Council File #
Green Sheet # 306 8948

ORDINANCE
CITY OF SAINT PAUL, MINNESOTA

Presented by

An administrative ordinance to amend Saint Paul Administrative Code Chapter 62, Street Maintenance Service Charges and Assessments, to facilitate title changes and administrative reorganization.

THE COUNCIL OF THE CITY OF SAINT PAUL DOES ORDAIN:

Section 1

Section 62, Street Maintenance Service Charges and Assessments, of the Saint Paul Administrative Code is hereby amended to read as follows:

Sec. 62.02. Council approves annual program.

(a) The council shall each year, as part of the annual budget process, determine what streets shall be maintained together with the estimated amount of service charges to be levied against benefited property. Prior to such determination, the city council shall fix a date for public hearing, and the city clerk shall cause to be published notice of such hearing in a legal newspaper twice, no less than ten (10) days prior to such public hearing. Not less than ten (10) days before the hearing, the real estate ~~division of the department of public works~~ section of the office of financial services shall mail notice approved by the city council to the owner of each parcel within the area proposed to be charged, but failure to give mailed notice or any defects in the notice shall not invalidate the proceedings. For the purpose of giving mailed notice, owners shall be those shown to be such on the records of the county auditor or county tax statements, but other appropriate records may be used for this purpose. The notice shall state the date, time and place of such hearing, the particular service to be performed, and the estimate of the cost of such service to be charged against benefitted property.

(b) At such hearing the council shall hear property owners regarding the scope and desirability of the proposed service and the method of collection of such service charges. The council shall by resolution determine the services to be performed and shall authorize the doing of the work by the appropriate city department or agency.

Sec. 62.03. Cost records.

The department of public works and/or agency shall keep a record of the service charges incurred, or expected to be incurred, in the performance of street maintenance services on city streets. The service charges record shall be reported to the ~~division of~~ real estate section of the office of financial services.

Sec. 62.04. Assessment procedure.

Any service charge levied or imposed under this chapter shall be distributed against property benefited by the safe and clean operation and maintenance of streets. Said charge shall be payable in one (1) single installment, but shall be collected in the same manner as real property taxes; shall bear interest at a rate as determined by the city's "pool rate" or borrowing rate if bonds were used to finance the

improvement, as set by the treasury manager at the time the assessment is ratified by the city council plus a factor to cover the city's cost as determined by the ~~public works technical services manager~~ city valuation and assessments engineer and treasury manager; shall be payable when it becomes due notwithstanding the appeal procedure which is specifically provided and authorized in section 62.06, except in the event an appealing party is successful on appeal, the city shall reimburse the appealing party by the amount the assessment is reduced or eliminated. Furthermore, the failure of a property owner to make payment of the assessment when due as provided herein, in and of itself, shall render void any appeal of the assessment by said owner. With these exceptions, service charges shall be collected using the procedures set forth in Minnesota Statutes, sections 429.061 and 429.071, and shall be remitted in its entirety, including any interest and penalty, directly to the city.

Section 2

That this ordinance shall take affect and be in force thirty (30) days after its passage, approval and publication.

	Yeas	Nays	Absent
Bostrom			
Carter			
Harris			
Helgen			
Lantry			
Stark			
Thune			

Adopted by Council: Date _____

Adoption Certified by Council Secretary

By: _____

Approved by Mayor: Date _____

By: _____

Requested by Department of:

_____

By:

Approved by the Office of Financial Services

By: _____

Approved by City Attorney

By: _____

Approved by Mayor for Submission to Council

By: Nancy P. Thomas 3.25.09