



STORMWATER CREDIT MANUAL

Village of Winnetka, Illinois

May 30, 2014

1. Introduction

The intent of this manual is to outline the Village's Stormwater Utility Fee Credit Program and the procedure by which the Program is to be administered. In addition to describing those activities which may be used to qualify for a credit, the manual outlines the administrative and technical basis for determining the extent of the credit and the conditions required to remain eligible for a stormwater fee credit.

2. Definitions

The following definitions are applicable throughout the credit manual and shall have the meanings provided below. If not defined, the terms utilized in this manual shall have the meaning associated with current Village standards for stormwater management and design unless the context clearly indicates otherwise. In all other cases, the terms utilized in the manual shall have the meaning given by common and ordinary use as defined in the latest edition of Webster's Dictionary.

Applicant – An applicant is the person or entity financially responsible for the stormwater utility fee associated with a given account and the stormwater facility or property to be credited.

Best Management Practices (BMPs) – Best management practices include a schedule of activities, prohibitions of practices, maintenance procedures, and structural facilities (including green infrastructure) and/or management practices to prevent or reduce the discharge of pollutants to local waterways.

Credit – A credit shall mean on-going reductions in the stormwater utility fee applicable to a given property in recognition of onsite systems, facilities, measures, or other actions taken by customers to reduce or mitigate the impact of their property(s) or actions on the quantity or quality of stormwater run-off that would otherwise be managed in the stormwater system or proof of direct discharge outside the Village limits. Credits shall be conditioned on the continuing performance of the systems, facilities, measures, or other actions in reference to standards adopted by the Village Council upon which the credits are granted, and may be revised or rescinded.

Credit Application – A credit application is an application submitted in accordance with the Village's Stormwater Utility Fee Credit Program for a qualifying stormwater storage facility, direct discharge, or partnership with the Village.

Design Storm – A design storm refers to a rainfall event of a certain size or intensity, duration, and return frequency that is used to calculate the peak stormwater discharge. For example, a 100-year storm refers to a rainfall event expected to occur an average of once every 100 years, or an event which has a 1% chance of occurrence within any given year.

Developed Land – Developed land shall mean property altered from a natural state that contains impervious or partially impervious cover, including buildings, pavement, gravel roads, recreation areas (e.g. tennis courts), etc.

Equivalent Runoff Unit (ERU) – An ERU shall mean three thousand four hundred (3,400) square feet of impervious surface or any fraction thereof. Three thousand four hundred (3,400) square feet is the normalized average for impervious surface area on a single family property in the Village of Winnetka, and the means the Village will use to calculate the impervious area for the stormwater utility fee.

Facility Maintenance – Facility maintenance refers to the activities required to maintain a stormwater facility in proper working condition. Required maintenance activities associated with the facility(s) in question as defined by the Village Code, the Village's Engineering Design Guidelines, the Metropolitan Water Reclamation District's Watershed Management Ordinance and Technical Guidance Management, and any applicable Village policies.

New Stormwater Facility – A new stormwater facility is meant to refer to any stormwater facility approved and constructed after implementation of the Village's Stormwater Utility and the stormwater utility fee (July 1, 2014).

Peak Stormwater Discharge – Peak stormwater discharge is the maximum rate of flow for water entering or exiting a drainage system or stormwater facility. Discharge is typically measured in cubic feet per second (cfs) and associated with a specific design storm.

Stormwater – Stormwater shall mean the run-off from precipitation that travels over natural or developed lands to the nearest stream, other conduit, or impoundment and appears in lakes, rivers, ponds, or other bodies of water.

Stormwater Facility (Facility) – A stormwater facility refers to any mechanism that is implemented to address water quality or quantity issues. Stormwater facilities can also be referred to as Best Management Practices (BMPs).

Stormwater Utility Fee – The stormwater utility fee for a property is the charge established by the Village to cover the cost of operating, maintaining, and/or improving the Village's Stormwater System. The charge is based on the impervious surface area associated with the property measured in ERUs (to the tenth).

Stormwater System – The Village stormwater system consists of all of the physical components and attributes of the drainage system within the Village that manages and conveys stormwater including but not limited to drains, inlets, culverts, basins, ditches, creeks, public streets, and rights-of-way.

Village – The Village of Winnetka.

Village Standards – Village Standards include those standards established by the Village for the design, construction, and maintenance of stormwater facilities. These standards include the Village Code, the Village’s Engineering Design Guidelines, the Metropolitan Water Reclamation District’s Watershed Management Ordinance and Technical Guidance Management, the Village Code, and all other applicable Village policies. These standards are the minimum requirements for Stormwater Control and may be altered or augmented at the discretion of the Village Engineer or Director of Public Works due to unique site conditions and/or preexisting drainage problems within the area.

3. Stormwater Fee Credits

The intent of the stormwater utility fee credit is to recognize and/or promote on-site systems, facilities, measures, or other actions that address stormwater quality, reduce peak stormwater flows, and/or reduce overall stormwater volume. The utility fee credits also recognize those applicants that completely discharge outside the Village stormwater system and those entities that form partnerships with the Village to assist in managing stormwater.

While it is the intent of the Village to maintain a program to extend stormwater utility fee credits to applicants subject to the provisions included in this manual, should stormwater regulations change such that the conditions of the Stormwater Credit Program are no longer valid or significantly altered, the Village reserves the right to reduce or eliminate the credits available.

3.1 Eligibility

In order for an applicant to be eligible to receive a stormwater utility fee credit, an applicant must receive a bill for Stormwater Service provided by the Village and the credit must apply to developed land discharging outside the Village stormwater system or containing the detention facility eligible for the credit. Properties that drain to offsite detention facilities are not eligible for credits. Accounts with past-due balances are not eligible to apply for stormwater fee credits.

3.2 Right-of-Entry

As a condition of receiving a stormwater fee credit, an applicant must agree to allow the Village unrestricted access to inspect the facility(s) and property associated with the stormwater utility fee credit. The intent of the inspections will be to verify that the facility(s) is being maintained as stipulated in the operation and maintenance agreement, the conditions on the ground are consistent with the documentation provided in credit application, and that the facility is operating as designed.

3.3 Term

Stormwater utility fee credits are provided for a period of five years. In order to continue to receive the credit in future years, the recipient is required to renew the credit application every five years. It is the responsibility of the recipient to submit the credit renewal stormwater application to the Village and to do so in a manner that insures that the credit remains continuous.

3.4 Stormwater Credit Application

To receive the stormwater utility fee credit, the applicant must submit a Stormwater Credit Application which demonstrates the compliance with the stormwater management facilities or property characteristics as detailed in Sections 3.6 and 3.7 of this manual.

3.5 Application of Credits

For those stormwater credit applications received (and subsequently approved), the credits will be applied to the applicant's account and any overpayment will be refunded to the account within the billing period in which the application is submitted. If the amount overpaid is less than the full amount of the applicant's bill, the refund will be in the form of a credit against the applicant's next bill. If the amount overpaid equals or exceeds the full amount of the applicant's prior bill, then the overpayment will be refunded directly to the applicant within 30 days after the date the credit is approved.

3.6 Qualifying Individual Credits

The options eligible for receipt of an individual stormwater utility fee credit are as follows:

3.6.1 Detention and Cleaning Credit

A credit of up to 50% will be available for applicants who install and maintain qualifying stormwater management facilities that detain and clean stormwater emanating from not less than half of the property prior to discharge into the Village stormwater utility system (i.e. at least 50% of impervious area on the property must drain to the detention facility). To qualify for the credit, the stormwater management facilities must be designed for a 100-year design storm and be designed in accordance with the Metropolitan Water Reclamation District's Technical Guidance Manual. The volume calculation for the detention facility must be accompanied by the signature of a professional engineer. Cleaning activities may be accomplished by the use of volume control or flow-through methods as outlined in Section 5 of the Technical Guidance Manual, and/or by the installation of oil & grit separators, sedimentation control facilities, catch basin inserts, or other similar measures.

3.6.2 Discharge Credit

A credit of 100% will be available to applicants who can demonstrate that their properties discharge all stormwater runoff outside the Village stormwater utility system. Partial discharge of stormwater outside the Village will not be considered.

3.7 Qualifying Partnership Credits

A credit will be offered to applicants that operate in partnership with the Village to improve the overall stormwater system. These partnerships would include applicants who provide land and/or facilities for use by the Village to facilitate the management of stormwater.

To avoid delay in the design and construction of stormwater projects, and to assure that a proposed partnership credit will not shift the costs of stormwater compliance from the party proposing the partnership to the other users of the stormwater system, the Village reserves the sole and exclusive right to limit the time period during which requests or proposals for partnerships for any stormwater project may be submitted and considered. Partnership credits require the consent and final approval of the Winnetka Village Council.

3.8 Application Requirements

The following process should be followed to submit an application for a stormwater utility fee credit:

- a) Download current credit application forms from Village stormwater management program website or obtain the form from Village Hall or Public Works Department.
- b) Prepare general credit application form.
- c) Prepare credit-specific application form.
- d) Prepare or locate required site drainage plan showing topography, drainage patterns and contributing area to each stormwater management structure or drainage outside the Village.
- e) Prepare technical calculations required to determine applicability of credit for detention credit.
- f) Obtain appropriate signatures where applicable.
- g) Submit forms and required attachments to the address on the General Application Form.

3.9 Annual Documentation

Annual documentation must be submitted to the Village to continue receiving a credit. The annual documentation must be submitted during the month of April. The required documentation consists of the following.

- Recently dated photographs showing the condition (including any known damage or disrepair) of a Stormwater Facility. For stormwater detention ponds, these photos should include views of the outlet structure, all side slopes, vegetated littoral zones, a view from the downstream channel looking upstream at the dam and emergency spillway, a view from the dam showing the condition of the downstream channel, and a view of areas designed to catch sediment (if possible).
- Records demonstrating that required maintenance activities and/or repairs have been completed with associated dates for each maintenance activity.

3.10 Facility Inspections

Each applicant that has applied for and received a credit for a Stormwater Facility has the private responsibility to inspect and repair their facility to ensure that it is functioning as credited. In addition, the Village reserves the right to inspect Stormwater Facilities receiving a credit at any time. If the field inspection proves that any of the annual documentation submitted for continuation of the credit is not accurate, or the facility is not maintained, or if the facility is not operating as credited, the credit will be forfeited and the customer must repay the Village in the form of a surcharge the amount of credit received during the period for which the Village determines the Stormwater Facility was out of compliance. Inspections will be performed at the discretion of the Village to assure that a facility is operating as credited.

3.12 Enforcement

Inspections are the primary methods employed to monitor credits. Failure to maintain and operate the Stormwater Facility in strict compliance with Village standards will result in the loss of the credit and possible surcharge to recapture improper credits.