

**JEFFERSON COUNTY PUBLIC SEWER DISTRICT**  
**GUIDELINES FOR CREATION OF A SANITARY**  
**SEWER IMPROVEMENT AREA (SSIA)**

- 1) **INITIAL PREPARATION**: Identify the boundaries of the proposed SSIA
  - Review and approve an existing plat *or*
  - Survey and prepare a new plat of the proposed area.
  - Create a list of all property owners within the propose SSIA (including address and legal descriptions for each parcel)

**NOTE:** This could be done by the District, but may be initiated by a Community.

- 2) **PRELIMINARY PLAN PREPARATION**: Prepare a plan of proposed improvement(s) including the following:
  - General scope and nature of the improvement(s)
  - Cost(s) estimate (The cost should include surveying, engineering, construction, equipment, materials, legal, insurance, underwriting costs, publication fees for hearings, mailing costs, recording fees, etc.)
  - Proposed boundaries of the area (described by bounds, streets or other sufficiently specific description).
  - Financing plan, including methods for imposing user fees.

**NOTE:** Final cost of the project and the amount of the revenue bonds issued shall **not** exceed the estimated cost of such improvement project by more than **25%**.

- 3) **PETITION OF PROPERTY OWNERS**: Obtain or confirm that signatures have been obtained from 4/7ths of the property owners within the proposed SSIA on a Petition, which must include the following:
  - Project name (“\_\_\_\_\_ Sanitary Sewer Improvement Area”)
  - General scope and nature of the improvement(s)
  - Cost(s) estimate
  - Proposed boundaries of the area (described by bounds, streets or other sufficiently specific description).
  - Financing plan, including methods for imposing user fees.
  - A notice that the names of the signer may not be withdrawn later than seven (7) days after the Petition is filed with the District.
  - A notice that the final cost of the improvement and the amount of revenue bonds issued shall not exceed the estimated cost by more than 25%.

**NOTE:** If there are more than one owner of a parcel of property, then all owners must sign (including both husbands and wives).

- 4) **DISTRICT RESOLUTION**: After the Petition has been filed with the District (and the District has confirmed it meets the foregoing requirements), the District may, by resolution

order the area be established as a SSIA and that the preliminary plans be made.

**NOTE:** The District should, when the petition is filed, make the following preliminary investigation before opening for public inspection:

- Is the proposed area within the District's boundaries?
- What are the total number of parcels within the proposed area and do the 'signed owners' purport to represent 4/7ths of those parcels?
- Is there anything in the Petition or plan that stands out as a significant problem that should be addressed immediately upon acceptance?

5) **PLAN PREPARATION AND SECOND RESOLUTION:** After the first resolution has been adopted, the District is to cause the plans and specifications to be prepared. Once these are prepared, the District is, by resolution, to order assessment to be made against each parcel of real property deemed to be benefitted by the improvement based on the revised cost estimate. The plans and specifications for the improvements and the proposed assessment roll shall be opened for public inspection. The proposed assessment roll identifies the parcels within the proposed area and the proposed assessment for each.

6) **PUBLIC NOTICE:** After the second resolution has been adopted, the District is to prepare and publish notice of a hearing to consider the proposed improvements and assessments in a newspaper of general circulation at least once, not more than twenty (20) days and not fewer than ten (10) days, before the hearing.

**Notice shall include:**

- Project name
- Date, time and place of hearing
- General nature of improvement
- Estimated cost, or if available, final cost of improvement
- Boundaries of the SSIA
- Written or oral objections will be considered at the hearing

7) **MAIL NOTICE:** Not less than ten (10) days before the hearing, the District shall mail to the owners of record of the real property in the SSIA, at their last known post office address, a notice of the hearing and a statement of the cost proposed to be assessed against the real property. The notice should be sent by certified mail and regular mail.

8) **PUBLIC HEARING:** At the public hearing, all those in attendance wishing to submit something in writing or be heard are to be provided an opportunity to speak. The Board may

amend the proposed improvements, the plans and specifications or the assessments as a result of the public hearing and comments and objections. At the conclusion, if the Board wishes to proceed, a third resolution is to be adopted ordering the improvements be made and directing that financing for the cost be obtained.

9) **BONDS AND SEPARATE ACCOUNTS**. The proceeds from the sale of any revenue bonds for the making of the improvements must be maintained in a separate fund or account created by the District for the improvement project. These funds shall be used for the payment of costs incurred in making the improvements.

**Costs can include the following:**

- Preparation of preliminary reports, preparation of plans and specifications, preparation and publication of notices of hearings, resolutions, ordinances, and other proceedings, fees, and expenses of consultants, interest accrued on borrowed money during the period of construction, underwriting costs, and other costs incurred in connection with the issuance of bonds or notes, establishment of reasonably required reserve funds for bonds or notes, the cost of land, materials, labor, and other lawful expenses incurred in planning, acquiring, and doing any improvement, reasonable construction contingencies, and work done or services performed by the district in the administration and supervision of the improvement

10) **COMPLETE IMPROVEMENTS**. After the third resolution has been adopted, contracts for the construction of sewage treatment plants and sewers that cost more than twenty-five thousand dollars (\$25,000.00) are to be publicly bid in accordance with Section 204.620 RSMo. Notice of the contract bid process must be published in a newspaper of general circulation in the District. The Board shall select the lowest responsible bidder in no less than twenty (20) days following the publication.

11) **ASSESSMENTS**: After completion of improvements, the District is to compute the final costs of the project and apportion the costs among the property owners benefitted by the improvement in an equitable manner, as determined by the Board. Each tract, lot or parcel of property is to be charged with its proportionate share of the costs, as shown on the assessment roll. The District is then to adopt a resolution formalizing the assessment. **Final project costs as outlined in the assessment roll, in accordance with the resolution approving the project, are not to exceed 25% more than the estimated cost as approved by resolution.**

- For those not paying the assessment in full, the assessment is to be in user fees payable in periodic and substantially equal payments, as determined by the District, for a duration prescribed by the District.
- Assessments are to bear interest at a rate determined by the District, not to exceed the rate permitted pursuant to Section 108.170 RSMo.

12) **NOTICE OF ASSESSMENT BY MAIL**: Following the adoption of the Resolution, each property owner within the District must be notified by mail of the assessment. The notice should be sent by certified mail and regular mail. The notice shall include:

- The description of the owner's property to be assessed
- The assessment assigned to each property
- A statement that the property owner may pay such assessment immediately or by a specified date with the interest that has been accrued (through the date of payment), or may pay such assessment in the form of periodic installments, describing the same.

13) **RECORDING OF NOTICE OF ASSESSMENT LIEN**. Following the adoption of the Resolution, the District is to record a Notice of Assessment Lien as to each property within the SSIA.

**What if the user fees are not paid?**

- The lien is not affected by the existence or enforcement of any other liens or encumbrances (i.e. a foreclosure does not extinguish it).
- If user fees are unpaid within thirty (30) days of due date, then notice of delinquency is to be sent to last known address.
- If it remains unpaid after thirty (30) days from mailing, then the District file a lawsuit to foreclose on the lien (and award attorney's fees and costs).

14) **RELEASE OF NOTICE OF ASSESSMENT LIEN**. Upon receipt of payment in full of assessment amounts for a property, the District is to record a Release of Notice of Assessment Lien.