

ORDINANCE NO: \_\_\_\_\_

AMENDING CHAPTER 18

AN ORDINANCE AMENDING CHAPTER 18 ENTITLED "STORMWATER" OF THE CITY OF CHARLOTTE CODE OF ORDINANCES.

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHARLOTTE:**

Chapter 18, Article II "Rates and Charges" of the Charlotte Code of Ordinances is amended as follows:

Section 1. Section 18-39, subsection (a) shall be amended by deleting reference to the "Storm Water Rate Methodology" document dated May 13, 1996, or any subsequent methodology:

(a) Pursuant to an interlocal agreement entitled "Agreement for Operation of a Single Storm Water System within Mecklenburg County," which became effective January 1, 1994, the city manager shall request the county to set and revise, from time to time, the service rate charge ~~in accordance with the "Storm Water Rate Methodology," dated May 13, 1996, a copy of which is on file in the office of the city clerk, or any subsequent methodology~~ agreed to and adopted by both governing bodies. Upon the expiration or termination of such interlocal agreement, the city council shall establish the service rate charge and base rate charge.

Section 2. Section 18-40, subsection (b)(2) shall be amended by adding an exemption for city rights-of way:

(b) The following exemptions from stormwater service charges shall be allowed:

(1) Undeveloped land.

(2) Public road rights-of-way which have been conveyed to and accepted for maintenance by the city or the state and are available for use in common by the general public for motor vehicle transportation, but this exemption shall not apply to any other uses of developed land for public purposes, such as, but not limited to, ~~public street rights-of-way conveyed to and accepted for maintenance by the city~~, offices, airports, maintenance yards, water and wastewater treatment plants and water reservoirs, parking lots or garages, parks, recreation facilities, libraries, schools, colleges, universities, social service centers, public housing, hospitals, convalescent centers, and other developed land used for public purposes. This exemption also shall not apply to internal site roadways within such public facilities; to private roads or drives; or to internal roads, drives, and parking areas in privately owned properties.

(3) Railroad tracks, but this exemption shall not apply to railroad stations, maintenance buildings, or other developed land used for railroad purposes.

Section 3. This ordinance shall be effective upon adoption.

Approved as to form:

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City Attorney

**CERTIFICATION**

I, Stephanie C. Kelly, City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of an Ordinance adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the \_\_\_\_\_ day of \_\_\_\_\_, 2016, the reference having been made in Minute Book \_\_\_\_\_, and recorded in full in Ordinance Book \_\_\_\_\_, Page(s) \_\_\_\_\_.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the \_\_\_\_\_ day of \_\_\_\_\_, 2016.

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Stephanie C. Kelly, MMC, City Clerk