

### **Part 3. Storm Sewer Improvement District**

**703.01. Definition of Storm Sewer Improvement District.** The Storm Sewer Improvement District shall include all properties located within the official city limits of the City of Hayfield, Minnesota, including all additional properties which may subsequently be located within said city limits due to any expansion of said city limits. For purposes of this ordinance, all references hereafter to the "district" shall be to the Storm Sewer Improvement District as defined above.

**703.02. Authority of Council; Recovery of Cost; Improvement Procedures.** Subdivision 1. That hereafter the council may acquire, construct, reconstruct, extend, maintain, and otherwise improve storm sewer systems and related facilities within the district. Storm water holding areas and ponds within and without the corporate limits of the City of Hayfield, Minnesota, may also be acquired, constructed, maintained, and improved for the benefit of any such district. The cost of the systems and facilities described in this subsection may be recovered by the tax authorized in the following Section 703.04.

Subd. 2. The procedures of Minnesota Statutes, Sections 429.031 to 429.081 shall apply when the council of a municipality determines to make an improvement pursuant to this section.

**703.03. Bonds.** At any time after a contract for the construction of all or part of an improvement has been entered into or the work has been ordered done by day labor, the council may issue obligations in such amount as it deems necessary to defray in whole or in part the expense incurred and estimated to be incurred in making the improvement, including every item of cost from inception to completion and all fees and expenses incurred in connection with the improvement or the financing thereof. The obligations shall be payable primarily out of the proceeds of the tax levied pursuant to the following Section 703.04. The council may by resolution adopted prior to the sale of obligation pledge the full faith credit, and taxing power of the municipality to assure payment of the principal and interest in the event the proceeds of the tax levy in the district are insufficient to pay such principal and interest. Obligations shall be issued in accordance with Minnesota Statutes, Chapter 475, except that an election is not required, and the amount of any such obligations is not included in determining the net indebtedness of the municipality under the provisions of any law or charter limiting such indebtedness.

**703.04. Taxes.** The council of the City of Hayfield, Minnesota, may levy on all taxable property within the district such taxes as are necessary to finance the cost of the improvement, including maintenance and to pay the principal and interest on obligations issued pursuant to Section 703.03. Such taxes shall be collected and paid over as other taxes, but shall be spread only upon the property included within the Storm Sewer Improvement District. Such taxes shall be disbursed by the council only for the benefit of said district as established by this ordinance.

**703.05. Dissolution of District.** Upon the retirement of all obligations issued to finance improvements within the district, the district may be dissolved by the council of the City of Hayfield, Minnesota, by following the procedures set forth in the Minnesota Statutes.

703.06. **Senior Citizens Hardship Tax Deferral.** Notwithstanding the provisions of any law to the contrary, the council of the City of Hayfield, Minnesota, may, at its discretion, defer the payment of that assessment for any homestead property owned by a person 65 years of age or older for whom it would be a hardship to make the payment.

703.07. **Procedure to Obtain Deferred Assessment.** The homeowner shall make application for deferred payment of special assessments on forms prescribed by the county assessor of the county in which the homestead is located. Where the deferred assessment is granted, the assessor shall record a notice thereof with the County Recorder of said county which shall set forth the amount of the assessment. The council of the City of Hayfield, Minnesota, may determine by ordinance or resolution the amount of interest, if any, on the deferred assessment and this rate shall be recorded by the assessor along with an in the same manner as the amount of the assessment.

703.08. **Termination of Right to Deferred Payment.** The option to defer the payment of special assessments shall terminate and all amounts accumulated plus applicable interest shall become due upon the occurrence of any of the following events:

- a. The death of the owner provided that the spouse is otherwise not eligible for the benefits hereunder;
- b. The sale, transfer or subdivision of the property or any part thereof;
- c. If the property should for any reason lose its homestead status; or
- d. If for any reason the taxing authority deferring the payments shall determine that there would be no hardship to require immediate or partial payment.

703.09. **Savings Clause.** If any section, sentence, clause or phrase of this ordinance is, for any reason held to be invalid, such decision shall not affect the validity of the remaining portions of this ordinance. The council of the City of Hayfield, Minnesota, hereby declares that it would have passed this ordinance and each section, clause, and phrase thereof, irrespective of the fact that any one or more sections, sentences, clauses and phrases be declared unconstitutional.