

One-rdg. \_\_\_\_\_  
P. Hrngs. \_\_\_\_\_  
Pgs. 3  
Filed: 01-04-22

Sponsored by: Ollis

First Reading: \_\_\_\_\_

Second Reading: \_\_\_\_\_

COUNCIL BILL 2022- 008

GENERAL ORDINANCE \_\_\_\_\_

AN ORDINANCE

1 AMENDING the Springfield City Code, Chapter 96, 'Storm Water,' Article I, 'Flood  
2 Control and Water Quality Protection,' by removing the detention fee in  
3 lieu of rate table in Section 96-16 and incorporating this fee structure  
4 into the annual fee study for regular evaluation and adjustments.  
5  
6

7 WHEREAS, City Code allows for a fee to be paid in lieu of constructing onsite  
8 stormwater detention if approved by the Director of Public Works; and  
9

10 WHEREAS, the existing fee structure in City Code Section 96-16 has not been  
11 revised since 2001 and does not adequately reflect current costs; and  
12

13 WHEREAS, including this fee in the City's annual fee study will ensure this fee is  
14 updated regularly and more accurately reflect current costs.  
15

16 NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF  
17 SPRINGFIELD, MISSOURI, as follows, that:  
18

19 Section 1 – Springfield City Code, Chapter 96, 'Storm Water,' Article I, 'Flood  
20 Control and Water Quality Protection,' is hereby amended as follows:  
21

22 NOTE: Language to be added is underlined, and language to be deleted is ~~stricken~~.  
23

24 ARTICLE I. – Flood Control and Water Quality Protection  
25

26 Sec. 96-16. – Detention fee in lieu.  
27

28 Whenever detention for flood control is required pursuant to the flood control and  
29 water quality protection manual, the applicant may propose to pay a fee in lieu of  
30 constructing partial or full detention. The criteria and conditions under which a project is  
31 eligible for a fee-in-lieu payment are established in the flood control and water quality  
32 protection manual. The decision to accept the fee in lieu of detention shall rest solely  
33 with the director of public works who may consider, in making such determination, that

34 the discharge of any additional waters at an increased rate onto properties downstream  
 35 is not desirable due to drainage problems that exist on those properties. The fees shall  
 36 be used by the city to construct, improve, and maintain regional detention and  
 37 conveyance systems within the drainage basin where the detention would have been  
 38 constructed. The two major drainage basins in the city are the Sac River and James  
 39 River basins. The fees in lieu shall be set in accordance with the city's most recent  
 40 annual fee study. ~~The payment in lieu of construction may be revised by the director of~~  
 41 ~~public works to reflect the annual percentage change in construction costs by using the~~  
 42 ~~construction price index, increase or decrease, from the previous amount. The fee in~~  
 43 ~~lieu shall be based on the following rates:~~  
 44

<b>Volume of Detention (cubic feet (cf))</b>	<b>Single- and Two-Family Residential</b>	<b>Other Land Uses</b>
0—24,000	\$1.00 per cf	\$2.00 per cf
24,001—100,000	\$0.50 per cf	\$1.00 per cf
> 100,000	\$0.50 per cf	\$0.50 per cf

45  
 46 Whenever a stormwater detention basin is required and the director of public  
 47 works determines that a regional detention basin can be improved to detain the  
 48 additional stormwater, the developer may construct improvements to the regional  
 49 detention basin. The developer or responsible party for the regional detention basin  
 50 being improved shall submit an operation and maintenance agreement in accordance  
 51 with section 96-14, unless the regional detention basin is operated and maintained by  
 52 the city.  
 53

54 Section 2 – This Ordinance shall be in full force and effect from and after  
 55 passage.  
 56

57 Passed at meeting: \_\_\_\_\_  
 58

59 \_\_\_\_\_  
 60 Mayor

61 Attest: \_\_\_\_\_, City Clerk  
 62

63 Filed as Ordinance: \_\_\_\_\_  
 64

65 Approved as to form: , Assistant City Attorney  
 66  
 67

68 Approved for Council action: , City Manager  
 69

**EXPLANATION TO COUNCIL BILL 2022-008**

FILED: 01-04-22

ORIGINATING DEPARTMENT: Public Works

PURPOSE: To amend the Springfield City Code, Chapter 96 Stormwater to remove the detention fee in lieu of rate table in Section 96-16 and incorporate this fee structure into the annual fee study for regular evaluation and adjustments.

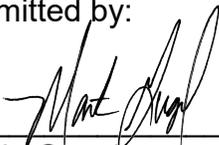
BACKGROUND INFORMATION: The City of Springfield first adopted ordinances in the early 1980's to begin requiring stormwater detention on new developments to protect properties downstream from flooding. However, in certain instances onsite stormwater detention provides little to no benefit downstream. Therefore, in the mid-1990's Springfield adopted a fee in lieu of detention. The fee structure was created to be equivalent of the cost to design and construct onsite stormwater detention. Section 96-16 of City Code establishes this fee structure and authorizes the Director of Public Works to amend it based on the annual percentage change in construction cost using the construction price index. However, since this fee hasn't been revised since 2001, a more thorough evaluation of current costs was performed. This fee has now been included in the City Finance Department's annual fee study to ensure this fee is updated more routinely.

Supports the following City Council Priorities:

- Fiscal Sustainability and Accountability

REMARKS: Public Works recommends approval of this council bill. This council bill should be considered in combination with adoption of the annual fee study since this bill removes the rate table and the other council bill adopts the new rate table.

Submitted by:



\_\_\_\_\_  
Martin Gugel,  
Assistant Director of Public Works

Recommended by:



\_\_\_\_\_  
Dan Smith,  
Director of Public Works

Approved by:



\_\_\_\_\_  
Jason Gage,  
City Manager