

POLICY MANUAL

Date Adopted: SEPTEMBER 11, 1978

Classification:

FEEES

Date Last Amended: MARCH 3, 1980

Subject:

Drainage Fees;
Construction in Lieu of Fees

September 12, 1980

Approved By:

Lang Harrison

1. It is the policy of the District to require the design, construction and dedication of master plan facilities, located within and/or necessitated by a development or division, in lieu of the payment of the required prepaid drainage assessment.

2. A developer or subdivider will be required to pay a prepaid drainage assessment in addition to the construction or dedication of master plan facilities only when the total cost to be incurred by the developer in the construction or dedication of such facilities is less than the total prepaid drainage assessment obligation. This policy precludes, in any case involving a single drainage area, the combined requirement of construction and/or dedication together with a prepaid drainage assessment which, in total, exceeds the developer's prepaid drainage assessment obligation for that drainage area. This policy does not restrict the authority of the District to require the construction and/or dedication of improvements in an amount that exceeds the total obligation so long as there is an appropriate provision for reimbursement and no prepaid drainage assessment is required in addition to said construction or dedication.

3. Credits shall be applied against the prepaid drainage assessment obligation of a division or development equaling the actual cost of the master plan facilities constructed or dedicated pursuant to such division or development, including the cost of related engineering services, but excluding easements dedicated by said division or development. Credit shall be allowed for reasonable expenses incurred in the purchase of easements from third parties unrelated to the division or development.

4. A developer or subdivider, incurring costs in the design, construction and dedication of master plan facilities in excess of the total prepaid drainage assessment obligation, shall be reimbursed from future assessments received by the District from other development or divisions, within the local drainage area, served by the master plan facilities so constructed. Should there not be sufficient subsequent assessments available, or should the facilities required to provide master plan service not be available within a period set by local ordinance, any remaining obligation of the District to reimburse such excess expenditures shall expire. Nothing in this policy shall preclude the partial payment of such reimbursements when sufficient funds are determined by the District to be available and all other conditions have been met.