

The Borough of Dormont Stormwater Authority

Pennsylvania Stormwater Program and User Fee

Credit Manual

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- Attachment A - Stormwater Fee Credit Application Form
- Attachment B - Standard Maintenance Agreement

Section 1.0 Introduction

1.1 Overview

The Borough of Dormont Stormwater Authority (the Authority) has established a Stormwater Program. Included in the Stormwater Program are a User Fee to create a dedicated funding source for the operation and maintenance of the Borough's stormwater infrastructure and a credit program to allow property owners to apply for credits for implementing and maintaining stormwater best management practices (BMPs) on their properties. This manual details the credit program and the application process for such credits.

1.2 Stormwater Credits

Owners who develop and implement certain BMPs (best management practices) to reduce stormwater flows (peak and/or volume) and associated pollutant loading from their parcels can qualify to receive a reduction in their stormwater fee. BMPs are measures or facilities that prevent or reduce the transport of pollutants and/or control stormwater runoff volume or rate. Implementing such measures reduces the impact that stormwater runoff from a property has on the Borough's downstream stormwater management system and natural receiving waters such as Saw Mill Run and the Ohio River.

Stormwater fee credits that will be offered in the Borough are summarized in the following pages.

The credits that are available for flat rate residential properties are:

- Rain Barrel Credit (one-time credit)
- Rain Garden Credit (renewable annually)

The credit that is available for non-flat rate properties (e.g., apartment buildings, churches, commercial buildings, etc.) is:

- Peak Flow Attenuation Credit

To qualify for credits, the parcel owner must complete a credit application form (Appendix A) and submit it to the Authority's Administration Office: 1444 Hillside Avenue, Pittsburgh, PA 15216, phone number (412) 561-8900 ext. 240. The application will be evaluated to determine the amount of credit if any to which the parcel owner is entitled. The applicant will be notified by letter of the determination of credits.

1.3 Definitions

Best Management Practice (BMP): Activities, facilities, measures, or procedures used to manage the volume, rate and water quality of stormwater runoff from a developed parcel. A detailed discussion of BMPs can be found in the Pennsylvania Stormwater Best Management Practices Manual (<http://www.elibrary.dep.state.pa.us/dsweb/View/Collection-8305>)

Credit: Three types of BMPs/Activities may qualify for credits. They are: rain barrels, rain gardens, and peak flow attenuation. Each is detailed in Section 2.3 below.

Detention facility: A stormwater structure/facility which provides temporary storage of stormwater runoff in ponds, parking lots, depressed areas, rooftops, buried underground vaults or tanks, etc., for future release, and is used to delay and attenuate peak flow and/or reduce the discharge of pollutants from land.

Developed Parcel: A parcel altered from its natural state that contains impervious surface equal to or greater than 200 square feet.

Equivalent Stormwater Unit (ESU): The measure of impervious surface for a typical single family residential property used in assessing the fees for each parcel of property, and which has been determined to be 1,883 square feet.

ESU Rate: The stormwater fee applied to each base billing unit (ESU). The current rate is \$8.00/month/ESU.

Flat rate properties: Any one of six (6) categories of residential properties which are billed a flat rate based upon their land use/parcel type, as opposed to being billed uniquely based on their amount of impervious surface. The six categories of residential properties are: single family; two family, townhouse, row house, three family, and four family,

Impervious surface: Those hard surface areas which prevent or slow the entry of water into the soil in a manner that would have otherwise entered the soil under natural conditions (prior to development), or which cause water to run off the surface in greater quantities or at an increased rate of flow than present under natural conditions (prior to development), including, but not limited to, such surfaces as: roof tops, asphalt, concrete, pavers, compacted aggregate engineered and maintained for vehicular traffic or parking, paving, driveways and parking lots, walkways, patio areas, storage areas or other surfaces which similarly affect the natural infiltration or runoff patterns existing prior to development.

Non-flat rate properties: Individual properties that have a minimum of 200 square feet or more of impervious surface and are not categorized as one of the six (6) flat rate residential

property types. The term “Non-flat rate properties” includes commercial, industrial, institutional, recreational, manufacturing, and certain multi-family residential land uses.

Owner: Any person, firm, corporation, individual, partnership, trust, company, association, government agency, society or group owning real property in the Borough of Dormont.

Retention facility: A stormwater facility that provides storage of stormwater runoff and is designed to eliminate subsequent surface discharges. These facilities help reduce downstream flooding because they do not allow discharge of stormwater runoff to downstream locations except in extreme flood events where the storage volume of the facility is exceeded, and they help prevent the pollutants contained in stormwater from being discharged downstream.

Single-family residential property: Developed land containing one structure which is designed for occupancy by one family. These may include houses, manufactured homes, and mobile homes located on one or more individual lots or parcels of land.

Stormwater Runoff: Water from a rain or snowfall event that flows across the land and eventually into storm sewers, rivers, creeks, lakes, ditches and canals, potentially carrying debris, sediment, nutrients and other pollutants from sidewalks, streets, parking lots, and other impervious areas into receiving water bodies.

User Fee: A charge assessed, imposed and to be collected (from Owners) for each developed lot/ parcel, or portion thereof which uses, benefits from, or is serviced by the Stormwater Management Program or which discharges stormwater, directly or indirectly, into the public Stormwater Management System, for the use of and the service rendered and improvement of such program/system.

Section 2.0 Eligibility, General Policies and Available Credits

2.1. Eligibility

Flat rate properties- All developed properties will be eligible for credit provided that a stormwater BMP has been installed and that the owner can demonstrate that the BMP is functioning as intended. To be eligible to receive credits, applicants must be current with their stormwater fees. An application demonstrating that the BMP has been installed and that the facility is functioning as intended must be completed and submitted to the Authority.

Non flat rate properties- To ensure consistency and to ensure that reductions in peak rate, volume and water quality pollution are measurable, the policy will only include those facilities that can demonstrate compliance with the Borough Code Chapter 179, the Borough's Stormwater Management Ordinance, and/or the Pennsylvania Stormwater Best Management Practices Manual. To provide a legal framework for enforcement, a signed or documented maintenance agreement with the Authority will be required. A copy of the Borough's standard maintenance agreement is included in Appendix B.

2.2 General Policies

General policies for available stormwater fee credits are listed below:

- Credit is given to eligible properties only, as described in the credit policies presented in this manual and/or in the credit application(s).
- It is the responsibility of the property owner (or his/her designee) to apply for stormwater credit and to provide the necessary documentation with the credit application, as described herein. Credits for past due accounts will not be considered.
- Credit applications for new installation of facilities on non-flat rate properties may be submitted to the Authority at any time during the construction process. However, the credit will not be approved and applied until the qualifying retention/detention facility/BMP is constructed and working properly as certified by a professional engineer.

Credit applications are available from the Stormwater Authority Administration Office and questions regarding credits should be referred to the Authority Manager, who will delegate the review to the Authority Board after determining that the application is administratively complete. The Authority Board and Manager are not responsible for initiating applications, performing engineering calculations, or otherwise assisting with preparation of credit applications. For peak flow attenuation credits, applications shall include documentation by a licensed professional engineer. Said documentation may include, but is not limited to a stormwater management report and surveyed as-built plans.

Credits are maintained on a property as long as the activity is being performed in accordance with Authority requirements or the stormwater facility receiving credit(s) is properly functioning in accordance with applicable Borough codes, ordinances and the policies stated herein.

Termination of credits based upon Authority inspection may occur. If the stormwater facility (BMP) has been found to be operating inadequately and corrections have not been made within 30 days of notification by the Authority in writing, the Authority may revoke any and all credits.

2.3 Available Credits

2.3.1 Rain Barrel Credit (one-time) - Flat rate properties

Available only for flat rate residential parcels, this credit is a one-time reduction in the fee, applied upon evidence of applicant having properly installed a rain barrel for capture of stormwater runoff. Requires photographic evidence and signed application by owner. A one-time reduction in the fee of \$40 per property will be applied and credited to bills until the full credit has been realized. Multiple rain barrels installed on a property will not qualify for additional credits. Rain barrel credits will not transfer to subsequent owners of a property. New owners will need to reapply.

2.3.2 Peak Flow Attenuation Credit - non flat rate properties

This credit can be applied upon evidence of the reduction of the peak flow from 2, 10, and 25- year storms for the portion of the property affected by use of one or more structural stormwater control systems as documented by a professional engineer through a report (to include calculations on the performance of the system). The amount of credit received pursuant to the Peak Flow Attenuation Credit shall not exceed 50% of the total stormwater fee. A Peak Flow Attenuation credit will be available to any non-flat rate parcel (both residential and non-- residential) that has qualifying onsite stormwater detention facilities, retention facilities or other structural BMPs designed to control the peak flow from the property in accordance with Chapter 179 of the Dormont Borough Code. Sufficient information including as-built plans and an engineering analysis must be supplied to the Authority to verify that the controls attenuate the peak runoff rate under post development conditions to the credit ratio requested as related to the peak runoff rate for the same property under predevelopment conditions for the 25 year storm. The facility must, at a minimum, be designed for 2, 10, and 25 year storms. A facility designed for less than a 25 year storm will receive no credit, partial or otherwise.

Peak rate control should be calculated per the methodologies included in the Pennsylvania Stormwater BMP Manual. The Pennsylvania Stormwater BMP Manual provides design standards, construction guidelines, and operation and maintenance requirements for Peak Rate Control BMPs. The PA BMP Manual can be accessed online at:

<http://www.elibrarv.dep.state.pa.us/dswebNiew/Collection-8305>

2.3.3 Rain Garden Credit

Residential

Rain Gardens are landscaped areas built in a depression that are designed to capture and filter stormwater runoff from a roof or other impervious surfaces. The plants and soil of the rain garden provide an easy, natural way of reducing the amount of stormwater runoff from individual

residential properties. The individual residential property stormwater credit for a rain garden will be a 25% discount per year, provided the rain garden is properly maintained and in working order. The homeowner must submit an application form and inspection of the rain garden annually to be considered for the discount.

To obtain the individual residential property stormwater credit the rain garden must meet the following criteria:

- At least 25% of a property's roof area or an equivalent impervious surface area on the property must drain to the rain garden.
- Stormwater overflows from the rain garden must be directed to appropriate outlets of the stormwater drainage system and away from neighboring properties, sidewalks, steep slopes or retaining walls.

The rain garden must be sized and constructed utilizing information found in the Southwestern Pennsylvania's Homeowner's Guide to Stormwater:

<http://www.accdpa.org/wp-content/uploads/2015/04/Homeowners-Stormwater-Guide.pdf>

Additional information on construction of a rain garden can also be viewed here:

<http://learningstore.uwex.edu/assets/pdfs/GWQ037.pdf>

Section 3.0 Credit Application and Approval Process

If all requirements and conditions of this section are met, the credit will be available upon successful completion of the credit application process and approval by the Stormwater Authority Board of Directors.

3.1 Application

The parcel owner (or an approved representative thereof) must submit a completed Stormwater Fee Credit Application Form and all required documentation. Applications and documentation requirements are detailed in the following section.

3.2 Application Forms

Application forms are provided in Attachment A and available in Authority office.

3.3 Application Fee

The application fee (non-refundable) must be included with the application form. Fees may be paid by check or money order to *Borough of Dormont Stormwater Authority*

Schedule of Application Fees for Peak flow Attenuation credit::

- 0 - 4.99 ESUs - \$25
- 5 - 9.99 ESUs- \$50
- 10 ESUs and above- \$100
- One-time Rain Barrel Credit and Rain Gardens- no fee

The Authority will notify applicants if their applications are incomplete. If complete information is not provided, applications will expire one year from the date of the original submission. Once an application expires, the owner must submit a new credit application with all supporting documentation and fee.

3.4 Documentation Requirements

At the time of application, the owner(s) will need to provide the following documentation in conjunction with a completed and signed application form:

For Rain Barrel Credit:

- Sketch of property showing where rain barrel is located
- picture of installed rain barrel

For Rain Garden Credit:

- Photograph of property showing where rain garden is installed relative to buildings, property lines and slopes
- Sketch plan showing
 - location of and number of plantings and identification of plants by common and scientific name
 - Dimensions of rain garden
 - Profile of rain garden and cross sections
- Size of area draining to the rain garden and the source of that drainage

For Peak Flow Attenuation Credit:

- Design documentation/engineering analysis of the BMP facility;
- As-built plans and/or construction drawings acceptable to the Authority (for projects utilizing construction drawings, the plans must be accompanied by a Letter of Certification from a licensed professional Engineer that project was built in accordance with the construction plans);

- Owner's Operation and Maintenance Plan

3.5 Application Submission

The completed application, supporting documentation, and non-refundable application fee must be submitted to:

Borough of Dormont Stormwater Authority
1444 Hillsdale Avenue
Pittsburgh, PA 15216

3.6 Credit Approval

The Authority will review the required documentation and approval or denial of the credit application will be issued by the Administrative Manager. The applicant will be notified by letter of the approval or denial and the resulting credits (if applicable).

The review will be performed within four (4) weeks after a complete application is submitted. If approved, the credit will be mailed after Board approval.

3.7 Appeal of Credit Determination

Appeal of the determination can be made in accordance with Section AA "Appeals Procedures" of the Borough of Dormont Stormwater User Fee Ordinance.

Section 4.0

Maintenance and Renewal Requirements

The facilities must be owned, operated, and maintained, either on-site or by record of agreement, by the applicant. The applicant must provide documentation of the activities that will occur in order to maintain the facility to the standards presented in the application.

4.1 Credit Renewal

Stormwater credits for Peak Flow Attenuation will be valid for three years after which they will require renewal. Prior to expiration, a credit renewal application must be submitted to the Authority along with certification from a licensed engineer that the system is functioning in accordance with the original credit application analysis and documentation.

To continue to receive a rain garden credit, the homeowner must submit a new application form with a copy of a property owner's written inspection report of their rain garden annually to be considered for the credit. The written report should be a comparison of the success or failure of the plantings detailed in the initial rain garden application (see Section 3.4 above).

Rain Barrel credits are a one-time credit and are not renewable.

4.2 Operation and Maintenance Agreement

In order to be eligible for a Peak Flow Attenuation credit, a signed or documented maintenance agreement with the Authority is required. Under the maintenance agreement, the owner must allow the Authority access to the site to view and inspect the stormwater BMP at the Authority's discretion.

A sample Operation and Maintenance Agreement is provided in Attachment B.

Note: Credits will need to be renewed in order for the owner to continue to receive credit toward the stormwater fee. Should the owner fail to submit a renewal application, the credit(s) will expire. The Authority will require owners of parcels with expired credits to undergo re-application.

4.3 Site Inspections

After an owner submits a credit application or credit renewal application, the Authority may inspect the parcel(s) to verify the information provided in the application and in the supporting documentation. It is the responsibility of the customer/owner to allow the Authority access to the parcel.

If an Authority inspection determines that the facility is not being maintained, the credit can be suspended. The Authority may choose to withhold credit until the owner can demonstrate the facility has been restored to good working order and appropriate maintenance plans are in place.

4.4 Termination of Credits

The Authority may review and terminate any approved credits at any time if the facilities associated with those credits are found to be improperly maintained and/or not adequately functioning and the owner fails to restore the BMP to good working order following notification by the Authority.

Submit to:

OPERATION AND MAINTENANCE AGREEMENT

FOR

STORMWATER MANAGEMENT (SWM) BEST MANAGEMENT PRACTICES (BMPs)

STORMWATER MANAGEMENT PROGRAM AND USER FEE CREDIT PROGRAM

THIS AGREEMENT, made and entered into this ____ day of _____, 20____, by and between _____, (hereinafter the "Owner"), and The Borough of Dormont Stormwater Authority, Allegheny County, Pennsylvania, (hereinafter "the Authority");

WITNESSETH

WHEREAS, the Owner is the owner of certain real property in the Borough of Dormont (hereinafter "Property") and identified by Parcel Identification (ID) Number(s) _____

WHEREAS, the Owner (or some previous owner) has developed the Property; and

WHEREAS, the SWM Site Plan approved by the Authority as part of said development (hereinafter referred to as the "Plan") for the property identified herein, which is attached hereto as Exhibit A and made a part hereof, as approved by the Authority, provides for management of stormwater within the confines of the Property through the use of BMPs; and

WHEREAS, the Authority requires, through the implementation of the Plan, that stormwater BMPs as designed in said Plan be adequately operated and maintained by the Owner, successors and assigns.

NOW, THEREFORE, in consideration of the foregoing promises, the mutual covenants contained herein, and the following terms and conditions, the parties hereto agree as follows:

1. The Owner shall operate and maintain the BMP(s) as shown on the Plan in good working order in accordance with the specific maintenance requirements noted on the Plan for the duration of the approved credit period.
2. The Owner hereby grants permission to the Borough, its authorized agents, and employees, to enter upon the property, at reasonable times and upon presentation of proper credentials, to inspect the BMP(s) periodically at the discretion of the Authority. Whenever possible, the Authority shall notify the Owner prior to entering the property.

3. In the event the Owner fails to operate and maintain the BMPs per Paragraph 1, the Authority reserves the right to revoke any credits applied under the credit program.
4. The intent and purpose of this Agreement is to ensure the proper maintenance of the onsite BMP(s) by the Owner and to provide a mechanism to recognize said maintenance through the continued application of credits under the Borough's Stormwater Management Fee Program; provided, however, that this Agreement shall not be deemed to create or affect any additional liability of any party for damage alleged to result from or be caused by stormwater runoff.
5. The Owner, its executors, administrators, assigns, and other successors in interest, shall release the Authority from all damages, accidents, casualties, occurrences or claims which might arise or be asserted against said employees and representatives for the construction, presence, existence, or maintenance of the BMPs by the Owner.

ATTEST:

WITNESS the following signatures and seals:

(SEAL)

For The Authority:

By: _____

(Print Name)

For the Owner:

By: _____

(Print Name)