

CITY OF SAUK RAPIDS ASSESSMENT POLICY

STREET, CURB, GUTTER, SIDEWALK, STREET LIGHTING, STREETSCAPING, & UTILITIES CONSTRUCTION, RECONSTRUCTION & REPAIR ASSESSMENT POLICY

SECTION 1. GENERAL POLICY STATEMENT

The purpose of this policy is to establish a fair and equitable manner to recover and distribute the cost of street, curb, gutter, sidewalk, street lighting, streetscaping & utilities (improvements) construction & reconstruction within the City of Sauk Rapids. Reconstruction will be proposed in areas of the City where streets have deteriorated to the extent that it is no longer cost-effective to provide routine maintenance. Generally, the procedures used by the City of Sauk Rapids for levying special assessments are those specified by Minnesota Statutes Chapter 429, which provides that all or a part of the cost of improvement may be assessed against benefiting properties. This policy is intended to supplement the general assessment authority and policies of the City, and shall apply to the portion of public improvement projects involving the construction and reconstruction of streets and alleys and the reconstruction and/or installation of sidewalks, street lights, curb and gutter, and associated municipal improvements.

SECTION 2. METHODS OF ASSESSMENT

- A. General Statement.** There are different methods of assessment: per lot, adjusted front foot, and area. For any particular project, one of these methods will more adequately reflect the true benefits received in the assessment area than the other methods. The City Engineer, in his feasibility study to the Council, will recommend one or a combination of these methods for each project, based upon which method would best reflect the benefit received for the area to be assessed. The City Council will select the preferred method of calculating the assessments at the time the project is ordered.

The City recognizes that this policy cannot cover every situation. The Council must therefore use its judgement in applying this policy, sometimes on a case by case basis, in order to assess benefitted properties in a fair and equitable manner.

- B. General Assessment Policies.** The cost of any improvement shall be assessed upon property by the improvements based upon benefits received. The following general principles shall be used as a basis of the City's assessment policy:
1. The "project cost" of an improvement includes the costs of all necessary construction work required to accomplish the improvement, plus engineering, legal, administrative, financing and other contingent costs, including acquisition of right-of-way and other property. The finance charges include all costs of financing the project. These costs include, but are not limited to, financial consultant's fees, bond rating agency fee, bond attorney's fees, and capitalized interest. The interest charged to the project shall be included as financing charges.
 2. The "city cost" of an improvement is the amount of the total improvement expense the City will pay as determined by Council resolution. Where the project cost of an improvement is not entirely attributed to the need for service to the area served by said improvement, or where unusual conditions beyond the control of the owners of the property in the area served by the improvement would result in an inequitable distribution of special assessments, or for any other reason determined by City, the City, through the use of other funds, may pay such "city cost."
 3. The "assessable cost" of an improvement is equal to the "project cost" minus the "city cost."

4. If a street is reconstructed to a design standard greater than the current design standard due to the actual or zoned uses of benefitted properties, the additional cost to reconstruct the street shall be fully assessed to those properties.
5. Properties abutting county roadways reconstructed to complete urban design and having reasonable access thereto shall be assessed in accordance with this policy. The assessments shall be used to defray the City's cost participation in the county improvement projects.
6. Properties or areas of property that have been determined to be unbuildable shall be excluded from assessments. No building permits will be issued for properties that are not assessed pursuant to this provision.
7. Senior Citizens and Disabled People Special Assessments Deferrals are available in accordance with City policy. Other deferrals may be available as authorized by Minn. Stat. Ch. 429.
8. All assessments shall be levied for a 5 to 7-year period to all benefitted properties, unless cause exists to deviate from this policy. Consideration to the amount of assessments shall be given when selecting the assessment period, but the period shall be selected by the Council in its sole discretion.

C. **Assessment Methods.** The following assessment methods, as described and defined below, are hereby established as assessment methods in the City.

1. **"Adjusted Front Footage" Method of Assessment.**

The "adjusted front footage" method of assessment shall be based on the quotient of the "assessable cost" divided by the total assessable frontage benefiting from the improvement. For the purpose of determining the "assessable frontage," all properties, including governmental agencies, shall have their frontages included in such calculation.

The actual physical dimensions of a parcel abutting an improvement shall not be construed as the frontage utilized to calculate the assessment for a particular parcel. Rather, an "adjusted front footage" will be determined. The purpose of this method is to equalize assessment calculations for lots of similar size. Individual parcels by their very nature, differ considerably in shape and area. The following procedures will apply when calculating adjusted front footage. The selection of the appropriate procedure will be determined by the specific configuration of the parcel. All measurements will be scaled from available plat and section maps and will be rounded down to the nearest foot dimension with any excess fraction deleted.

- a. **Rectangular Interior Lots.** The rectangular lot is defined as having no more than 5.0 feet difference between the front and rear lot lines. The adjusted front footage is the actual front footage of the lot. For rectangular lots whose frontage is greater than its depth, the "odd shaped lot" method shall be used.
- b. **Odd Shaped Lots.** For odd shaped lots, such as exist on cul-de-sacs and curved streets where there is more than 5.0 feet of difference between the front and rear lot lines, and where the lots frontage is greater than its depth, the "odd shaped lot" method of determining the adjusted front footage shall be used. The adjusted front footage shall be computed by dividing the area of the lot by 10,500 square feet to determine the equivalent number of front footage units in the parcel. The number of units multiplied by 75 feet will give the adjusted front footage.

- c. Corner Lot Adjustment. (amended 7/26/2021) Corner lots shall only be assessed one side equal to the length of the short side of the lot regardless of the length of the side abutting the project. This adjustment shall be used calculating the adjusted footage for street, curb & gutter, and sidewalk assessments.
- d. Zonal Assessment. When the street along the long side of a corner lot is improved, the cost may be assessed equally to all lots within ½ block in each direction of the street improved. This method may be selected rather than the corner lot adjusted.

2. “Area” Method of Assessment.

The “area” method of assessment shall be based on the number of square feet or acres within the boundaries of the appropriate property lines of the areas benefiting from the project. The assessment rate (i.e., cost per square foot) shall be calculated by dividing the total assessable cost by the total assessable area. On large lots, the City Engineer may recommend and the Council may determine that only a portion of the lot receives the benefit and may select a lot depth for the calculations equal to the benefit received.

All property included in the benefited area, including other governmental areas, churches, etc., shall be assessable. The following items shall not be included in area calculations: public right-of-ways, and natural waterways, swamps and lakes and other wetlands designated by the Minnesota Department of Natural Resources or the City. The City Engineer will make a recommendation on the boundaries or parameters of the benefited area in the feasibility report.

3. “Per Lot’ Method of Assessment.

The “per lot” method of assessment shall be based on equal assessment of all lots within the benefited area. The “assessment per lot” shall be the quotient of the assessable cost divided by the total assessable lots or parcels benefiting from the improvement. For the purpose of determining the lots or parcels, all parcels, including governmental agencies, shall be included in such calculations.

SECTION 3. ASSESSMENT COMPUTATIONS

A. Street Improvements (includes: Curb, Gutter & Sidewalk).

- 1. New Construction. New street improvements, are assessed 100% to the benefited areas or properties. Street improvements will normally be assessed by the adjusted front foot method; however, other methods may be utilized if conditions warrant. Cost of construction of streets shall be assessed based on the design section recommended by the City Engineer in the feasibility report. Oversizing costs which are incurred in excess of the above may be paid by: (1) State funds, (2) larger assessment rates to other benefitted properties, (3) general obligation funds, or (4) any other method or combination of methods authorized by the City Council. Street improvements within new private developments shall be installed by the developer at developer’s sole expense.
- 2. Reconstruction and Overlays. Street reconstructions and overlays are assessed 25% to the benefited area or properties and 75% City funded. New curb, gutter & sidewalk within a reconstruction project are 100% assessed.
- 3. New Construction (Commercial). New sidewalk within commercial areas shall be installed on both sides of the street and shall be assessed 100% to the benefitted area or properties on each side of the street.
- 4. Repairs. This policy does not apply to sidewalk repairs.
- 5. Seal Coats. Sealcoats shall not be assessed unless cause exists to deviate from this policy.

6. Alleys. (amended 7/26/2021)

Upgrading existing unimproved alleys by adding pavement will be assessed 100% to all lots abutting on the alley in the block being improved. Reconstructing existing paved alleys will be assessed 25%.

7. State Aid Streets. The City's costs for reconstruction and overlay of State Aid Streets will be assessed 25% to the benefitted area or properties. Single family residential properties will be assessed based on the costs to reconstruct or overlay a 32 foot wide street. All other properties will be assessed based on the actual width of the State Aid Street.

B. Street Lighting. (amended 2020-12-14)

1. New

Street lights within new private developments shall be installed by the developer at developer's sole expense.

2. Downtown Street Lighting

New street lights for redeveloped or new commercial property within the D-1 District shall be installed by the developer at developer's sole expense.

C. Streetscaping

1. New Construction. The City's costs to install sidewalk amenities and design features within the D-1 zoning district will be assessed 50% to the benefitted area or properties on each side of the street. Properties will be assessed based on the costs of the lowest intensity level of streetscaping in the D-1 zoning district streetscaping plan. The cost difference between the lowest intensity streetscaping and more intense levels of streetscaping shall not be assessed.

2. Reconstruction. The cost for reconstruction of streetscaping shall be assessed in the same manner as new construction of streetscaping.

D. Sanitary Sewer.

1. New Construction. New sanitary sewer mains and service lines will be assessed 100% to the benefitted properties.

2. Sewer Main Reconstruction. Reconstruction of sanitary sewer mains will be 100% City funded and shall not be assessed.

3. Sewer Service Line Reconstruction. Costs for the replacement of sewer service lines from the main to the property line shall be the responsibility of the City. Replacement & replacement costs of sewer service lines from the structure to the property line shall be the sole responsibility of the properties served by the service line. The cost for replacement of service line from the structure to the property line shall be the sole responsibility of the property owner and the City will not pay for such costs or agree to finance those costs through assessment.

4. Sewer Service Line Repair. Repair to any portion (from the main to the property line) of sewer service lines shall be the sole responsibility of properties served by the service line; this includes broken, blocked, collapsed, and frozen service lines. The City will not pay for the repair of any portion of the service line, but may agree to finance the cost of repair to the portion of service line from the property line to the sewer main through assessment upon the benefitted property owner's execution of an assessment waiver. Any fees or costs incurred by the City related to a sewer service

line may be charged back to the property. The Public Works Utilities Director, in the Director's sole discretion, may determine that the condition of a service line is beyond repair and must instead be replaced.

5. Shared Sewer Service Lines. Replacement or repair of shared sewer service lines shall be the sole responsibility of properties served by the shared service line. Where feasible, shared sewer service lines shall be eliminated and each property shall be served by an individual service line.

E. Water

1. New Construction. New water mains and service lines will be assessed 100% to the benefitted properties.
2. Water Main Reconstruction. Reconstruction of water mains will be 100% City funded.
3. Water Service Line Reconstruction. Costs for the replacement of water service lines from the main to the curb stop shall be the responsibility of the City. Replacement & replacement costs of water service lines from the structure to the curb stop shall be the sole responsibility of the properties served by the service line and the City will not pay for such costs or agree to finance those costs through assessment.
4. Water Service Line Repair. Repair to any portion (from the main to the curb stop) of water service lines shall be the sole responsibility of properties served by the service line; this includes broken, blocked, collapsed, and frozen service lines. The City will not pay for the repair of any portion of the service line, but may agree to finance the cost of repair to the portion of service line from the curb stop to the water main through assessment upon the benefitted property owner's execution of an assessment waiver. The Public Works Utilities Director, in the Director's sole discretion, may determine that the condition of a service line is beyond repair and must instead be replaced.
5. Shared Water Service Lines. Replacement or repair of shared water service lines shall be the sole responsibility of properties served by the shared service line. Where feasible, shared water service lines shall be eliminated and each property shall be served by an individual service line.

F. Storm Sewer

Storm sewer infrastructure installation, repair, and replacement shall be assessed in accordance with the rates annually established in the City of Sauk Rapids fee schedule. New storm sewer improvements within new private developments shall be installed by the developer at developer's sole expense.

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Amended 2020/12/14
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