



## ENGINEERING

### GENERAL MANAGEMENT PROCEDURE

#### TOPIC: ANNEXATION INTO THE DISTRICT

VERSION DATE: 1/21/2022

### PURPOSE

To extend the District's Boundary and provide an opportunity for public sanitary and stormwater connections to the District. These procedures are intended to comply with the MSD Charter, Article 2, District Boundaries and Extensions, where an election by the Board of Election Commissioners is not required.

### PROCEDURE

- I. A written request for annexation from the property owner, or the owner's agent, must be submitted to the District along with sufficient information about the property location, proposed sewer service, and potential financing for the District to review.
- II. Upon receipt of this request, the District staff will review the information provided to determine if MSD can feasibly service the area to be annexed. This determination will be based on the capacity of the downstream sanitary system to handle the additional flow as well whether or not the area can physically be served. In addition, the staff will determine the boundaries of the annexation. Since the area to be annexed must be contiguous to the existing boundary, and the District does not want to process multiple annexation ordinances, the area of annexation may encompass more than just the petitioner's property.
- III. If the District staff determines that the annexation is feasible, the Property owner will be notified in writing that the staff will prepare an ordinance and recommend the annexation to the Board of Trustees upon receipt of the necessary information. At this time, the District staff will also provide the property owner with a map indicating the boundary of the area to be annexed. The current property owner information for each parcel within this area will then be provided to the District.
- IV. The petitioner will then be required to have "more than fifty percent (50%) of the property owners who own more than fifty percent (50%) of the property" sign the annexation petition. The attached petition form should be used for this purpose and completed as shown on the attached sample. Conditions of annexation have to be publicly published as well. Having each property owner sign a fact sheet listing the conditions of annexation is one method of satisfying the requirement to publicly publish the conditions. See exhibit A for Sample Conditions of Annexation Fact Sheet.
- V. The petitioner will also be required to submit a legal boundary description of the area to be annexed, prepared and sealed by a land surveyor, registered in the State of Missouri. The land surveyor should coordinate with the District with regard to the preparation of the legal description.

- VI. Upon receipt of the signed petition and legal boundary description, the District staff will prepare an ordinance for presentation to the Board of Trustees. The Board of Trustees generally meets on the second Tuesday of the month. The information for the annexation must be submitted at least 4 weeks before this date to allow time for preparation of the ordinance and supporting documentation. The adoption of the annexation ordinance requires two board meetings (introduce at the first and adopt at the second). See exhibit B for a sample Board Form. See exhibit C for sample annexation area map.
- VII. Upon adoption of the ordinance, a letter of notification will be sent to each property owner within the annexed area. The municipality will also be notified of the annexation.
- VIII. The petitioner will be required to pay the recording fee for having the document recorded with the City of St. Louis, St. Louis County and the Secretary of State. The District will notify the petitioner of the fee amounts.
- IX. The legal boundary description will be submitted to the MSD Secretary – Treasurer to record the new Boundaries of the District, per Charter Section 2.010.

Exhibit A

Sample Conditions for Annexation



December 2021 (EXAMPLE)

### Annexation to MSD

Pursuant to MSD Charter, MSD has conditions for annexation, such as access to the area, discharge standards, plan review, permitting, and certain costs. These conditions are to be publicly published.

- 1) Development Review – all development plans and areas to be Annexed must submit plans to MSD’s Development Review Process.
  - a. Relevant Fees will be charged per MSD’s standard practice. See Attachment 1 for current rates.
  - b. Discharge standards and constraints – per MSD ordinance 15048 and per MSD Rules and Regulations and Engineering Design Requirements to be addressed during plan review based on development plans.
  - c. Properties within Surcharge areas for system development must pay a fee per acreage developed.
    - i. Caulks Creek Surcharge - \$2,750.00 per acre
  - d. Sewer extension and connection costs
    - i. Public facilities to be dedicated to MSD
    - ii. Construction Escrow applies for public MSD sewer facilities and for stormwater BMPs, detention basins, etc.
- 2) As a customer of MSD, wastewater charges will apply per MSD standard practice. See Attachment 2 for current rates.
- 3) As a property owner within the District, stormwater taxes will apply as follows.
  - a. General Administrative Tax (Regulatory) - \$0.0169 per \$100 assessed valuation
  - b. Districtwide Stormwater Operations and Maintenance tax – not applicable due to levee district agreement
  - c. Operation, Maintenance, Construction, and Improvement Tax (OMCI) – not applicable

Signatures of Petitioners for MSD Annexation that have been made aware of these conditions:

\_\_\_\_\_  
Parcel owner signature  
Parcel Locator:

\_\_\_\_\_  
Date

\_\_\_\_\_  
Parcel owner signature  
Parcel Locator:

\_\_\_\_\_  
Date

## Attachment 1: MSD Fees

### Plan Review Fees

	Current
Submittal Charge	*
Subdivisions, commercial projects, single lots, parking lots	*
Trunk & outfall sewers, sewer extensions	*
Basic Conceptual Review – no project number assigned	*

### Permit Fees

Connection Permit	*
Construction Permit	*
Pump Station Radio Connection Fee	*
Machine Tap	*
Sanitary & Combined Sewers	*
Storm Sewers	*
Pump Station	*

\* - See link below for Plan Review and Permit Fees:

<https://msdprojectclear.org/doing-business/development-review/fees/>

### Connection Fees

Residential	*
Commercial	*

\* - See link below for Connection Fees:

<https://msdprojectclear.org/doing-business/development-review/required-documents-checklists/connection-fees/>

### Industrial Pretreatment Program

Base Fee	*
Sample Point Fee	*
Volume Fee	*

\* - Contact MSD Environmental Compliance, (314) 436-8710, for additional information on the Industrial Pretreatment program and associated fees.

## Attachment 2: MSD Wastewater Charges

<b>Residential Customers</b>	<b>Current</b>
Base Charge	*
Metered Volume	*

\* - See link below for Residential Wastewater Charges:

<https://msdprojectclear.org/customers/billing/rate-information/water-meters/>

<b>Commercial/Industrial Customers</b>	
Base Charge	*
Metered Volume	*
Compliance Charges	*

### **Surcharges for Excess Strength Sewage**

Suspended solids over 300 mg/liter	*
Biodegradable oxygen demand over 300 mg/liter	*
Chemical oxygen demand over 600 mg/liter	*

\* - See link below for Commercial/ Industrial Wastewater Charges:

<https://msdprojectclear.org/customers/billing/rate-information/>

EXHIBIT B

Sample Board Form

**AGENDA ITEM NUMBER:**

1/13/22

**NAME OF PROJECT:** (EXAMPLE) Eatherton Centaur LLC and MBL Futures LLC Annexation

**LOCATION:** Intersection of North Eatherton Road and Centaur Road in the City of Wildwood, Missouri

**TYPE OF PROJECT:** Annexation

**DEPARTMENT REQUESTING ACTION:** Engineering

**REQUESTED ACTION:**

**Why is this action necessary?:** Property does not have a suitable sanitary outfall.

**What does action accomplish?:** Extends the District's Boundaries and provides an opportunity for public sanitary connection to the District.

**SUMMARY EXPLANATION/BACKGROUND:**

**Contractor:** N/A

**Previous District Contract:** N/A

**Consultant:** N/A

**Agency:** N/A

**Number of bidders:** N/A

**Low Bid:** N/A

**High Bid:** N/A

**Appropriation Amount:** N/A

**Designer's Estimate:** N/A

**Total MWBE Participation:** N/A

**Type of Contract:** N/A

**Properties Affected:** 5

**Properties Benefiting:** 5

**Designed by:** N/A

The property owners have requested annexation into the District's boundaries so that sanitary service may be provided for their properties, and the consequence that at least some of the properties may be developed. The properties are contiguous with current District boundaries. All of the property owners have signed the petition for annexation. Pursuant to MSD Charter Article 2, MSD has publicly published the costs and conditions for this annexation. Engineering staff in Planning and Development Review will continue to monitor the existing sanitary system capacity for the possible need for future upgrades as future developments and connections are proposed. Whereas the area to be annexed will be tributary to the Caulks Creek Pump Station A and the Caulks Creek Force Main, as part of any MSD development review of any of these parcels, the developers shall pay the District the Caulks Creek Surcharge for portions of the cost of the design for the design and construction of improvements and renovations to Caulks Creek Pump Station A and the Caulks Creek Force Main as undertaken by the District per Ordinance No. 9249 and MSD's standard practice.

**FUNDING/COST SUMMARY:**

**Budgeted:** N/A

**Budget Year:** N/A

**Amount:** N/A

**Fund Name:** N/A

**Additional Comments:** N/A

**PREVIOUS BOARD ACTION RELATED TO THIS ACTION:** N/A



Exhibit C

Sample Annexation Area Map



# The Metropolitan St. Louis Sewer District

## Eatherton Centaur LLC and MBL Futures LLC Annexation

