drotzmann, MAYOR

Lilly Alarcon-Strong, CMC, CITY RECORDER