

Town of Swansboro
Stormwater Utility
Credit Manual for Stormwater Fees



Adopted by the
Town Board of Commissioners

June 27, 2017

Amended June 28, 2021

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1 INTRODUCTION

1.1 Overview

In 2016, the Town Board of Commissioners of the Town of Swansboro established a town wide stormwater utility. The Utility provides a stable and adequate source of revenue for the Town's stormwater management program that allocates the costs of stormwater services across every stormwater "user" in the Town through a stormwater utility fee (or user fee). Each property that discharges stormwater to the Town's stormwater system is charged a fee based on the amount of impervious surface area on the property. The stormwater fee that a property owner pays is directly proportional to the impervious area found on the property.

The Town has developed a ~~one-time~~ annual credit for stormwater service customers who undertake specific, approved actions that reduce the demand for stormwater service on the public stormwater system, or provide an ongoing public benefit related to stormwater management. A credit is an ongoing reduction in the fee. This manual details the policies and procedures for Stormwater Utility credits.

The stormwater fee credit that will be offered in the Town of Swansboro is summarized in the following pages. At this time, the credit that is available for both residential and commercial properties.

To qualify for credits, the stormwater utility customer must fill out a credit application form and submit it to the ~~Department of Public Works~~ Town Manager and/or his designee. The application will be evaluated to determine the amount of credit that the parcel/customer is entitled. Credits may include a one-time lump sum payment credit for both residential and commercial properties equal to one month's fee. An additional credit may be applied for if the residential owner implements measures to mitigate the impacts of runoff by such methods

outlined in the Swansboro Watershed Restoration Plan. Commercial properties may qualify for a one-month credit for an approved stormwater BMP. Commercial properties that implement Low Impact Development (LID) practices may apply for an additional credit reviewed by the Board of Commissioners subject to the stormwater ordinance and credit policy contained herein.

1.2 Definitions

Best Management Practices (BMP): Schedules of activities, prohibitions of practices, maintenance procedures, and other management practices to prevent or reduce the discharge of pollutants to the municipal separate storm sewer system. BMPs also include treatment requirements, operating procedures, and practices to control site runoff, spillage, or leaks, sludge or waste disposal, or drainage from raw material storage.

Credit: A credit is ongoing reductions in the stormwater management service charge applicable to a given land parcel in recognition of on-site or off-site systems, facilities, measures, and/or actions undertaken to reduce or mitigate the stormwater quantity and/or quality impact(s) of the land parcel that would otherwise impact the public stormwater management system.

Commercial: Buildings and or parcels used for non-residential purposes directly or indirectly in connection with any business, or other undertaking intended for profit or non- profit.

Detention Facility: A detention facility is a stormwater structure 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 Land: A land parcel altered from its Natural State that contains impervious

surface.

Impervious Surface: Those areas within developed land which prevent or significantly impede the infiltration of stormwater into the soil. Common “impervious surfaces” include but are not limited to roof tops, sidewalks, walkways, patio areas, roads, driveways, parking lots, storage areas, brick or concrete pavers, compacted gravel surfaces (roads, driveways, walks, parking, and storage areas), and other surfaces which prevent or significantly impede the natural infiltration of stormwater into the soil.

Low Impact Development (LID): Defined by NCDEQ’s definition of Low Impact Development. The runoff volume match goal is to keep the volume of stormwater runoff on an annual basis similar both before and after development. This approach helps to protect the receiving stream’s hydrology, structure, and support. Under runoff volume match, the majority of the project must be treated by SCMs (stormwater control measures) that infiltrate and evapo-transpire stormwater; however, a small portion of the project’s stormwater may typically be released without treatment (this helps retain hydrology to the receiving waters). The definition in addition expands upon the NC Low Impact Development Guidebook which states LID maintains and restores the hydrologic regime by creating a landscape that mimics the natural hydrologic functions of infiltration, runoff, and evapotranspiration.

NCDEQ: North Carolina Department of Environmental Quality.

~~**Public Works Director:** The Director of the Public Works Department for the Town of Swansboro.~~

Residential: Buildings and or parcels used for residences such as attached and detached single-family dwellings, apartment complexes, condominiums, manufactured homes, mobile homes, townhouses, cottages, etc.

Retention Facility: A retention facility is a stormwater structure that provides for the permanent storage of stormwater runoff. These facilities are effective in reducing downstream flooding and in reducing stormwater pollution since the pollutants contained in stormwater are not released downstream.

Service Charge: Stormwater management service charge, applicable to a land parcel, which generally reflects the impact on or demand for Stormwater management services provided by the Town to properly control and manage Stormwater runoff quantity and/or quality associated with the land parcel. The Service Charge will vary from one land parcel to another based on the total Impervious Surface Area. The Service Charge may vary for the same class of service in different areas of the Service Area and may vary according to classes of service.

Stormwater: The runoff from precipitation that travels over Natural State or Developed Land surfaces and enters a Drainage System.

Stormwater Management Program: Identified set of measures and activities designed to protect, restore and/or manage stormwater quality by controlling and/or reducing pollutants and to reduce and/or manage stormwater quantity by controlling velocity, volume, and rate.

Stormwater Services Utility Manager: A person working for or on behalf of the Town to administer the Stormwater Management Program. For the purposes of this ordinance, it shall also mean ~~Public Works Director~~ **Town Manager and/or his designee.**

Stormwater Pond: Any structure including ponds, parking lots, depressed areas, rooftops, buried underground vaults or tanks, etc. that provides for either the temporary or permanent storage of stormwater.

2 CREDIT POLICIES & INSTRUCTIONS

2.1 General Policies

There are certain conditions that must be met and applications that must be completed that will determine what properties qualify for a credit and what amount of credit. General policies for stormwater utility credits are listed below. See the following pages for policies, details, and special circumstances that may be specific to individual credits.

- ☐ Credit may be given to eligible properties only, as described in the credit policies presented in the adopted stormwater ordinance, manual and/or in the credit application(s).
- ☐ It is the responsibility of the property owner (or his/her designee) to apply for stormwater credits, and to provide the necessary substantiating information with the Credit Application, as described herein.
- ☐ Credit applications are available from the ~~Department of Public Works~~ and Town Hall and questions regarding credits should be referred to the Stormwater Services Utility Manager. Although the ~~Department~~ **Town** staff ~~is~~ **are** happy to answer questions, they are not responsible for initiating the application process.
- ☐ The ~~Department of Public Works~~ **Town Manager and/or his designee** will only review complete credit applications. The review will be performed within 1 (one) week after a complete application is submitted. If approved, the credit will be applied in the next month after approval.
- ☐ Credits for stormwater utility fees paid prior to approval for a credit will not be applied retroactively except for applications received and approved prior to June 30, 2016. Except in this case, the Town will not refund any portion of the stormwater fees paid for a property prior to receiving approval for a stormwater credit.
- ☐ The total credit available to any one property may be up to 16.66 % or equal to two months of the annual stormwater fee. Credits may be applied for as follows:
 - Lump Sum Payment for Annual Stormwater Utility Fee (One Month's Credit)
 - Properties that implement strategies from the adopted Watershed Plan (Residential) or Commercial properties that have an approved State BMP. (One

Month's Credit)

- Commercial properties that exceed the minimum state standard for stormwater retention as approved through a Special Use Permit may receive a credit equal to the amount of stormwater not discharged (disconnected) from the Town's stormwater conveyance system. *See Low Impact Development*. Additional Credit for Low Impact Development. Commercial properties that have implemented NC State permitted Low Impact Development (LID) tools/practices may qualify for an additional credit beyond the stormwater bmp and lump sum credits noted above. The LID tool must be an accepted method per the most recently adopted NCDEQ Stormwater Design Manual. Certification by a NC Licensed Professional Engineer and/or an approval from NCDEQ of the LID for the additional credit must accompany the application certifying the LID tool implemented on site and the percentage of stormwater retained, disconnected, and not released into the Town's conveyance system. The credit request shall be reviewed before the Board of Commissioners and on a case by case basis. The credit may be considered on a percentage decrease basis similar and proportional to the percentage of stormwater retained, disconnected, and not released into the Town's conveyance system. The Town may request information as necessary to determine the eligible credit.

- ☐ Credits are maintained on a property as long as the activity is being performed in accordance with Town requirements, or the stormwater facility is properly functioning in accordance with applicable Town codes and ordinances, or the policies stated herein.
- ☐ Credits will be reviewed on an annual basis for all stormwater devices and/or facilities and LID tools and must be maintained and in working condition upon annual review for credits.

2.2 Commercial Ownership and Maintenance Requirements

All detention facilities for which credit is applied must be working in proper operating condition at the time that the application is submitted and shall be maintained in accordance with applicable Town codes, ordinances, and policies.

- 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 inspect and maintain the facility to the standards presented herein.
- In the event that the stormwater facility is not located on the property owned or operated by the applicant, the applicant must provide a copy of a recorded agreement between the applicant and the owner of the off-site facility stating that the applicant is responsible for maintaining all or a portion of the facility and that the owner understands that the applicant will receive the stormwater fee credit for the facility. In addition, the owner of the off-site parcel should provide a letter to the Stormwater Manager indicating that he/she is in agreement with the information contained in the application for credit.
- The stormwater detention/retention facilities must be operated and maintained in proper condition to control the peak runoff rate and in accordance with the maintenance standards presented in this manual. If the applicant does not operate and maintain the facility as required, the credit will be discontinued.
- In order for stormwater retention and detention facilities to operate as they were intended, maintenance must be routinely performed. Improperly maintained stormwater facilities do not reduce stormwater impacts effectively and are therefore ineligible for credit. The following items are the basic minimum maintenance requirements for all applicable stormwater facilities:
 - (a) Sediment shall be removed when about 30% of storage volume of the facility is filled.
 - (b) Sediment traps, if existing, shall be cleaned out when filled.
 - (c) No woody vegetation shall be allowed to grow on the embankment without special design provisions.
 - (d) Debris shall be removed from blocking inlet and outlet structures and from other areas of potential clogging (i.e., weirs, pipes, grates, etc.). This is especially important after major storms. Extended detention control devices should be checked often for debris accumulation and clogging.
 - (e) The control structures shall remain unaltered and be kept structurally intact, free from erosion, and functioning as originally designed.
 - (f) All items a-e are subject to the maintenance provisions/agreement provided in the permit.

2.3 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 of an on-site town inspection.
- ☐ Credit applications for new developments can occur as part of the normal development plan review procedures. The completed credit application should accompany the final plan/plat for the site.
- For either credit, a Right-of-Entry or easement, as applicable, must be granted to the town in order for the town to review and approve the credit and to perform occasional inspections to see that the stormwater management facility is maintained and operating as designed. Right-of-Entry is granted via the applicant's or property owner's signature on the credit application.

STORMWATER FEE CREDIT APPLICATION

Town of Swansboro – *Friendly City by the Sea*
 601 W. Corbett Avenue
 910.326.4428 Office
 910.326.3101 Fax



Section A. Application Information	
Residential <input type="checkbox"/>	Commercial <input type="checkbox"/>
Owner:	
Representative:	
Address:	
Telephone/Fax:	
Email:	

Section B. Applicant's Designer/Engineer
Firm Name:
Name:
Address:
Telephone/Fax:
Email:

Section C. Property Information
Name of Property (E.G. Complex or Development, Lot #):
Tax Map & Parcel ID Number:
Property Address:
Type of Property

Section D. Stormwater Facility Details				
Property Size (Acres)		Type of Facility		
Impervious Surface Area (Total SQ FT)		Impervious Surface Area (Served with controls)		
Pre-Developed Q		Post Q (With Controls)		
CAMA Enhanced (Yes or No)		Shared Facility (Yes or No)		
LID Tool		Percentage stormwater retained on site (disconnected from system)		
RESIDENTIAL Please check methods that apply	Rain Gutter Redirect	Cistern	Rain Barrell	Permeable Pavers
RESIDENTIAL	CERTIFIED BY THE US GREEN BUILDING COUNCIL			

Section E. Owner Certification Statements (initial those that apply)	
Please initial the following statements certifying that you have read and understand each one:	
<input type="checkbox"/>	I hereby certify that I will notify the Town of Swansboro should a destruction or damage occur to the facility referenced in this credit application that prevents it from performing as credited.
<input type="checkbox"/>	I hereby certify that I have maintained the stormwater facility or device and LID tool referenced in this application and have adhered to the approved maintenance schedule contained in the permit.
<input type="checkbox"/>	I hereby certify that I am the financially responsible person or the officer, director, partner, owner or registered agent with authority to execute instruments for the financially responsible person.
<input type="checkbox"/>	I hereby grant the Town of Swansboro access to my property referenced in this document to inspect the credited stormwater facility or facilities/devices, LID tool proposed for a stormwater fee credit.
<input type="checkbox"/>	I hereby provide a copy of the approved state permit, plan and the maintenance provisions/certifications required for compliance of permit.
<input type="checkbox"/>	I hereby provide copy of NC licensed engineer certification and/or NCDEQ approval for the LID tool for requested fee credit.

Owner's Signature	Date

(OFFICE USE ONLY)

The Town of Swansboro will affix copy of the permit and information to this application for file.

Watershed/Stormwater Credit applied to the applicant per the Town's Adopted Fee Schedule:

☐ **APPROVED** ☐ **DENIED (REASON):**

Staff Signature	Date

For LID Credit (Board Approval Required)

Clerk Signature	Date	Granted Amount/% off	Denied