

ORDINANCE NO.: 5230

AN ORDINANCE to amend sec. 46-175 and to repeal secs. 46-176 and 46-185 of the Code of Ordinances of the City of La Crosse regarding the Stormwater Utility.

WHEREAS, the City of La Crosse previously established a Stormwater Utility, which came online and has been operating since January 1, 2012 via Chapter 46, Article III, Division 4 of the Municipal Code of Ordinances; and

WHEREAS, said legislation did establish various aspects of the Utility, including definitions, standards, and guidelines for operations, and

WHEREAS, after a decade of operations of the Utility, it is prudent to assess observed conditions of surface and pipe network performance and capacity, as well as consider and implement new technologies and meteorological data of record in an ongoing effort to address future needs for resiliency, for the general health, safety, and welfare of the City of La Crosse.

THE COMMON COUNCIL of the City of La Crosse do ordain as follows:

SECTION I: Sec. 46-175 – Definitions, is hereby amended added as follows:

Storm event. A ~~ten-year~~ storm event is shall be as defined by Resolution, ~~as 4.4 inches of liquid precipitation falling in a 24-hour period using a SCS Type II distribution curve as established in the "United States Department of Agriculture, Soil Conservation Service, Technical Paper 149, published 1973." Statistically, a ten-year storm has a ten percent chance of occurring in any given year.~~

SECTION II: Subsection (6) of Sec. 46-176 – Rates and charges, is hereby repealed.

SECTION III: Sec. 46-185 – Sunset date, is hereby repealed.

SECTION IV: Should any portion of this ordinance be declared unconstitutional or invalid by a court of competent jurisdiction, the remainder of this division shall not be affected.

SECTION V: This Ordinance shall take effect upon passage and publication.

_____/s/_____
Mitch Reynolds, Mayor

_____/s/_____
Nikki Elsen, City Clerk

Passed: 9/8/2022
Approved: 9/9/2022
Published: 9/17/2022