

FRIDLEY CITY CODE
CHAPTER 219. HARRIS POND STORM WATER IMPROVEMENT DISTRICT
(Ref. 1049)

219.01. PURPOSE

The purpose of this ordinance is to establish a Storm Water Improvement District for abutting property on Harris Pond and their share of the cost for the annual weed treatment program. This Storm Water Improvement District identified in Appendix A allows for the mailing of the bills and, if necessary, levying and collection of taxes on the cost to the property within the District.

219.02. APPLICATION

For the past three years the City has received petitions from the Harris Pond abutting property owners to cost share in the weed and algae treatment within the pond. In addition, the residents in New Brighton associated with the pond have requested that their portion of the pond also be included in the pond treatment.

The City has established a surface water policy to share up to one-half of the improvement petitioned by residents.

219.03. DEFINITIONS

1. Storm Water Improvement District: Abutting real property to Harris Pond per Appendix A.
2. Contractor: Firm responsible for treating the algae, weed and phosphorus elements within Harris Pond.
3. Designated Representative: Individual of Harris Pond Storm Water Improvement District designated by the group to represent them to the City of Fridley regarding the Harris Pond treatment application. Serves as a communication link between the City and the residents of the District.
4. Harris Pond: City pond located in the northeast corner of the south half section 13 T30 R24.
5. Petition: Petitions requesting annual treatment of Harris Pond received by the City Council on April 10, 1995 from the Fridley residents Petition No. 3-1995 and New Brighton residents No. 4-1995.

219.04. TREATMENT

Annually, one-half of the Harris Pond surface area will be treated two times per year for submerged weeds.

Annually, the Harris Pond surface area will be treated three times per year for algae.

Every four years, commencing in 1995, the Harris Pond surface area will be chemically treated for phosphorus reduction in the water column.

All treatments including those described above, shall be done pursuant to regulations of the Minnesota Department of Natural Resources.

219.05. COORDINATION

The residents abutting Harris Pond will designate a representative to coordinate with the City on the treatment location, process, results and cost participation.

A City representative will coordinate with the pond treatment Contractor on the annual cost start of treatment, inspection and payment for the designated work.

219.06. PROPORTIONATE SHARE

The City will annually obtain bids for the treatment of Harris Pond. The Harris Pond designated representative will be notified of, the estimated cost. The City shall contribute one-half of the cost I with the remaining half to be equally distributed to the properties identified in the Storm Water Improvement District,

The City shall pay the Contractor upon completion of the scheduled treatment. The City will then submit a bill to each abutting property identified within the District for their proportionate share of the cost.

219.07. LIEN

In the event the Harris Pond bill is unpaid at the end of the calendar quarter, or the billing period under which the billing is sent out, the bill shall be considered delinquent and the City Council may levy real estate taxes on those parcels within the District pursuant to Minnesota Statute Section 444.20 by certifying to the County the amount of said delinquent bill in accordance with Minnesota Statutes Chapter 444. A service charge of \$50.00 will be added to all amounts certified to the County for collection.

219.08. TERMINATION

Annually, before the treatment contract is consummated, the Harris Pond designated representative will be contacted by the City and notified of the estimated cost for that year's work. If 51% or more of the residents within the District decide not to continue the pond treatment, they must submit a petition to stop the improvement within 30 days of the cost notice.

If the City decides to terminate their cost participation to the Harris Pond treatment, they will notify the residents within the District and conduct a public hearing in accordance with the City Charter to repeal this ordinance.

This ordinance shall be effective from, and after its adoption and publication as provided by City Charter.