

RESOLUTION NO. 10-09-27

RESOLUTION ESTABLISHING STORM WATER UTILITY CREDITS AND REBATES

WHEREAS, the Common Council has established a Storm Water Utility within the City of Pewaukee pursuant to Ordinance No. 10-09; and

WHEREAS, in the establishment of the aforementioned Storm Water Utility, available credits and rebates need to be established; and

WHEREAS, available credits and rebates have not been defined by the Ordinance.

NOW, THEREFORE, BE IT RESOLVED, that effective **September 7, 2010**, credits shall be available under the following conditions:

a. Rebates

1. Property owners may be eligible for one-time rebates for Best Management Practices (BMPs) including Rain Barrels, Rain Gardens, and Porous Pavement.
2. Initial available rebates are as follows:
 - (a) Rain Barrel installations are eligible for a rebate of \$25 per rain barrel.
 - (b) Rain Garden installations are eligible for a rebate of \$1.00 per square foot up to \$250.
 - (c) Porous Pavement installations are eligible for a rebate of \$1.00 per square foot up to \$500.
3. BMPs must meet the requirements outlined in the Rebate Policy document maintained by the Director and requested using forms and any other applicable materials provided by the City.
4. Maintenance plans are required for BMP rebate approval.
5. BMPs available for rebate and their corresponding rebate amount are subject to change with technology and other factors. A current list of available eligible rebate BMPs and rebate amounts will be kept on file by the Director.

b. Storm Water Quantity Credit

Parcels with on-site storm water quantity facilities may be eligible for a credit of up to a fifteen percent (15%) percent reduction in the storm water equivalency charge (EC) portion of their fee. For purposes of this subsection the "100-year design storm", "50-year design storm", "25-year design storm," "10-year design storm," "5-year design storm," and "2 year design storm" shall be interpreted based upon twenty-four (24) hour storm events with 100, 50, 25, 10, 5 and 2 year recurrence intervals, based upon generally accepted engineering principles and models and following the guidance of the City's Storm Water Management Ordinance.

1. Facilities designed to reduce the discharge rates as follows and as accepted by the Director may be eligible for a five percent (5%) reduction in the storm water service charge for the parcel under the following conditions:

- (a) If the post-development peak discharge rate of the 100-year design storm event is reduced to the pre-development peak discharge event from the 50-year design storm event.
 - (b) If the post-development peak discharge rate of the 50-year design storm event is reduced to the pre-development peak discharge event from the 25-year design storm event.
 - (c) If the post-development peak discharge rate of the 25-year design storm event is reduced to the pre-development peak discharge event from the 10-year design storm event.
 - (d) If the post-development peak discharge rate of the 10-year design storm event is reduced to the pre-development peak discharge event from the 5-year design storm event.
2. Facilities designed to reduce the discharge rates as follows and as accepted by the Director may be eligible for a ten percent (10%) reduction in the storm water service charge for the parcel under the following conditions:
- (a) If the post-development peak discharge rate of the 100-year design storm event is reduced to the pre-development peak discharge event from the 25-year design storm event.
 - (b) If the post-development peak discharge rate of the 50-year design storm event is reduced to the pre-development peak discharge event from the 10-year design storm event.
 - (c) If the post-development peak discharge rate of the 25-year design storm event is reduced to the pre-development peak discharge event from the 5-year design storm event.
3. Facilities designed to reduce the discharge rates as follows and as accepted by the Director may be eligible for a fifteen percent (15%) reduction in the storm water service charge for the parcel under the following conditions:
- (a) If the post-development peak discharge rate of the 100-year design storm event is reduced to the pre-development peak discharge event from the 10-year design storm event.
 - (b) If the post-development peak discharge rate of the 50-year design storm event is reduced to the pre-development peak discharge event from the 5-year design storm event.
- c. Storm Water Quality Credits

Parcels with on-site storm water quality facilities may be eligible for a credit of up to a twenty-five percent (25%) percent reduction in the storm water equivalency charge (EC) portion of their fee. If storm water runoff from a parcel is treated by a properly constructed and maintained storm water quality best management practice (BMP) such as a retention or detention basin or other applicable water quality facility.

- 1. Credit for constructed storm water BMPs may equal up to twenty-five percent (25%) of the parcel storm water utility equivalency charge (EC) portion of their fee for BMPs that reduce total suspended solids (TSS) by at least eighty percent (80%).
- 2. BMPs treating less than the entire parcel may be considered when assigning the credit percentage.

3. BMPs treating multiple parcels may be considered when assigning the credit percentage.
 4. BMP efficiency may be factored into the credit provided and shall be based on total suspended solids (TSS) removal of the BMP using the Source Loading and Management Model (SLAMM) or other methodology accepted by the Wisconsin Department of Natural Resources (WDNR).
 5. No water quality BMP credits shall be considered for any “natural” features such as, but not limited to, rivers, wetlands, lakes, floodplains, or water impoundments.
- d. Riparian and Isolated Area Credit

Parcels with certain drainage characteristics may be eligible for a credit of up to a fifteen percent (15%) percent reduction in the storm water equivalency charge (EC) portion of their fee.

1. If a parcel owner can show that one or more of the following conditions apply to the parcel in question, the parcel owner may be eligible for a credit to the storm water utility equivalency charge (EC) portion of their fee of up to fifteen percent (15%).
 - (a) If storm water runoff from a parcel discharges directly into the designated waterways and lakes or a tributary to the aforementioned waterways without crossing another parcel under different ownership or entering any portion of the City’s municipal separate storm sewer system (MS4); and the discharge does not result in exceeding federal, state or local water quality standards. (Riparian Credit)
 - (b) If storm water runoff from a parcel infiltrates into the ground without crossing another parcel under different ownership or entering any portion of the City’s municipal separate storm sewer system (MS4); and the discharge does not result in exceeding federal, state or local water quality standards. (Isolated Area Credit)
2. Considerations for providing Riparian and Isolate Area Credits include:
 - (a) Isolated areas shall not include any “natural” features such as, but not limited to, wetlands and lakes.
 - (b) The credit may be prorated by the ratio of the amount of impervious area that is identified as riparian or isolated compared to the total amount of impervious area on the parcel.
 - (c) A parcel owner that is eligible for a riparian or isolated area credit is not eligible for storm water quantity credit as outlined in Section B.
 - (d) A parcel owner that is eligible for a riparian or isolated area credit with engineered BMPs treating the riparian or isolated areas may apply for storm water quality credits as outlined in Section C.

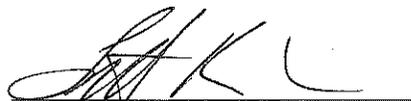
e. General Considerations for providing Credits

1. In considering a request for credit, the Director may, at his or her discretion, separately examine multiple drainage areas on one parcel, or conversely aggregate parcels under the same ownership, and may recommend allowing a credit for a portion of a parcel or for a number of parcels if the characteristics of one or more drainage areas meets the criteria for obtaining credit.
2. In certain situations, the Director may, at his or her discretion, allow credits to parcel owners with BMPs that treat land areas not under common ownership.

3. Facilities must meet the requirements outlined in the Credit Policy document maintained by the Director and requested using forms and any other applicable materials provided by the City.
4. Maintenance plans are required for facility credit approval and the City may require periodic inspection or proof of continued operation/maintenance (not applicable to Riparian and Isolated Area Credits) to maintain credit status.
5. In considering a request for credit, the Director shall consider whether and to what extent the City's storm water management program cost has been lessened by the condition presented by the parcel owner. If the City's storm water management program cost has not been lessened, the request for a credit may be denied. If the City's storm water management program cost has been lessened, the customer may be eligible for a credit.
6. The Director shall develop policy guidance for providing credits to parcel owners that shall be consistently and fairly applied to all applicants for credit.
7. The City of Pewaukee is not required to identify parcels or situations where credit eligibility may apply.
8. The Director, at his or her discretion, may recommend allowing a credit that may result in the storm water utility equivalency charge (EC) portion of the fee to be as low as zero for a parcel for reasons other than as specifically set forth in this section provided that the credit is reasonable and not unjustly discriminatory.
9. An application fee must be submitted with appropriate forms and data as required by the City at the time of any Credit request unless waived by the Director or other City entity in responsible charge. Application and review fees are subject to change from time to time and are set by resolution of the Common Council or other normal means of setting fees. A current fee schedule is available from the Director.

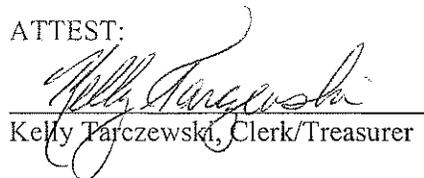
Introduced and adopted at a regular meeting of the Common Council of the City of Pewaukee, this 7th day of September, 2010, a quorum of the Common Council being present.

CITY OF PEWAUKEE



Scott Klein, Mayor

ATTEST:



Kelly Tarczewski, Clerk/Treasurer