

<b>Title:</b> Administrative Policy Stormwater Management Enterprise	<b>Policy No.</b> Part 4, Financial Administration Chapter 4, Enterprises, Funds, Tax Districts Section 2
	<b>Effective Date</b> Not in Effect at this Time
<b>Policy Custodian</b> Transportation and Engineering Division	<b>Adoption/Revision Date</b> December 10, 2009

**Adopting Resolution(s):** CC06-472

**References (Statutes/Resos/Policies):** C.R.S. Section 37-45.1-101, et seq.; CC04-590, CC05-151

**Purpose:** To establish a Stormwater Management Enterprise and to provide for a method to collect a fee to provide stormwater services within unincorporated Jefferson County.

**Policy:** Stormwater Management Enterprise

- A. Establishment of a Stormwater Management Enterprise  
There is hereby established an enterprise known as the "Stormwater Management Enterprise" created pursuant to the authority established in C.R.S. Section 37-45.1-101 et seq. The purpose of the Stormwater Management Enterprise is to provide stormwater services within the unincorporated portions of Jefferson County. The Enterprise shall have all of the power and authority and shall be operated in accordance with C.R.S. Section 37-45-101, et seq.
- B. Establishment of Stormwater Management Enterprise Board  
The Enterprise shall be governed by a Stormwater Management Enterprise Board, which is hereby established. The Stormwater Management Enterprise Board shall be comprised of three (3) regular members appointed by the Board of County Commissioners. The term of appointed regular members shall be three (3) years. The Board of County Commissioners shall serve as the Stormwater Management Enterprise Board unless and until it appoints a separate Board.
- C. Establishment of Stormwater Management Enterprise Fund  
There is hereby established a fund known as the "Stormwater Management Enterprise Fund", which fund shall be segregated from all other County funds. The Stormwater Management Enterprise Fund shall be devoted solely to the provision of stormwater services and associated Water Project and Facilities and Water Activities as defined in C.R.S. Section 37-45.1-102.
- D. Establishment of Stormwater Management Fee
  - 1. Revenues to the Stormwater Management Enterprise Fund shall be created and maintained through a fee known as the "Stormwater Management Fee", which is hereby established.
  - 2. The Stormwater Management Fee shall be charged against each and every parcel of land in the unincorporated portion of Jefferson County. The fee shall be \$.00065 per square foot of "Impervious Area" per month (defined below). The amount of the fee shall remain constant, except as amended from time to time by the Stormwater Management Enterprise Board.

3. All public and private highways, roads, streets and alleys and associated sidewalks and bike paths shall be exempt from the Stormwater Management Fee. This exemption shall not apply to public or private parking lots, driveways, service drives, drive aisles or internal site roadways, beltways, access drives or lanes, or sidewalks.

E. Payment of the Stormwater Management Fee

1. The Board shall, by resolution, determine when to commence sending the bill for the payment of the Stormwater Management Fee.
2. The Board shall send a bill for the Stormwater Management Fee to the record owner of each parcel of land who shall pay such Fee upon receipt of the bill.
3. The bills for residential parcels shall be sent on an annual basis. However, the total number of residential parcels may be divided into 12 equal subsets, and each subset billed in a separate month of the year. The bill for commercial and industrial parcels shall be sent on a quarterly basis by the 1<sup>st</sup> day of March, June, September and December of each year.
4. The Board shall have all rights and remedies available to it by law to collect the Stormwater Management Fee.

F. Administrative Appeals

1. Any person or entity who disputes the calculation of Impervious Area on a parcel owned by such person or entity, or who disputes ownership of the parcel identified on the bill, may appeal such calculation or ownership.
2. The appeal must be made in writing and addressed to the following:  
Stormwater Management Enterprise Appeals  
Transportation and Engineering Division  
100 Jefferson County Parkway, Suite 3500  
Golden, Colorado 80419
3. The appeal shall include: (i) a copy of the bill; (ii) the surfaces included in the calculation of Impervious Area; (iii) the square footage of each surface; (iv) the total square footage of Impervious Area and (v) the remedy that such person or entity seeks. The appeal must also permit the Board or its designee access to the property for the limited purpose of investigating the appeal. The Board or its designee may conduct such investigation as may be necessary in order to resolve the dispute, including without limitation the physical measurement of the Impervious Areas on the parcel. The Board or its designee shall respond in writing to any such appeal. The Board or its designee's response shall be the final administrative decision.

G. Definitions

As used herein, "Impervious Area" shall include without limitation permanent structures, buildings for which a building permit is required, driveways, patios, and any other surface that has been paved or covered.