

ORDINANCE NO. _____

1 AN ORDINANCE amending Section 17.10.110 of the Lincoln Municipal Code
 2 relating to water connection fees to provide for a connection fee reimbursement to a party who
 3 has constructed a city water main pursuant to the executive order process authorized by
 4 Section 26.11.038; and repealing Section 17.10.110 of the Lincoln Municipal Code as hitherto
 5 existing.

6 BE IT ORDAINED by the City Council of the City of Lincoln, Nebraska:

7 Section 1. That Section 17.10.110 of the Lincoln Municipal Code be amended
8 to read as follows:

9 **17.10.110 Connection Fee; Notice.**

10 Whenever the owner of any property desires to connect the same with a city water main
 11 and the cost of such main or a portion thereof has been paid by the City of Lincoln or an abutting
 12 property owner or subdivider pursuant to the executive order process authorized by Lincoln
 13 Municipal Code Section 26.11.038, and no part of the cost of which main has been assessed
 14 against the property sought to be connected with such main, the owner of such property sought
 15 to be connected shall be required to pay to the City of Lincoln a connection fee equivalent to the
 16 cost of the construction of said main as it pertains to such property or to an assessment had the
 17 property been assessed for such construction in accordance with city standards. When the
 18 water main has been constructed pursuant to the executive order process at no cost to the city,
 19 the connection fee paid to the city as provided herein shall in turn be paid by the city to the
 20 permittee who constructed the city water main and who thereby paid the cost of construction.

1 The connection fee described in this section shall be paid as a condition to providing city
2 water service to the property.

3 Whenever the city has provided water mains or portions of water mains in a manner that
4 creates a connection fee according to this section; and whenever the connection fee is in
5 excess of \$100.00 and remains unpaid for a period of thirty days or more, the Director shall file
6 a "notice of connection fee" on the affected property in the office of the Register of Deeds. The
7 notice of connection fee shall state the legal description of the property affected, the amount of
8 the connection fee, and a statement that the connection fee must be paid as a condition to
9 connecting the property to the city's water service.

10 Section 2. That Section 17.10.110 of the Lincoln Municipal Code as hitherto
11 existing be and the same is hereby repealed.

12 Section 3. That this ordinance shall take effect and be in force from and after its
13 passage and publication according to law.

Introduced by:

Approved as to Form & Legality:

City Attorney

Approved this ____ day of _____,
2002:

Mayor