

City Of Elyria Stormwater Utility Program Frequently Asked Questions

Q. Is the stormwater utility fee needed because of EPA regulations?

A. Yes, the City of Elyria has implemented a stormwater fee rather than raise property taxes or cut services in order to address and enforce the unfunded mandate from the United States Environmental Protection Agency (U.S. EPA) referred to as the National Pollutant Discharge Elimination System Phase II stormwater regulations, which are part of the Federal Clean Water Act passed by the U.S. Congress in 1972. In addition, the funds will also begin to manage stormwater flooding and drainage discharges and pay for the associated stormwater infrastructure costs.

How to generate the revenue to enable the city to address these concerns has been carefully studied by the administration and city council members with the support of environmental and engineering experts. After careful consideration it was determined that the most equitable method of generating revenue was a stormwater utility fee because a property's value does not affect rainwater runoff.

Q. Why is stormwater such a problem?

A. The stormwater that leaves your property as runoff ultimately drains into a city-maintained drainage facility, the Black River and, ultimately, Lake Erie where we get our drinking water. A fee is assessed because this runoff contributes to the need for operation and maintenance funds and capital improvement funds to prevent and correct stormwater runoff problems that also include flooding in a number of city areas.

Q. What are some of the services tied to the stormwater utility program?

A. Here is a partial list of services tied to the stormwater program:

- The unfunded mandate from U.S. EPA referred to as the NPDES Phase II stormwater quality regulations
- Flooding and drainage maintenance projects
- Flooding and drainage capital improvement projects
- Backflow prevention program
- Storm drain cleaning and repair
- Street sweeping
- GIS mapping
- Shoulder and ditch maintenance within the publicly owned right-of-way
- Public education and outreach
- Construction inspection
- Project design and management

Q: Why does the city need money to fix the stormwater system?

A: The City of Elyria currently does not have a source of dedicated funding for stormwater construction, maintenance and repair and for capital improvement projects. The current budget only allows for emergency repairs. The city's current business and rate plan does not provide funds for preventative maintenance or major improvement projects at this time.

As you may be aware the City of Elyria has areas with major flooding and drainage problems including Spring Valley, St. Jude's and others. These areas are in need of major solutions to solve the problems. Additionally, there is ongoing maintenance and replacement of existing aging infrastructure that is required to keep a safe and viable system. Finally, the city has many combined sewer overflows (CSO) which contribute pollutants to our rivers, lakes and streams as well as contribute to basement backups. By combining funds from wastewater (for the wastewater portion of the CSO) and stormwater (for the stormwater portion of the CSO) the city can more quickly address these issues.

Q: Was there any input from the public regarding this implementation process?

A: Yes. The Mayor and city council members created a storm water advisory committee (SWAC) comprising a cross section of representatives from the City of Elyria citizenry that met to review and provide input on the business plan developed by the technical advisory committee. Changes were made to the business plan based on review and input from the SWAC meetings. The final business plan and stormwater rates are therefore based on public input through the SWAC.

Q. What is stormwater pollution?

A. Water from rain or melting snow either seeps into the ground or "runs off" to lower areas, making its way into streams, lakes, and other water bodies. On its way, runoff water can pick up and carry many substances that pollute water. Examples of common pollutants include fertilizers, pesticides, pet waste, sediments, oils, salts, trace metals, grass clippings, leaves and litter. Stormwater polluted runoff can be generated anywhere people use or alter the land, such as farms, yards, roofs, driveways, construction sites and roadways.

Q: Why is the amount of hard surface area used to calculate the rates?

A: Hard surface areas are used because they prevent water from being absorbed into the ground. Hard surfaces create more runoff and increase the rate at which stormwater drains from an area.

Q: How was the impervious area for residential properties calculated?

A: Our formula is the standard used across the country to make the calculation and has been deemed legally defensible in courts across the country. To implement an appropriate stormwater utility rate structure, statistical samples of one-family and two-family properties were measured for impervious area. The average impervious area for residential properties in the city was calculated to be 2,700 square feet. This is known as one (1) Equivalent Residential Unit, or ERU. Under the program, all one-family, two-family, agricultural and most condominium type properties will be charged one ERU per month. All other property types will be charged based on their calculated number of ERUs. This is determined by dividing the total measured

impervious area by the ERU value of 2,700 square feet and rounding to a whole number. Currently, the estimated rate of charge per ERU per month is \$2.65 in year one.

Q: I am a resident. What is the billing information for me?

A: Single-family residential, duplex, some condominium and agricultural properties were assigned one (1) Equivalent Residential Unit (ERU) and will be billed \$2.65 per month or \$31.80 per year. If your residential property is situated on more than one parcel according to the city Geographic Information System (GIS) computer records, your property will only be charged one ERU. Your residential property will receive only one ERU charge.

Non-residential properties (all properties except single-family, duplex, some condominium and agricultural properties) were measured using aerial photography through use of a computer mapping software program to determine their impervious areas.

Q: How much will business property owners pay? How was their rate determined?

A: Non-residential property owners will pay based on the amount of hard surface or impervious area on their properties. The impervious area for all non-residential properties located in the city was measured using aerial photography and a computer mapping software program.

The residential rate will be used in the calculation for non-residential properties. In the calculation, the flat residential rate equals one "Equivalent Residential Unit" or ERU. One ERU space= 2,700 square feet of hard surface (impervious) area.

Example of the impervious area measurement for a residential parcel:



Non-residential property owners will be charged based on the number of ERUs of hard surface on their property. For example, if a commercial property has five times as much hard surface area as the average residence (13,500 square feet or five ERUs) its stormwater charge would be five times the residential rate per month. The rate per ERU that has been approved by city council is: \$2.65 per month per ERU. This property will be charged $\$2.65 \times 5$ (ERUs) = \$13.25 per month or \$159 annually.

Example of the impervious area measurement for a non-residential parcel:



Q: What if I don't agree with the city's calculation of the amount of hard surface area I have on my property?

A: You can contact the City of Elyria engineering department at 440-326-1444 and request that staff review the measurement for your property. You may also request a meeting with appropriate city staff to review your measurement information.

Q: What can I do to estimate or measure the impervious area myself?

A: Again, remember that residential properties are based on an average calculated amount of impervious area and all residential properties are assigned the same rate. So no calculation is required to determine your fee. The flat fee is \$2.65 per month or \$31.80 in year one.

The easiest and most cost-effective method to measure your non-residential business property would be to first determine the total square footage of your property using the property dimensions. Then, estimate the amount of impervious area on the property ($\frac{1}{4}$, $\frac{1}{2}$ etc.). Multiply your estimate by the total square footage to arrive at an estimated measurement.

or

Calculate the footprint of your office building, your garage, additional out buildings (sheds, etc.), driveways and sidewalks in square feet and divide by 2,700. Multiply your estimate by \$2.65 per month or \$31.80 in year one.

Q. Do other cities have a stormwater fee?

A: Yes, more than 100 communities in Ohio (and more than 2,000 nationwide) have a stormwater fee.

Q: I don't remember voting on this tax. How can the city do this without a vote?

A: This is not a tax. This is a user fee just like your water and sewer user fee. Under state law, cities are allowed to set up a user fee for water, sanitary sewer and/or stormwater by a vote of city council. A referendum or vote of the people is not required under this law.

Q: How much money does the city expect the stormwater utility to collect?

A: The stormwater utility expects to generate approximately \$2,080,000 in year one, \$2,580,000 in year two and \$3,039,000 in year three and beyond under the current plan.

Q: None of my water goes into the storm drains. Why do I have to pay a stormwater utility fee?

A: Eventually all basins drain into the City of Elyria's stormwater system and must be managed by the city, even if it is only the rainwater caught in your (or your neighbor's) backyard or ravine. Your property is also likely to generate runoff in a "severe" rain storm, even if the ground absorbs it during "normal" events. In any event, you always benefit from adequate, properly functioning drainage and flood control systems which decreases the likelihood of flooding, erosion, and unlimited pollutants from surface and stormwater runoff. You also benefit from the regulation and monitoring of the properties above and around you. Finally, efforts to monitor and protect the river provide benefits to everyone.

Q: How will the new stormwater fee be billed?

A: The fee will be sent out via regular mail in the form a utility bill, similar to water and sanitary utility bills.

Q: We've had a drainage problem in front of my house (in my neighborhood) for years and the city has never done anything about it. When are you going to fix it?

A: The city has a large backlog of drainage projects. You can contact the City of Elyria engineering department at 440-326-1444 to see if your issue is in the current work plan or if it needs to be added to the list.

Q: Is growth and new development the cause of all of these problems?

A: New development approved and built in the city since the early 1980s had to meet strict regulations on the quality and quantity of stormwater runoff. New development is required to contain and treat their polluted stormwater runoff, but in older neighborhoods, there are no easy or cost-effective ways to clean this runoff prior to entering the streams and eventually the lake. Many of our current problems are caused by stormwater runoff from development occurring before the 1980s. Today's cost to remove, replace and upgrade old pipes and drainage systems exceeds the cost to build new systems.

Q: I live in an apartment. Will I have to pay?

A: No. The owner of the apartment building or complex will receive the stormwater bill for his or her entire property. The property owner could, however, pass part of that cost along to you depending on the terms of your rental or lease agreement.

Q: When will rates go up?

A: The current rate is approved and set for the next five (5) years at \$2.65/ERU. At the end of five years the rate may be re-evaluated.

Q: When will I know how much my bill will be?

A: The city has sent out letters to the top 300 stormwater users with specific information on how much each user's bills will be. If you did not receive one of these letters you can contact the City of Elyria engineering department at 440-326-1444.

Q: How soon can we expect to see results like reduced flooding?

A: Faced with an aging stormwater system, the stormwater utility is clearly not a quick fix. It is, however, a first step in solving a long-neglected problem. Residents will see improvements over time. However, the city has developed a framework plan to outline important improvement projects for the first five years. This plan is available on the website and will be continually updated with planned improvements.

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