

POLICY MANUAL

Date Adopted: July 10, 1978

Classification: FEES

Date Last Amended: 09/13/83; 07/22/97; 04/24/13

Subject: Non-Conforming Facilities
Construction and Maintenance

Approved By:

Bob Van Wyk

1. It is the policy of the District to encourage the provision of planned levels of drainage service through the minimum amount of planned physical facilities. It is the intent of this policy to protect the general District Taxpayer/Developer from unnecessary costs of service provision. This policy applies to non-planned facilities that (1) are not required to provide the design level of permanent drainage service; (2) are not required to achieve the drainage patterns set forth in the adopted Storm Drainage Master Plan or (3) are required for the sole benefit of an individual parcel development. The cost of those non-planned facilities shall be borne by those parties benefiting directly from the construction of such facilities.
2. The District shall provide for the collection of fees to offset District costs associated with the review, inspection, and acceptance of non-Master Plan storm drainage facilities. The developer shall pay a non-conforming facilities fee for all Non-Master Plan storm drainage facilities identified as mainline pipelines and/or mainline extensions located within public rights-of-way. The developer shall also pay such a fee for all connections of non-mainline pipeline and/or connections of mainline extensions to the Master Plan system for developments regardless of land uses; provided, however, developers of commercial and industrial land use projects shall pay only the inspection fee for connections of non-mainline pipeline to the Master Plan system. Such fees shall consist of the following elements:
 - (a) Inspection Fee
 - (b) Engineering Fee
(Basic System Hydrology and Hydraulics)
 - (c) Engineering Fee
(Each inlet in excess of one inlet)
 - (d) As-Built Fee
(Refundable upon District acceptance of As-Built Drawings)
(Not applicable if Non-Master Plan facility is part of a Master Plan storm drainage facility plan set)

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3. In all cases of Non-Master Plan storm drainage facilities to be accepted by the District for operation and maintenance, developers shall pay a maintenance fee to the District, based on a rate per lineal foot. The determination of the lineal footage shall begin at the direct point of connection to the Master Plan facility and shall include all branch lines off the mainline or mainline extension and shall include all lengths of the constructed facility including main and branch lines and laterals. Developers shall pay to the District a maintenance fee for Non-Master Plan manholes located in major streets (4 lanes or more) and for caged Non-master Plan outfall structures constructed in District basins.
4. The District shall not grant any entitlements, authorizations or approvals until such fees required by the provisions of this policy are paid to the District.
5. The fees, rates, and administrative provisions provided by this policy shall be reviewed and amended as determined necessary by the District to ensure that the fees are sufficient to cover the total cost incurred by it as a result of such construction, installation, connection, and maintenance of non-Master Plan storm drainage facilities.
6. Non-Master Plan storm drainage facilities shall not be connected to the Master Plan Storm Drainage system unless and until the District, in its sole discretion, approves that connection.
7. Non-Master Plan storm drainage facilities shall not be operated and maintained by the District unless and until it, in its sole discretion, accepts those facilities.
8. The party constructing or dedicating any such non-conforming facilities that are designed and constructed in full compliance with District policies, standards, and requirements, and that are accepted by the District for operation and maintenance, shall not be required to release, indemnify, or defend the District from claims related to such accepted facilities.