

ORDINANCE NO. 5338

AN ORDINANCE to amend Section 5-6-231 (PURPOSE AND ORGANIZATION) and Section 5-6-236 (STORMWATER MANAGEMENT ENTERPRISE FUND) of Article C (STORMWATER UTILITY) of Chapter 6 (WATER AND SEWER) of Title 5 (TRANSPORTATION AND ENVIRONMENTAL SERVICES) of the Code of the City of Alexandria, Virginia, 1981, as amended.

THE CITY COUNCIL OF ALEXANDRIA HEREBY ORDAINS:

Section 1. That Section 5-6-231 and 5-6-236 of Article C of Chapter 6 of Title 5 of the Code of the City of Alexandria, Virginia, 1981, as amended, be, and the same hereby is, amended as follows, by deleting the language shown in strikethrough and adding the language shown as underlined:

**Sec. 5-6-231 - Purpose and organization.**

City council finds that an adequate, equitable, and sustainable source of revenue for stormwater management activities is necessary to protect the general health, safety, and welfare of the residents; to meet state and federal stormwater regulations; ~~and~~ to address identified water quality and quantity needs of the city; and to mitigate surface and subsurface flooding from precipitation events. Further, the city council finds that properties with higher amounts of impervious area contribute greater amounts of stormwater and pollutants to the stormwater management system, and that those owners of such properties should bear a proportionate burden of the costs. Therefore, the city council determines that it is in the best interest of the public to enact a stormwater utility fee based on impervious area that allocates program costs equitably to all property owners. The stormwater utility shall be operated under the direction of the city manager, who shall organize, direct, and manage the utility, including the development of necessary policies, procedures, and manuals as authorized by this chapter.

**Sec. 5-6-236 - Stormwater management enterprise fund.**

(a) A stormwater management enterprise fund is hereby established as a dedicated, separate fund for the sole purpose of recovering costs for the following:

(1) the acquisition, as permitted in Virginia Code § 15.2-1800, of real and personal property, and interest therein, necessary to construct, operate, and maintain stormwater control facilities;

(2) the cost of administration of the activities in subsection (a);

(3) planning, design, engineering, construction, and debt retirement for new facilities and enlargement or improvement of existing facilities, including the enlargement or improvement of dams, levees, floodwalls, and pump stations, whether publicly or privately owned, that serve to control stormwater;

(4) facility operation and maintenance, including the maintenance of dams, levees, floodwalls, and pump stations, whether publicly or privately owned, that serve to control stormwater;

(5) monitoring of stormwater control devices and ambient water quality monitoring; and

(6) Contracts related to stormwater management, including contracts for the financing, construction, operation, or maintenance of stormwater management facilities, regardless of whether such facilities are located on public or private property and, in the case of private property locations, whether the contract is entered into pursuant to a stormwater management private property program under Section 15.2-2114(J) of the Virginia Code or otherwise; and

(7) other activities consistent with the state or federal regulations or permits governing stormwater management, including, but not limited to, public education, watershed planning, inspection and enforcement activities, and pollution prevention planning and implementation.

Section 2. That Section 5-6-231 and Section 5-6-236 of Article C of Chapter 6 of Title 5, as amended pursuant to Section 1 of this ordinance, be, and the same hereby is, reordained as part of the Code of the City of Alexandria.

Section 3. That this ordinance shall become effective upon the date and at the time of its final passage.

  
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**JUSTIN M. WILSON**  
Mayor

ATTEST:

  
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Gloria A. Sitton, CMC City Clerk

Final Passage: April 17, 2021