

**CITY OF CONNERSVILLE
DEPARTMENT OF
STORM WATER MANAGEMENT**

**POLICIES AND PROCEDURES
MANUAL**

Prepared for:

**City of Connerville
Department of Storm Water Management
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INTRODUCTION

This manual describes the policies and procedures of the Connersville Department of Storm Water Management (CDSWM, the Department) for determining impervious surface area, establishing the Equivalent Residential Unit (ERU) and multiplier for storm water users, for billing and collection, and for the credit process.

The City of Connersville has adopted Indiana Code 8-1.5-5, which enables an Indiana municipality to establish a Department of Storm Water Management. The Department will be responsible for the management of the Connersville Storm Water System and will fund storm water management activities by charging user fees to the owner/renter of each property containing impervious surface area within the corporate limits of the City of Connersville.

All residential properties will be charged a uniform user fee. User fees for non-residential and combined residential/business properties will be based upon the amount of impervious surface area contained within the property. The amount of impervious surface area for each property has been determined based upon measurements using aerial photography and plat maps obtained from the Fayette County Surveyor's Office and by field measurements. Public right-of-way is exempt from the user fee.

Properties within the corporate limits of Connersville that are assessed a Fayette County ditch tax will no longer pay the ditch tax. Instead, the CDSWM will pay the county ditch tax effective the date storm water user fees are initiated.

Non-residential and combined residential/business properties may apply for user fee credits if they have private storm water management infrastructure that reduces the amount or rate of storm water runoff or increases the quality of the storm water runoff discharged to the Connersville Storm Water System.

User fees do not relieve any property owner from compliance with the City of Connersville and/or Fayette County ordinances and/or other applicable state and/or federal laws/regulations.

DEFINITIONS

As used in this manual, the following terms shall have meanings attributed to them as follows:

Combined Residential/Business Property – a residential property in which business is conducted on the property. Business shall mean an act or means of providing goods or services for compensation. For example, a residential property that conducts accounting services in the home shall be classified as a combined residential/business property.

Credit – a reduction in the storm water user fee for a non-residential or combined residential/business property based upon the attainment of criteria specified in the User Fee Credit Process section contained in this manual.

Detention Facility – a facility that collects and stores storm water runoff thereby reducing the rate at which runoff is discharged from the property.

Equivalent Residential Unit (ERU) – the average amount of impervious surface area for a single-family residential property located within the corporate limits of the City of Connersville. The ERU for the City of Connersville is 2,662 square feet, and shall be used in calculating user fees for non-residential and combined residential/business properties.

Impervious surface area – the horizontal surface area of property covered with materials that include, but are not limited to, concrete, asphalt, rooftop, blacktop and gravel, such that the infiltration of storm water is prevented or impeded. The total amount of impervious surface area located on a property without regard to topographic features of the property is included. Driveways, roadways, parking lots and other areas used for vehicular traffic are considered impervious surface areas. Undisturbed land, tilled agricultural land, ponds, lawns and fields are not considered impervious surface area.

Infiltration – the process of allowing runoff to penetrate the ground surface and flow through the upper soil surface.

Multi-family Property – a multi-family property containing five or more units shall be classified as a non-residential (business) property. User fees shall be charged according to the total impervious square footage of the property. User fees for a multi-family property containing two to four units shall be charged in the same manner as its water service is charged, i.e., according to the number of water meters. For example, a multi-family property containing four units in which the water usage is measured on a single meter shall be considered a single residential property. For a multi-family property containing four units in which the water usage is measured on four separate meters, each unit shall be classified as an individual residential property.

DEFINITIONS

Non-residential Property – all properties not categorized as Residential Properties or Combined Residential/Business Properties. Non-residential properties include, but are not limited to the following:

- Agricultural property
- Businesses
- Churches and other places of religious affiliation
- Colleges
- Commercial property
- Community centers
- Federal, state and local government property
- Hospitals and medical centers
- Industrial property
- Multi-family properties which contain five or more units
- Mobile home parks in which water service is master metered
- Retirement centers
- Schools
- Properties whose primary function is not as a single-family residence
- Common areas of residential properties including, but not limited to, private streets and parking lots, recreational areas, office areas, maintenance areas and all other areas not occupied by residential units.

Private Storm Water Facilities – facilities designed to transport, move or regulate storm water that are not subject to the control and/or not under the ownership of the local, state or federal government.

Public Storm Water Facilities – facilities designed to transport, move or regulate storm water that are subject to the control and/or under the ownership of the local, state or federal government. This shall include facilities in the right-of-way.

Residential Property – a lot or parcel on which a building or mobile home is situated in which a single family resides. Furthermore, some multi-family properties shall be classified as residential. See the definition for Multi-family Property.

Retention Facility – a facility that collects storm water runoff without releasing it. The storm water infiltrates into the ground and/or evaporates.

Storm Water Quality – an increase in quality is a reduction of the amount of pollutants in the storm water runoff. In compliance with Indiana Department of Environmental Management (IDEM) regulations, the CDSWM will establish policies requiring standards for water quality best management practices for all new development and redevelopment.

DEFINITIONS

Storm Water User - the owner/renter of a lot or parcel of residential property, non-residential property or combined residential/business property within the City of Connersville's Storm Water Management District.

Connersville Storm Water System – all facilities and conveyances subject to the control of and/or under the ownership of the City of Connersville used for collecting and conveying storm water to, through and from drainage areas to the point of final outlet, including, but not limited to, inlets, conduits and appurtenant features, pipes, pumping stations, manholes, structures, channels, outlets, creeks, catch basins, ditches, streams, culverts, retention or detention basins and other structural components and equipment that transport, move or regulate storm water. The system includes public streets, roads and highways.

STORM WATER USER FEE DETERMINATION

The monthly user fee is uniform for all residential properties, which are assigned one (1) ERU. This allocates that all residents of the City of Connersville place demands on the storm water system and benefit from storm water management activities. The current user fee for one (1) ERU shall be as established by ordinance.

The monthly user fee for non-residential properties is determined using an ERU multiplier, which is calculated by dividing the total impervious surface area within the property by the base ERU of 2,662 square feet. This method allows for the non-residential property user fees to be based upon the demand the property places on the storm water system as compared to the demands of the average residence. For example, a non-residential property with 20,000 square feet of impervious surface area receives an ERU multiplier of 7.5 ($20,000/2,662$). The ERU multiplier shall be rounded to one decimal place and the minimum ERU shall be one (1). The ERU multiplier is then multiplied by the current fee for one (1) ERU to determine the actual user fee in dollars.

The monthly user fee for combined residential/business properties shall be determined according to the manner in which its water service is metered. The residential portion of the property will be charged the uniform residential rate of (1) ERU. The business portion of the property will be charged according to the amount of impervious surface area within the property that exceeds 2662 square feet with a minimum charge of (1) ERU. For example:

Case 1: A combined residential/business property containing 4000 square feet of impervious surface area shall be charged (1) ERU to the residential portion and (1) ERU to the business portion.

Case 2: A combined residential/business property containing 6000 square feet of impervious surface area shall be charged (1) ERU to the residential portion and 1.3 ERUs [$(6000-2662)/2662$] to the business portion.

BILLING AND COLLECTION

A database has been developed consisting of the property owner's/renter's name, property address, property's square footage of impervious surface area, user fee multiplier and monthly user fee.

Charges for storm water service shall be billed by and through Connersville Utilities on the monthly utility bill and with the implementing of related policies. Where the property having a delinquent account for charges for storm water service is served by the City's Water Department, said Department may, after reasonable notice to the owner and/or customer, shut off the water service to the property. Water service may not be restored until the delinquent account and associated costs have been paid.

Storm water user fees are hereby made a lien upon the corresponding lot, parcel of land, building or premises at or upon which such fees are incurred. Storm water user fees shall be the obligation of the property owner and shall also be the obligation of any renter occupying the property. Storm water user fees shall be billed to the property owner if there is no renter known to the Department and to the renter if the property is rented and the renter is known to the Department. If a renter receives a bill and the bill is not paid within fifteen (15) days, the owner will be notified. If the owner does not pay within one (1) month after the owner's first receipt of the bill, the Department may take action to collect delinquent fees. Delinquent fees may be collected in either or both of the following ways (and also in any other way allowed by law):

1. A civil action may be brought against the renter and/or property owner.
2. The fees may be recorded in the Office of the Fayette County Recorder and certified to the Auditor of Fayette County, who shall place the same on the tax duplicate of the county with the interest and penalties allowed by law to be collected as ad valorem property taxes are collected.

USER FEE CREDIT PROCESS

A reduction in the storm water user fee based on specific qualifying conditions that mitigate the effects of increased storm water runoff or reduces pollutants in the storm water runoff on a continuous basis may be available to non-residential and combined residential/business properties. In order for a property to receive a credit, application to the CDSWM is required using the guidelines in this manual and the *Storm Water User Fee Credit Application Package*. Applicable review fees must accompany each application. Non-residential and combined residential/business properties that meet the following criteria may apply for credit:

1. *Retention Credit* – Impervious area(s) draining to private retention facilities that reduce the volume of storm water runoff discharged to the Connersville Storm Water System. A Professional Engineer registered in the state of Indiana must certify the retention analysis. The storm water user fee credit shall be calculated as follows:

$(\text{Impervious surface area draining to private retention facility} / 2,662 \text{ square feet}) \times 45\%$
 $\times \text{current User Fee for 1 ERU}$

Example: The retention credit for a non-residential property containing 30,000 square feet of impervious surface area in which 10,000 square feet of the impervious surface area drains into the retention facility would be calculated as follows:

$10,000 / 2662 \times 45\% \times \text{current User Fee for 1 ERU} = 1.7 \text{ ERUs} \times \text{current User Fee for 1 ERU}$

To receive full credit, the retention facility shall be capable of storing the storm water runoff produced from the drainage area tributary to the retention facility from the 100-year, 6-hour storm (4.5" rainfall) above the normal pool elevation without creating flooding conditions at the site. Partial credit shall be granted for retention facilities that hold less than the 100-year runoff volume and have adequate overflow facilities. Partial credit = $(\text{Impervious surface area draining to private retention facility} / 2,662 \text{ square feet}) \times (\text{actual rainfall} / 4.5") \times 45\% \times \text{current User Fee for 1 ERU}$

2. *Detention Credit* - Impervious area(s) draining to private detention facilities that reduce the peak flow of storm water runoff discharged to the Connersville Storm Water System and meet the detention requirements of the Connersville *Drainage Standards Manual*. A Professional Engineer registered in the state of Indiana must certify the detention analysis. The storm water user fee credit shall be calculated as follows:

$(\text{Impervious surface area draining to private detention facility} / 2,662 \text{ square feet}) \times 45\%$
 $\times \text{current User Fee for 1 ERU}$

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Example: The detention credit for a non-residential property containing 30,000 square feet of impervious surface area in which all of the impervious surface area drains into the detention facility would be calculated as follows:

$$30,000 / 2662 \times 45\% \times \text{current User Fee for 1 ERU} = 5.1 \text{ ERUs} \times \text{current User Fee for 1 ERU}$$

3. *Storm Water Quality Credit* – Qualifying criteria for credit for reduction of pollutants in storm water runoff from a property shall be added to this manual at a future date. The credit amount shall be applied to the portion of impervious surface area actually treated for reduction of pollutants and shall be 5%.

The maximum storm water user fee credit that may be obtained is 50% of the original user fee determined by these standards. Maintenance of the private storm water management infrastructure is the responsibility of the owner. A maintenance schedule must be submitted to and approved by the Board of Directors (Board) of the CDSWM. Continuing credit will be allowed only to properties that maintain their private storm water facilities in continuing compliance to the approved maintenance plan schedule. Upon written notice, the Board may revoke a credit for good reason, including failure to meet minimum maintenance requirements.

The credit procedures outlined in this manual are not intended to be all-inclusive. Storm water user fee credit may be allowed for circumstances not described in this manual upon approval of the Board.

For credit review, submit the Application for User Fee Credit for Non-Residential Properties accompanied by the specified information listed in the Submittal Checklist for Application for User Fee Credit for Non-Residential Properties and the application review fee. The application process does not relieve the property owner of payment of user fees during the review process. The Board will give written notification of the credit determination within 60 days upon receipt of a complete credit application package. The written notification shall state the conditions of the issuance of the user fee credit and effective date of the credit. Any applicant who does not submit a complete application package will be notified in writing of deficiencies. Deficiencies shall be submitted within 90 days of notification of deficiencies or the applicant will be required to file a new application. Approved credits shall be applied based upon the application date if all deficiencies are submitted within 90 days.

Storm water users may petition the Board for an adjustment if sufficient cause exists to believe the user fees were determined erroneously. The petitioner must not be delinquent in the storm water user fees and must file the petition within three (3) months of receiving the storm water user fee billing in question. The petitioner shall state in writing why it is believed an adjustment is justified and shall include any supporting evidence, clearly defined, with the petition. The Board appointed reviewer shall examine the petition and any submitted documentation, make a

USER FEE CREDIT PROCESS

determination as to whether the petitioner is entitled to an adjustment of the storm water user fee and notify the petitioner in writing of the decision and the basis of the decision within 60 days. The reviewer may grant, deny or modify the adjustment requested in the petition.

The petitioner may appeal the reviewer's decision to the Board provided the Board has received written notice of the appeal from the petitioner within 30 days of the reviewer's determination. The Board shall notify the petitioner of the time and place of the hearing on the appeal. The hearing shall be recorded by audiotape. The Board will make a determination as to whether the petitioner is entitled to an adjustment of the storm water user fee and notify the petitioner in writing within 30 days of the appeal hearing. The Board may grant, deny or modify the adjustment requested in the petition. If the Board determines the petitioner is entitled to an adjustment of the user fees, the adjustments will be made in the form of a credit against future storm water user fees.

Appeals of user fee credit determination and credit revocation shall follow these same procedures except the petition must be received by the Board within 60 days of the receipt of the credit determination or revocation letter.