

ORDINANCE NO. ~~2003-8~~

AN ORDINANCE TO AMEND THE SIGNAL MOUNTAIN TOWN CODE BY AMENDING TITLE 18, CHAPTER 8, ENTITLED STORMWATER UTILITY ORDINANCE BY AMENDING CERTAIN DEFINITIONS AND REVISING CERTAIN DELINQUENT DATES FOR FEES AND LATE PAYMENT PENALTIES.

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NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF SIGNAL MOUNTAIN, TENNESSEE, as follows:

**SECTION 1.** That Section 18-802 is deleted in its entirety and the following language is substituted in lieu thereof :

**18-802. Creation of stormwater board and utility.** For the purposes of the Federal Clean Water Act and of Tennessee Code Annotated, § 68-221-1011, et seq., there is created a stormwater utility which shall consist of a stormwater operating board.

The stormwater operating board, under the legislative policy created by the stormwater management board, shall:

- (1) Administer the acquisition, design, construction, maintenance and operation of the stormwater utility system, including capital improvements designated in the capital improvement program;
- (2) Administer and enforce this ordinance and all regulations and procedures adopted relating to the design, construction, maintenance, operation and alteration of the utility stormwater system, including, but not limited to, the quantity, quality and/or the velocity of the stormwater conveyed thereby;
- (3) Advise the town council and other town departments on matters relating to the utility;
- (4) Prepare and revise a comprehensive drainage plan for adoption by the town council;
- (5) Review plans and approve or deny, inspect and accept extensions and connections to the system;
- (6) Enforce regulations to protect and maintain water quality and quantity within the system in compliance with water quality standards established by state,

- regional and/or federal agencies as now adopted or hereafter amended;
- (7) Annually analyze the cost of services and benefits provided, and the system and structure of fees, civil penalties and other revenues of the utility. (as added by Ord. #2002-4, Aug. 2002).

SECTION 2. That, Section 18-803 entitled Definitions shall be amended by adding a new definition for the Stormwater Operating Board as Section 19 which shall read as follows:

- (19) "Stormwater Operating Board" is a committee that includes a minimum of the following:

Town Manager  
 Town Recorder  
 Town Engineer  
 Director of Public Utilities  
 Building Official  
 Director of Public Safety  
 Citizen Representative

SECTION 3. That Section 18-811 entitled Billing Procedure and Penalties for Late Payment is deleted in its entirety and the following language is substituted in lieu thereof:

**SECTION 18-811. Billing procedure and penalties for late payment.**

- (1) The stormwater user's fee shall become effective at the rates set by a separate ordinance or resolution, shall be billed annually.
- (2) The stormwater charge shall be paid in person or by mail at the Town Hall and shall become delinquent on March 1, of each year following the effective date of this Ordinance, after which the unpaid taxes shall bear interest at the same rate as any unpaid property taxes of the Town.
- (3) Penalties for late payment. Stormwater user fees shall be subject to the same penalties as delinquent property taxes. The Town shall be entitled to recover attorney's fees incurred in collecting delinquent stormwater fees. Any charge due under this ordinance which shall not be paid may be recovered at law by the Town.
- (4) Pursuant to Tennessee Code Annotated § 68-221-1112, each bill that shall contain a stormwater charge shall contain the following statement in bold:

**THIS TAX HAS BEEN MANDATED BY CONGRESS**

SECTION 4. That this Ordinance shall become effective two (2) weeks from and after its passage as provided by law.

Passed First Reading 10-19-03, 2003.

Passed Second Reading 11-10-03, 2003.

  
MAYOR

  
RECORDER

PAN/kac