

City of Oshkosh Residential Stormwater Utility Credit Policy

I. Purpose and Scope

The purpose of this Stormwater Utility Credit Policy is to encourage actions by residential property owners within the city that:

- 1) Reduce stormwater flows and volumes,
- 2) Reduce stormwater pollution and
- 3) Reduce the utility's costs in providing proper management of stormwater runoff.

As applied to this policy, the term 'property' or 'properties' will refer to single-family, two-family, and three-family residential parcels. All other properties are considered non-residential. (NOTE: a separate stormwater utility credit policy has been established for non-residential properties.) Credits to user fees will only be allowed when it can be demonstrated by the customer that an action as described in Section III of this policy has been taken by the customer and the action meets the guidelines specified in this policy document. This policy does not apply to stormwater management measures that are owned and/operated by the City of Oshkosh. Properties served by stormwater management facilities installed to meet state and/or local stormwater regulations are not eligible for credit from these facilities.

It also should be noted that there are 3 rate categories for single family properties as summarized below:

| Tier | Impervious Area | ERU Rate |
|-------------|----------------------------|-----------------|
| TR 1 | Less than 1,750 sq. ft. | 0.67 ERU |
| TR 2 | 1,750 – 3,750 sq. ft. | 1.00 ERU |
| TR 3 | Greater than 3,750 sq. ft. | 1.33 ERU |

II. Credit Structure

For the purpose of generating applicable credit rates, the municipal stormwater management services funded through the user fee are divided into two major categories. The credit eligible category is further divided into two sub-categories.

| | |
|---|-----|
| Category A (utility-wide services) | 25% |
| Category B (credit eligible services) | |
| B1: activities that meet flow management criteria | 50% |
| B2: activities that meet pollution reduction criteria | 25% |

Fees to support Category A programs are applied throughout the utility customer base and credits are not allowed for these components. These costs are required to run the City of Oshkosh's stormwater management program and these programs benefit all property owners within the City of Oshkosh.

Only the costs associated with Category B are eligible for a credit. These are costs associated with the utility's efforts to maintain the capacity of the stormwater conveyance system and implement and maintain pollution control practices.

The tasks included under each category, and the percent credit for each category under this policy may be revised based upon a re-analysis of the stormwater program budget and the percent distribution of costs by category. Modifications must be approved by Common Council

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resolution. The approved credit amount will be applied to each stormwater utility bill for as long as the property owner maintains their credit eligibility status in accordance with this policy.

III. Credit Criteria

Residential properties may be eligible for a credit to their stormwater utility fee under two circumstances:

- 1) Installation and maintenance of a Best Management Practice and/or
- 2) Impervious area that is riparian to a water body.

1. Best Management Practice Credit

The following are common examples of best management practices property owners may install and maintain to reduce their impact on the city's stormwater management services. Property owners must demonstrate the proper installation and agree to maintain the approved best management practice. Property owners installing approved best management practices may be eligible for up to 75% credit for practices that reduce both the quantity of stormwater runoff (up to 50% credit), and improve the quality of the runoff (up to 25% credit). Eligible best management practices are:

- Rain Gardens (typically these will qualify for both quantity and quality credit)
Property owners who install a rain garden on their property shall use the UW-Extension Service Publication (GWQ037): "Rain Gardens A how-to manual for homeowners". Copies of this manual are available directly from the UW-Extension Service web address at

http://clean-water.uwex.edu/pubs/pdf/home_rgmanual.pdf

or from the City of Oshkosh Department of Public Works for a printing fee.

- Rain Barrels (typically these will qualify for quality credit only)

Property owners who install rain barrel(s) must include manufacturer's literature with their credit application and state that the manufacturer's guidelines have been followed. For custom built rain barrels, the property owner must submit photographs of the installed practice along with the dimensions (height, width, and length) of the practice.

- Other Equivalent Best Management Practices

The credit calculation procedure for each of these best management practices is described on the forms at the end of this document.

Property owners may submit documentation demonstrating the effectiveness for control of stormwater quantity and/or quality for alternative management practices not identified in this policy. The city will review the documentation and determine the suitability for credit of the alternative management practice.

2. Riparian Credit

Properties that are directly riparian to the following water bodies: Lake Butte des Morts, Fox River, or Lake Winnebago are eligible for this credit. (Constructed channels adjacent to Lake

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Winnebago, Fox River, or Lake Butte de Morts are considered riparian. See map attached to this document for the areas designated as “constructed channels for purposes of this policy). Residential property impervious areas that drain directly to one of these water bodies without entering into the municipal stormwater conveyance system are eligible for up to 50% credit. The property owner is only eligible for the quantity portion of the utility credit under the Riparian Credit Section of this policy.

For example: a property with one half of the impervious area draining directly to an eligible water body would receive a 25% credit.

Unless the property owner provides evidence (such as photographs showing drainage slopes on the property) that more than one half of their impervious area drains directly to an eligible water body, the property shall receive a 25% credit (1/2 the maximum allowed).

IV. Credit Request Submittal Requirements

The Director of Public Works (or designee) shall review credit request submittal for compliance with this policy.

1. **Review Fee**

The following non-refundable review fee is required with each application:

- a. Property owners requesting Best Management Practice Credit: \$10.00
- b. Property owners requesting Riparian Credit of 25%: \$10.00
- c. Property owners requesting a Riparian Credit greater than 25%: \$10.00
- d. Property owners requesting Best Management Practice Credit and 25% Riparian Credit: \$10.00
- e. Property owners requesting Best Management Practice Credit and Riparian Credit greater than 25%: \$10.00

2. **Required Documentation form provided at the end of this document**

a. **Credit Application Form**

The application form is attached to this policy.

b. **Owner Certification**

The applicant shall provide written certification that the best management practice(s) that are the subject of the credit have been constructed and are functioning in the manner indicated on the credit request documentation.

and/or

The applicant shall provide written certification that the percentage of a parcel's impervious area draining to eligible water bodies is correct and that drainage patterns have not been altered.

c. **Supporting Documents**

- Drawing of the property showing location of best management practice, and impervious area draining to the best management practice.
- Copy of manufacturer's information (for rain barrels), or photograph of installed custom built rain barrel(s).
- Plant list (for rain gardens)
- Photograph of the “other equivalent best management practice”

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- Property drawing showing areas of riparian property with drawing of property drainage pattern and supporting photographs (required for Riparian Credit application if requesting more than 25% credit).
- Signed property owner's maintenance agreement (attached to this document)

3. Approval Process

- a. Director's (or Designee's) Review
The Director shall have thirty (30) calendar days to review credit applications, whereupon the Director may approve or deny the application as submitted, or provide comments for resubmittal. In the event of a resubmittal request, the thirty-day period referred to above shall begin again pending the receipt of all information requested.
- b. Appeals
See Section 24.14 of the City of Oshkosh Municipal Code relating to Storm Drainage Regulation.
- c. Annual Reevaluation
All credits shall be subject to an annual review for compliance with the current year's credit policy. Credits may vary or be eliminated over time subject to the terms of the current year's credit policy. It is the responsibility of the billed customer to provide the Director or designee with any and all changes to the conditions of the onsite best management practices and conditions that may affect the credit rate for the site. Each year the homeowner will return a post card provided by the City indicating that the rain barrel and/or rain garden are in place as designed. Violations of the terms and/or conditions of the credit request may be subject to collection of utility fees retroactive to the date of the violation.
- d. Effective Date
Pending approval of the credit request, any and all credits will be granted effective to the date of the **complete** credit request submittal. The Director shall determine whether a submittal is complete using the current credit request submittal requirements.

City of Oshkosh
RESIDENTIAL PROPERTY STORMWATER UTILITY FEE
CREDIT APPLICATION FORM,
OWNER'S CERTIFICATE,
AND MAINTENANCE AND RIGHT OF ENTRY AGREEMENT

Note: This application form is to be used only for one, two, and three family home sites.

Residential Property Stormwater Utility Credit Application & Certification Form

Type of Application: (check one or both): Best Management Practice (rain garden / rain barrel)
 Riparian

Property Owner Name: _____

Owner Address: _____

Owner Phone Number: _____

Address of Property for Credit Application (if different from Owner Address)

Best Management Practice (BMP) Credit Application Calculation

Rain Garden(s)

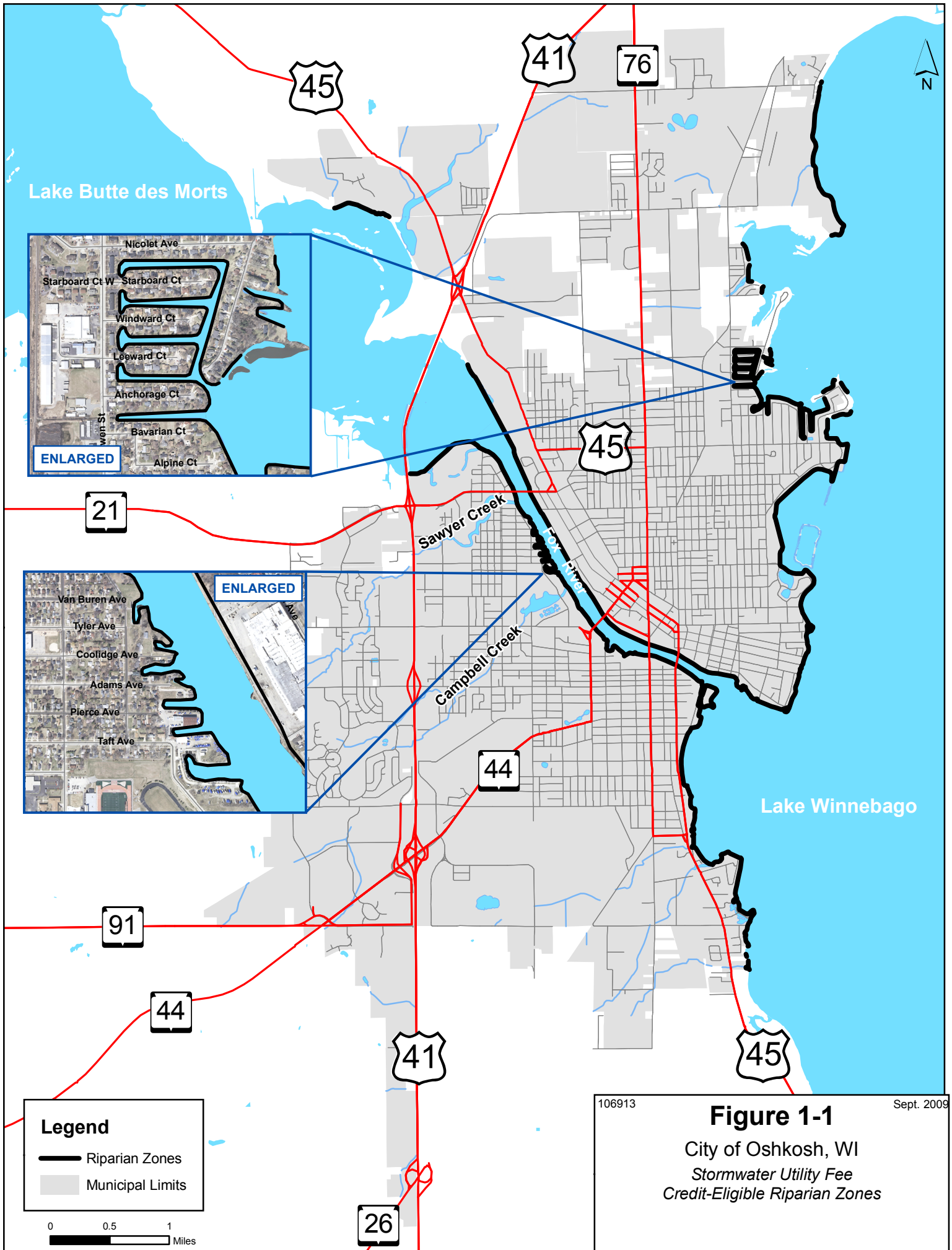
| | |
|---|----------------------------|
| Total impervious area of property (number will be provided by city upon request) | (a) _____ (sq. ft.) |
| Impervious Area Draining to Rain Garden | (b) _____ (sq. ft.) |
| Size of Rain Garden: | (c) _____ (sq. ft.) |
| Credit = (b) ÷ (a) x 75% (round to nearest %) | (d) <input type="text"/> % |

Rain Barrel(s)

| | |
|---|----------------------------|
| Total impervious area of property (number will be provided by city upon request) | (e) _____ (sq. ft.) |
| # of downspouts with rain barrel: | (f) _____ |
| Total roof area to rain barrel(s): | (g) _____ (sq. ft.) |
| Credit = (g) ÷ (e) x 25% : (round to nearest %) | (h) <input type="text"/> % |
| Total BMP Credit (maximum of 75%) (line d + h) | (i) <input type="text"/> % |

For Rain Garden credit enclose a list of the plants used

For a Rain Barrel credit enclose a copy of the manufacture's installation instructions or a photograph of the installed rain barrel(s)

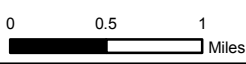


Lake Butte des Morts



Legend

- Riparian Zones
- Municipal Limits



106913 **Figure 1-1** Sept. 2009
 City of Oshkosh, WI
 Stormwater Utility Fee
 Credit-Eligible Riparian Zones