

ORIGINAL ORDINANCE NO: 2116
ENROLLED ORDINANCE NO:

INTRODUCED BY: O'Doherty

**AN ORDINANCE AMENDING LARAMIE MUNICIPAL CODE TITLE 13, DIVISION VII,
SECTION 13.80, RELATED TO SURFACE WATER DRAINAGE**

WHEREAS, the City Council finds that an adequate, sustainable source of revenue for surface water drainage management is necessary to protect the general health, safety, and welfare of the residents of the city; and

WHEREAS, In December 2024, the City established the Surface Water Management Utility (LMC 13.80) following many years of study, planning, and community discussion regarding the need for a sustainable funding mechanism to maintain and improve the City's stormwater system.; and

WHEREAS, due to public concerns, on August 5, 2025, the City Council adopted Resolution 2025-65, which suspended implementation of the business plan and established a 120-day review period.

WHEREAS, City Council has held three successive public work sessions held on September 9, 2025, October 14, 2025, and November 12, 2025, and based on Council direction provided at those work sessions, staff have prepared amendments to LMC 13.80; and

WHEREAS, on November 18, 2025, Council determined to extend the suspension of the Surface Water Management Program under Laramie Municipal Code through June 30, 2026, with the adoption of Resolutions 2025-93; and

WHEREAS, the City Council determines that it is in the best interest of the public to maintain a surface water drainage fee that allocates surface water drainage management program costs to property owners based on impervious area and establish a surface water drainage utility.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LARAMIE:

Section 1: That Laramie Municipal Code Title 13, Division VII, Section 13.80 shall be amended as follows:

Division VII. Surface Water Drainage

Chapter 13.80 GENERAL PROVISIONS

Sections:

13.80.010 Definitions.

Unless a provision explicitly states otherwise, the following terms and phrases used shall have the following meanings:

- A. "Billing unit" means five hundred square feet of impervious area.

- A.B. "Condominium unit parcel" means a parcel representing an individual ownership interest within a condominium development as defined in a recorded condominium declaration or master deed.
- C.B. "Developed parcel" means a parcel that contains impervious area equal to or greater than five hundred square feet.
- D.C. "Impervious area" means a surface that prevents the downward infiltration of water into the underlying soil. Gravel, soil, crushed stone, or other unpaved surface shall be considered impervious area when designed or primarily utilized to support vehicular traffic or vehicular parking.
- E.D. "Owner" means any person, firm, corporation, partnership, trust, company, association, government agency, society, or group owning real property in the city.
- F. "Percent ownership allocation" means the percentage of undivided interest assigned to each condominium unit owner in the condominium declaration or master deed, used to allocate responsibility for common element areas and associated costs.
- G. "Placeholder parcel" means a parcel identifier created by Albany County for the purpose of document retention or record-keeping that does not represent a separately owned interest. Placeholder parcels include, but are not limited to, parcels assigned to condominium common elements or shared areas where ownership is established through recorded condominium declarations or master deeds rather than a stand-alone parcel owner.
- H.E. "Public streets" means any road owned or maintained by the City of Laramie or State of Wyoming.
- I.F. "Surface water drainage" means drainage flow from the surface of the land resulting from precipitation or snow or ice melt.
- J.G. "Surface water drainage management program" means the activities of the City necessary to operate, maintain, enhance, and expand the surface water drainage management system and the activities necessary to carry out the City's surface water drainage-related provisions of the Laramie Municipal Code and City Standards and Specifications.
- K.H. "Surface water drainage management system" means the system of runoff avoidance, infiltration, collection, and conveyance, including storm sewers, pipes, conduits, mains, inlets, culverts, catch basins, gutters, ditches, channels, detention ponds, streets, drains, and all devices, appliances, and surface water runoff management practices and facilities used for collecting, conducting, pumping, conveying, detaining, infiltrating, reducing, managing, avoiding generation of, and treating surface water runoff.

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13.80.020 Imposition of surface water drainage fee.

- A. Beginning on July 1, 2026, ~~through June 30, 2026~~, a monthly surface water drainage fee of one dollar and sixty-seven cents per Billing Unit is hereby imposed on every developed parcel within the city that appears in the Albany County parcel database or has a verifiable owner or management company of record in the City's Municipal Services Billing System. ~~Beginning on July 1, 2026, a monthly surface water drainage fee of one dollar and seventy-five cents per Billing Unit shall be imposed on every developed parcel within the city that appears in the Albany County parcel database.~~ Any future addition through subdivision or recombination of established real property shall be subject to the same fees. All

surface water drainage fees shall be deposited into the Surface Water Drainage Fund of the City.

B. Parcels identified in the Albany County parcel database that are designated as placeholder parcels, including parcels associated with condominium common elements or shared ownership areas, shall not be independently billed. The impervious area associated with such parcels shall be assigned to the condominium unit parcels based on the percent ownership allocation established in the recorded condominium declaration, master deed or Albany County or in alignment with the current billing format established to bill other Municipal Services fees.

C. The maximum amount of Billing Units for Non-Residential parcels shall be one hundred twenty (120) and the maximum amount of Billing Units for residential parcels shall be eighteen (18)

B.D. Notwithstanding 13.80.020.A, the following impervious areas shall be exempt from the imposition of the surface water drainage fee:

1. Public rights-of-way; (i.e. public streets and sidewalks).
2. **City-owned multi-use pathways and trails that are constructed, maintained, or operated by the City for public transportation, recreation, or non-motorized travel.**
- ~~3.~~ Rail and associated rail ballast.
- ~~4.~~ City zoned agricultural land.
- ~~5.~~ Airport property located within the perimeter fence of the secured airfield.

13.80.030 Surface water drainage fund.

The Surface Water Drainage Fund is hereby established and shall be used solely to cover the cost of the City's surface water drainage management program including related debt service. Revenues of the fund shall consist of service charges generated by the surface water drainage fee and other deposits that may be made from time to time by the City Council including, but not limited to, City general funds, federal or state grants and revenue from the sale of bonds. All interest or other income derived from surface water drainage fees shall remain or otherwise be deposited into the fund.

(Ord. No. 1859, § 1, 12-3-2024)

13.80.040 Surface water drainage fee calculation.

- A. Unless otherwise specified, the surface water drainage fee for each parcel shall be calculated in the following manner:
1. Determine the impervious area of the parcel in square feet.
 2. Divide the impervious area of the parcel by the Billing Unit.
 3. Round the resulting calculation using natural rounding to determine the number of Billing Units. Natural rounding shall be applied by increasing the number of Billing Units to the next highest whole number if the tenths digit is five or higher and decreasing the number of Billing Units to the next lowest whole number if the tenths digit is lower than five.

4. Multiply the number of whole Billing Units by the rate established in 13.80.020 to obtain the surface water drainage fee for the parcel.
- B. The surface water drainage fee for impervious area held in common ownership within a condominium development shall be calculated using the methodology in Paragraph A of Section 13.80.040. The total impervious area assigned to the common elements shall be allocated to each condominium unit parcel based on the percent ownership allocation established in the recorded condominium declaration or master deed. If no percent ownership allocation is specified in the recorded documents, the allocation shall be divided equally among all condominium unit parcels within the development. The resulting surface water drainage fee shall then be billed to each condominium unit parcel based on the total impervious area assigned to that unit through this allocation method shall be calculated using the methodology in Paragraph A of Section 13.80.040 above. The resulting surface water drainage fee will be billed to the common ownership entity, who would be responsible for any sub-billing to individual owners within the common ownership parcel.
 - C. Service charges resulting from ~~increases~~ identified changes in impervious area after the implementation of the Original Ordinance shall be reviewed and assessed at a minimum quarterly.
 - D. The City Manager or designee may develop specifications for the mapping of impervious area for the purpose of this division including the establishment of a uniform threshold under which a contiguous unit of impervious area is considered de minimis and not subject to mapping.

13.80.050 Surface water drainage fee credits.

- ~~A. The City Council may adopt by resolution a system of credits that provides for reductions in the surface water drainage fee in recognition of practices that reduce the cost of the surface water drainage management program. The types and amounts of credits shall be adopted through resolution by City Council.~~
- ~~B. The City Manager or designee may develop a Credit Manual containing written policies and procedures necessary to implement the system of credits. These policies and procedures may include, but not be limited to, provisions to reduce or eliminate the amount of credit if the City Manager or designee determines through inspection that the practice is not functioning as intended. The credit shall be applied after determination of the surface water drainage fee in accordance with the Credit Manual.~~
- ~~C. Service charge credits resulting from decreases in impervious area after the implementation of the Original Ordinance shall be reviewed at a minimum quarterly.~~

13.80.060 Billing, interest, and enforcement.

- A. The surface water drainage fee shall be billed by the City using the ~~City's Utility~~ Municipal Services Billing System, following existing and established policy for the schedule and collection of charges due. The surface water drainage fee will be collected on the same schedule as other City utility charges. Any portion of a surface water drainage fee that is unpaid shall be considered delinquent as defined in existing ~~Utility~~ Municipal Services Billing policy for collection of past due receipts including applied penalties, except if the unpaid surface water drainage fee is subject to an appeal in accordance with 13.80.070.

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- B. In addition to any penalty assessed, any cost or fee incurred by the City in conjunction with the collection of a delinquent fee shall be the responsibility of and paid by the owner of the subject parcel.
 - C. Delinquent fees shall be addressed as set forth in Wyoming State Statute.

13.80.070 Appeal procedures.

- A. Any owner of a parcel who believes the provisions of this division have been applied in error may appeal in accordance with this Section, provided, however, that grounds for appeal are limited to the following:
 - 1. An error was made regarding the square footage of the impervious area attributed to the parcel.
 - 2. The property is exempt under 13.80.020.B.
 - 3. There is a mathematical error in calculating the surface water drainage fee.
 - 4. The identification of the parcel owner invoiced is in error.
 - ~~5. An approved credit was incorrectly applied.~~
- B. The parcel owner shall complete and submit to the City Engineer or designee a surface water drainage fee appeal form in a format approved by the City Engineer or designee within thirty calendar days of the charge being mailed or otherwise issued to the owner ("appeal date"). The City Engineer or designee shall review the appeal for completeness and decide within thirty calendar days. If the City Engineer or designee finds that the appeal is incomplete, the City Engineer or designee shall offer the owner thirty calendar days from the determination that the appeal is incomplete to supply the missing information. If all information requested is not provided within the thirty calendar days, the petition will be deemed to have been withdrawn.
- C. Once the appeal has been determined to be complete, the City Engineer or designee shall conduct a technical review of the alleged error and respond to the owner in writing within forty-five calendar days. The City Engineer or designee may deny the appeal or adjust the surface water drainage fee if it is found to be in error.
- D. A decision by the City Engineer or designee that is averse to the appellant may be further appealed to the City Manager or designee within thirty calendar days of the determination being mailed or otherwise issued to the owner. The City Manager or designee shall review the determination of denial made by the City Engineer or designee and either affirm, reject, or modify the determination. The City Manager or designee's determination will be provided to the owner in writing by certified or registered mail within thirty calendar days of receiving the denial appeal request.
- F. When the final appeal decision is rendered, the City's standard practices for evaluating account delinquency will apply.
- G. Service charge credits resulting from decreases in impervious area after the implementation of the Original Ordinance shall be reviewed and credited monthly.
- H. Service fee refunds shall not go back further than three years.

Section 2. To make this ordinance amendment effective after passage, approval, and publication of this ordinance.

PASSED, APPROVED AND ADOPTED this ____ day of _____ 2026.

CITY OF LARAMIE:

Sharon Cumbie, Mayor and President of Laramie City Council

ATTEST:

Nancy Bartholomew, CMC, City Clerk

First Reading: January 6, 2026

Public Hearing: January 20, 2026

Second Reading: January 20, 2026

Third Reading and Final Action: February 3, 2026 (subject to change)

Duly published in the Laramie Boomerang this ____ day of _____ 2026.

ATTESTATION

I, Nancy Bartholomew, the City Clerk for the City of Laramie, Wyoming, do hereby certify that the above ordinance shall be adopted in its entirety after passage and publication, and posted in the manner required by law.

Nancy Bartholomew, CMC, City Clerk