

**ORDINANCE NO.**

**AN ORDINANCE AMENDING CITY CODE SECTIONS 15-2-1, 15-2-6, 15-2-7, and 15-2-9 RELATING TO THE DRAINAGE UTILITY.**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:**

**PART 1.** Section 15-2-1 (*Definitions*) subsection (B) of the City Code is amended to read:

(B) In this chapter:

- (1) DIRECTOR means the director of the Watershed Protection and Development Review Department.
- (2) DWELLING UNIT means a residential unit providing independent living facilities.
- (3) EQUIVALENT RESIDENTIAL UNIT or ERU means 1,763 square feet of impervious cover.
- (4) NON-RESIDENTIAL USER means all or a portion of a benefitted property that is not a dwelling unit.
- (5) RESIDENTIAL USER means all or a portion of a benefitted property that is a single dwelling unit.
- (6) USER means the person or entity who owns or occupies a benefitted property.
- (7) VERTICAL CONSTRUCTION means a structure with seven or more stories of residential development.

**PART 2.** Section 15-2-6 of the City Code is amended to read as follows:

**§ 15-2-6 FINDINGS RELATED TO CALCULATION OF THE DRAINAGE CHARGE.**

(A) The Council finds that:

- (1) impervious cover increases runoff and associated pollutants;  
and

- (2) it is equitable to assess the drainage charge to each non-residential ~~[commercial]~~ user based on impervious cover.

(B) The Council finds that:

- (1) the drainage attributable to a residential user ~~[residence, whether single-family or multi-family,]~~ is relatively uniform; ~~[and]~~
- (2) it is equitable to assess the drainage charge to each residential user ~~[residence]~~ assuming impervious cover of 1,763 square feet per residence, or one ERU[-]; and
- (3) it is equitable to assess a reduced drainage charge to residential users in vertical construction or other residential users in unique circumstances leading to a significantly lower impact on the drainage system.

~~(C) The Council finds that it is reasonable and equitable to assume that each utility meter in the service area serves a user of a benefitted property.~~

**PART 3.** Section 15-2-7 (*Monthly Drainage Charge for Residential Properties*) of the City Code is amended to read as follows:

**§ 15-2-7 MONTHLY DRAINAGE CHARGE FOR RESIDENTIAL PROPERTIES.**

- (A) The monthly residential drainage charge per ERU shall be set by ordinance and shall be known as the residential ERU charge.
- (B) Each month each residential user ~~[the user of each residential benefitted property]~~ shall pay to the City an amount equal to one residential ERU charge.
- (C) Each month each small residential user in vertical construction shall pay to the City an amount equal to one half of one residential ERU charge.

**PART 4.** Section 15-2-9 of the City Code is amended to read as follows:

**§ 15-2-9 UTILITY METERS.**

- (A) The director shall assume that each utility meter in the service area serves ~~[a user]~~ one or more users of a benefitted property, and shall assess the

