



CITY OF ANDERSON STORMWATER BILLING POLICIES AND PROCEDURES

City of Anderson, South Carolina

October, 2007

STORMWATER BILLING POLICIES AND PROCEDURES

These stormwater billing policies and procedures will guide the City of Anderson (City) in implementing their stormwater utility.

1. Average Impervious Area Rate Methodology

The City of Anderson is using an average impervious area rate methodology to assess storm drainage service charges to property owners, as per the Stormwater Management Utility Ordinance (adopted by City Council on July 25, 2007). Impervious areas are those areas that prevent or impede the infiltration of stormwater into the soil as it entered in natural conditions prior to development including, but not limited to, roofs, sidewalks, parking lots, and other similar structures.

The storm drainage service charge is based on the amount of runoff each property contributes to the City's stormwater runoff as determined by an average runoff coefficient. The higher the Runoff Coefficient (C) for a property, the greater the amount of stormwater that runs off into culverts and streams and the greater the impact on the quality of our waterways. The average impervious area method provides an equitable means for assessing stormwater runoff.

The City of Anderson has determined that the Equivalent Residential Unit (ERU) shall be used as the basis for determining stormwater service charges to all properties within the City. An ERU is the standard value for which non-residential properties are compared to the average residential property. One ERU is comprised of 0.4 acres of developed land with a runoff coefficient (C) of 0.40.

1a. Residential and non-residential property definitions

A **residential property** is defined as one single-family detached home on one parcel. Each residential property within the City will be billed a flat fee based on one ERU. Each residential property is billed one ERU, regardless of size. One ERU is billed \$4.00/month.

A **non-residential property** is defined as all other properties that are not considered residential. This includes one or more multi-family dwellings (two-family and greater) on one parcel. It also includes condominiums, townhouses, and mobile home parks. Agricultural properties are considered non-residential properties. Each non-residential property within the City will be billed a fee based on the number of ERUs calculated.

1b. Determining the fees for non-residential properties

The ERU is used to generate a monthly stormwater fee for each non-residential property which is based on the universal residential stormwater fee of \$4.00/month. The ERU becomes the common denominator by which non-residential properties are evaluated. The City used a runoff coefficient to relate impervious area to the intensity of development or landuse of a parcel.

The landuse types and associated runoff coefficients are applied to the various parcel landuses using the following table:

Landuse	Runoff Coefficient (C)
Church	0.60
Commercial	0.80
Industrial	0.80
Institutional	0.65
Multi Family Residential	0.70
Parking	0.80
Public / Parks & Recreation	0.25
Single Family Residential	0.40
Vacant	0.20

For a non-residential parcel the bill is determined through a variable rate approach using the following formula:

$$\text{Monthly Non - residential Stormwater User Fee} = \frac{A_{NR}}{A_R} \times \frac{R_{NR}}{R_R} \times ERU_{Rate}$$

Where:

- A_{NR} = Non-residential Parcel Area (Acres)
- R_{NR} = Non-residential Runoff Coefficient (C)
- A_R = Average Residential Parcel Area (Acres) = 0.4 Acres
- R_R = Average Residential Runoff Coefficient (C) = 0.4
- ERU_{Rate} = Equivalent Residential Unit = \$4.00/month

For example: A given commercial property has an area of 2.0 acres. The monthly stormwater fee is calculated as follows:

- A_{NR} = 2.0 acres
- R_{NR} = 0.80 (from runoff coefficient table on previous page)
- A_R = 0.4 acres
- R_R = 0.4
- ERU_{Rate} = \$4.00/month

Therefore,

$$\text{Monthly Stormwater Fee} = \frac{2.0 \text{ acres}}{0.4 \text{ acres}} \times \frac{0.80}{0.4} \times \$4.00$$

Monthly Stormwater Fee = \$40

The fee is set up so that non-residential properties that produce more runoff (because they have a greater impervious surface area) are billed a greater storm drainage service charge.

2. Impervious Area Modification Requests

Any utility customer, real property owner or other person aggrieved by the amount of utility fee charged with respect to property, or by any other matter arising out of the operation of the utility, may appeal by filing a written explanation of the grounds of the appeal with the City Engineer, or his designee, within thirty (30) days of the date of the notification of the fee or any other matter being appealed. If a fee is appealed, the fee may be increased or decreased as appropriate. A decision shall be rendered in writing within thirty (30) days after receipt of the written appeal. Any person aggrieved by an adverse decision may appeal that decision by written request to the City Manager within thirty (30) days of the receipt of such decision, which request sets forth the ground or grounds of the appeal. The City Manager shall within thirty (30) days after receipt of such request hear the appeal. The appellant may or may not be represented by an attorney at the appeal. The appellant will be furnished with a written result of the appeal within ten (10) days of the hearing date in which a decision is reached. Any person aggrieved by an adverse decision of the City Manager may appeal that decision to the court of common pleas within thirty (30) days of receipt of the decision.

3. Billing Policies

These stormwater billing policies will guide the City in implementing their stormwater utility.

3a. Properties receiving a stormwater bill

Most properties that are located within the City's stormwater service area will receive a stormwater bill.

More specifically:

- **Public properties.** All public properties will receive a stormwater bill. These properties include buildings, maintenance facilities, and parks owned by the following, and any other governmental agency:
 - ✓ City
 - ✓ County
 - ✓ State
 - ✓ Federal
 - ✓ School district

Public streets and roads will be exempt from the storm drainage service charge.

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- **Tax-exempt properties.** All tax-exempt properties will receive stormwater bills. The storm drainage service charge is a user fee and not a tax. Tax-exempt properties include churches, charitable institutions, and allied institutions.
 - **Abandoned properties and properties with closed businesses.** Owners of these properties will receive a stormwater bills.
 - **Railroad properties.** All railroad properties such as buildings, gravel maintenance yards, parking lots, storage areas, and track sidings will receive stormwater bills. An exception to this is mainline track devoted to movement of rail traffic.
 - **Condominiums.** For condominium developments, all buildings will be “virtually” assigned to the larger parcel that underlies and surrounds the buildings. This includes the common areas for the development. The stormwater fee will be billed to the owner of the parcel, generally a condominium association. In the event of any difficulties that arise with this billing arrangement, the City reserves the right to individually charge the unit owners.

If the condominiums and common areas for development are surrounded by more than a single parcel, each surrounding parcel will have a storm drainage service charge bill sent to the owner.

- **Mobile homes.** If a single mobile home is located on one parcel, the owner of the parcel will be billed as a residential property. If more than one mobile home is on a single parcel, the property will be considered non-residential and an appropriate runoff coefficient (C) will be used to calculate a stormwater fee that will be billed to the owner of the parcel.
- **Homeowners associations.** Homeowners associations will receive stormwater bills for their properties.

3b. Properties that are exempt from receiving stormwater bills

Below is a summary of those properties exempt from the storm drainage service charge billing:

- **Public streets and roads.** Public streets and roads will be exempt from the storm drainage service charge.
- **Private streets.** Private streets serving single-family residential properties and private streets deemed owned by a public agency will be exempt from the storm drainage service charge.
- **Railroad mainline track parcels.** Mainline track parcels will be exempt from the storm drainage service charge.

3c. Average Impervious Area Rate Methodology

This section lists critical information supporting the impervious area rate methodology:

- **Method used to calculate the storm drainage service charge.** An average impervious area rate methodology will be used. City staff will not be calculating impervious areas for parcels. Impervious areas have been accounted for in the calculation of a parcel's storm water fee by linking a Runoff Coefficient (C) to a parcel's landuse.
- **Residential properties.** For residential properties, the stormwater bill will be a flat fee based on one ERU per month. Each residential property is billed one ERU, regardless of size which equals \$4.00 per month.
- **Non-residential properties.** The stormwater bill for non-residential customers will be based on the runoff coefficient (C) and size of the property equated to ERUs.
- **Rounding non-residential ERUs.** The number of ERUs for a non-residential parcel will not be rounded up or down. See Section 1b for examples of ERU calculations.
- **Minimum ERU for non-residential properties.** The minimum ERU for both residential and non-residential properties is one.
- **Gravel surfaces.** Gravel surfaces are considered impervious areas because of the surface covering and because the compaction of gravel surfaces alters drainage characteristics beyond undeveloped conditions.
- **Private streets.** Property owners will be billed for the impervious areas associated with private streets, except as exempted in Section 3b.
- **Swimming pools.** The bowl of a swimming pool is not considered impervious.

3d. Billing Parameters

The following list presents the basic operating parameters for the City of Anderson to bill for stormwater services:

- **Date for first stormwater billings.**

Billing Cycle	Billing Date
Cycle 3	October 22, 2007 (Monday)
Cycle 4	October 29, 2007 (Monday)
Cycle 1	November 7, 2007 (Wednesday)
Cycle 2	November 14, 2007 (Wednesday)

- **Billing per parcel.** The City will prepare and send stormwater bills based on tax map numbers (TMS#). An exception to this parameter is condominiums. The City will not combine parcels for billing if they do not share a tax map number (TMS#).

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- **Back billing.** The City can back-bill up to one year for the storm drainage service charge, but not prior to November 1, 2007.
 - **Partial payments or designation of payments.** A customer cannot designate if water, refuse collection, or stormwater service will be paid with a partial payment. The property will be considered delinquent if a partial payment is made.
 - **Non-payment of bill.** Non-payment of stormwater fees will be handled in the same manner as non-payment of water and refuse collection fees.
 - **Status of property billing.** The stormwater bill for a property for a given billing period will reflect the status of parcel areas and the runoff coefficient (C) in the database at the time of the billing.
 - **Stormwater bills sent to water customers and some owners.** Stormwater bills will be sent to the person who pays the utility bill. In some cases, the owner of a parcel with multiple tenants will be billed. This will mean an additional record in the City's master billing file for the property since tenants generally receive a water bill.
 - **Late payment penalties.** Payment in full is due within 15 calendar days from the date of the bill. After this date, the account is considered delinquent and a ten percent late charge will be added.
 - **Stormwater billing cycles.** The stormwater billing cycles used will be the same range of dates that are used for the water and refuse collection billing cycles.
 - **Impervious Area Corrections** – An appeal accompanied by an appeal review fee (\$25.00 / residential parcel appeal and \$100 / non-residential parcel appeal) must be filed in writing with the City Engineer or his designee within thirty (30) days of the date of the notification of the fee. In the case of service charge appeals, the appeal shall include a survey prepared by a registered land surveyor or professional engineer containing information on the total property area, the impervious surface area, and any other features or conditions which influence the hydrologic response of the property to rainfall events.

Using the information provided by the appellant, the City Engineer or his designee may conduct a technical review of the conditions on the property and respond to the appeal in writing within thirty (30) days.

In response to an appeal the director should adjust the stormwater service charge applicable to a property in conformance with the general purpose and intent of the Stormwater Utility. The adjustment may be downward or upward as appropriate.

A decision of the City Engineer or his designee, which is adverse to an appellant, may be further appealed to the City Manager within thirty (30) days of receipt of notice of the adverse decision. Notice of the appeal shall be served on the City Manager by the appellant, stating the grounds for the appeal. The City Manager shall issue a written decision on the appeal within ten (10) days of the hearing date. All decisions of the City Manager shall be served on the appellant personally or by registered or certified mail, sent to the billing address of the appellant.

Any person aggrieved by an adverse decision of the City Manager may appeal that decision to the court of common pleas within thirty (30) days of receipt of the decision.

An appeal review fee of \$25.00 for residential parcels, or an appeal review fee of \$100 for non-residential parcels of land, shall be paid at the time the appeal is filed. Each parcel requires an additional appeal review fee. The appeal review fee may be refunded if the result of the appeal is in favor of the appellant. See “Section 3.9. Appeals” of the Stormwater Utility Ordinance for more information.

3e. Billing Triggers

- **To begin billing a storm drainage service charge on a services bill from the City.** If a property is not receiving a stormwater bill, the trigger will be the date water service is activated for the property. The start date will be the date water service was turned on by the City.
- **To begin billing “stormwater only” accounts.** The trigger to begin billing parcels that have a “stormwater only account” will be the date the parcel data is incorporated into the City’s master billing file.
- **Trigger for setting up new accounts.** A stormwater bill will be sent when a new water account is created. If the runoff coefficient (C) of a non-residential property has not been determined, the property will be billed for 1 ERU. A determination of the runoff coefficient (C) for the non-residential property will be made as soon as practical and reflected on future bills. Residential properties will be billed for 1 ERU.
- **To stop billing a storm drainage service charge on a City services bill.** The storm drainage service charge for properties that also contain water and refuse collection services will be stopped when the water service is turned off and the move-out and move-in occur simultaneously. The stop date will be the date the water service was turned off by the City.

If the move-in and move-out do not occur simultaneously, then a “stormwater only” account will be established for the property owner. The property owner will be the previous owner until the new owner is identified.

- **To stop billing “stormwater only” accounts.** Once a parcel is created, and there is runoff coefficient (C) on the parcel, the current property owner will receive a stormwater bill.

5. Appeals Process

Although the City of Anderson has an official appeals process in place, City staff shall strive to resolve customer complaints promptly through open dialog with the customer. In the event that customer complaints cannot be resolved through open dialog, customers will be instructed by City staff to comply with the City’s official appeals process as described in the City’s Stormwater Utility Ordinance (Sec. 3-9. Appeals).