



AN ORDINANCE: By the Public Services and Safety Committee  
 Re: Amending Article IV – Stormwater Management Services

ORDINANCE NO. 2022-18  
 Introduced: August 30, 2022  
 Committee/Commission Action: PSSC

# AN ORDINANCE

The Common Council of the City of Neenah, Wisconsin, do ordain as follows:

**Section 1.** Section 17-126 of the Code of Ordinances of the City of Neenah is amended by deleting the stricken language and adding the highlighted language to read as follows:

- Sec. 17-126. - Customer classification.**

(1) For purposes of imposing the stormwater charges, all lots and parcels within the City are classified into the following customer classes and assigned billing units as listed:

Classification	ERUs imposed
Single Family	1
Manufactured Home	1
Detached Individual Condominiums	1
Duplex	.5/unit
Duplex Condominiums	.5/unit
Multifamily Condominiums	Site ERUs as calculated below divided by the number of living units. ERUs are Total impervious area of the property divided by the square footage of one ERU. The factor shall be rounded down to the nearest one-half.  $\text{ERU rate} \times \frac{\text{Impervious Area}}{\text{Area of 1 ERU}}$

Multifamily rental	Total impervious area of the property divided by the square footage of one ERU. The factor shall be rounded down to the nearest one-half. ERU rate × $\frac{\text{Impervious Area}}{\text{Area of 1 ERU}}$
Non-Residential and Other Developed Property	Total impervious area of the property divided by the square footage of one ERU. The factor shall be rounded down to the nearest one-half. ERU rate × $\frac{\text{Impervious Area}}{\text{Area of 1 ERU}}$
Undeveloped	One (1) ERU multiplied by a factor established by resolution.

(a) ~~Residential—Single Family, Manufactured Home, and Condominium.~~

(b) ~~Residential—Duplex.~~

(c) ~~Other developed.~~

(d) ~~Undeveloped.~~

- (2) Each property shall be assigned a classification as defined herein.
- (3) The average square footage of impervious area of ERU is established to be equivalent to 3,138 square feet.
- (4) ~~The charge imposed for Single Family, Manufactured Home and Condominium property units shall be the rate for one ERU.~~
- (5) ~~The charges imposed for duplex residential properties shall be the rate for one-half of one ERU for each individual dwelling unit existing on the property ( $\frac{1}{2}$  ERU rate multiplied by the number of dwelling units).~~
- (6) ~~The charges imposed for other developed properties as defined herein shall be the rate for one ERU, multiplied by the numerical factor obtained by dividing the total impervious area of the property by the square footage of one ERU. The factor shall be rounded down to the nearest one-half, i.e.,~~

$$\frac{\text{ERU rate} \times \text{Impervious Area}}{\text{Area of 1 ERU}}$$

(7) Reserved.

(8) ~~The charges imposed for undeveloped properties as defined herein shall be the rate for one ERU multiplied by a factor established by resolution and then divided by the square footage for one ERU established by resolution.~~

**Section 2. Severability.** In the event any section, subsection, clause, phrase or portion of this ordinance is for any reason held illegal, invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remainder of this ordinance. It is the legislative intent of the Common Council that this ordinance would have been adopted if such illegal provision had not been included or any illegal application had not been made.

**Section 3. Repeal and Effective Date.** All ordinances or parts of ordinances and resolutions in conflict herewith are hereby repealed. This ordinance shall take effect from and after its passage and publication.

Motion: Lendrum / Stevenson 9-0

Adopted: September 7, 2022

Published: September 12, 2022

Approved:

  
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Jane B. Lang, Mayor

Attest:

  
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Charlotte K. Nagel, City Clerk

