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Storm Water Billing Policies and Procedures

These storm water billing policies and procedures will guide the City of Trotwood (Trotwood or City) in implementing their storm water utility.

1. Impervious Area Rate Methodology

The City of Trotwood is using an impervious area rate methodology to assess storm drainage service charges to property owners, as per Chapter 929 of the codified ordinances (adopted by Ordinance No. 35-05 on September 19, 2005). Impervious areas are surfaces that prohibit or significantly restrict the passage of water into the soils beneath. Impervious areas include:

- Rooftops of homes, garages, carports, storage sheds, and commercial buildings
- Concrete, asphalt, and gravel surfaces such as roads, drives, and parking lots
- Concrete, asphalt, and gravel paths, sidewalks, and patios

The storm drainage service charge is based on the amount of runoff each property contributes to the City’s storm water runoff. The more impervious surface area on a property, the greater the amount of storm water that runs off into culverts and streams and the greater the impact on the quality of our waterways. The impervious area method provides an equitable means for assessing storm water runoff.

Trotwood has determined that the Equivalent Residential Unit (ERU) contains 4,020 square feet of impervious area. An ERU is the standard value for which non-residential properties are compared to the average residential property.

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.

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 impervious surface area for non-residential properties

Aerial photography was initially used to determine the impervious surface area for each non-residential property. The total impervious area is calculated for all of the impervious area surfaces within the parcel boundaries of that property. The impervious surface area value is divided by 4,020 square feet. This result then determines the number of total ERUs for each non-residential property and it becomes the basis of



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the storm water surcharge for that property. ERUs are rounded up to the nearest half of an ERU. More specifically:

If the Calculated ERUs Numerically End With:	Then the Charged ERUs Will Be Rounded Up To:
.01 to .50	.5 (up to the ½ ERU)
.51 to .00	.0 (up to the full ERU)

Example: A property that has 10,000 square feet of impervious area would be billed for 2.5 ERUs.

$$10,000 \text{ SF} / 4,020 \text{ SF} = 2.48 \text{ ERUs}; \text{ this will be rounded up to } 2.5 \text{ ERUs.}$$

Example: A property that has 19,000 square feet of impervious area would be billed for 5.0 ERUs.

$$19,000 \text{ SF} / 4,020 \text{ SF} = 4.72 \text{ ERUs}; \text{ this will be rounded up to } 5.0 \text{ ERUs.}$$

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

If a non-residential customer does not agree with the amount of total impervious area that they are being billed for, the customer is responsible to initiate action to clarify the total impervious area. The customer must complete and submit an Impervious Area Modification Request Form to the City of Trotwood Public Works Operations Manager for consideration. The Public Works Operations Manager will review the request, and make a decision on the total impervious area for the property in question. The Public Works Operations Manager will send a letter to the property owner stating total impervious area. The property owner may appeal the decision per the City’s appeals process. The request form is posted on the City website.

3. Billing Policies

These storm water billing policies will guide the Trotwood in implementing their storm water utility.

3a. Properties receiving a storm water bill

Most properties that are located within the City’s storm water service area will receive a storm water bill. More specifically:



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

The impervious areas of public streets and roads will be exempt from the storm drainage service charge.

- **Tax-exempt properties.** All tax-exempt properties with impervious areas will receive storm water 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 continue to receive storm water bills as long as there is impervious area on the properties.
- **Railroad properties.** All railroad properties that contain impervious areas such as buildings, gravel maintenance yards, parking lots, storage areas, and track sidings will receive storm water bills. An exception to this is mainline track devoted to movement of rail traffic. Mainline track will not be included in the impervious area totals. However, track sidings are considered impervious areas for non-residential properties.
- **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 impervious area of all items under and within that surrounding parcel shall be determined and preferably billed to the owner of the parcel, generally a condominium association. In the event of any difficulties 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 all impervious area on the parcel will be determined and billed to the owner of the parcel.
- **Homeowners associations.** Homeowners associations will receive storm water bills for the impervious areas on their properties.

3b. Properties that are exempt from receiving storm water bills

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



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- **Public streets and roads.** The impervious areas of public streets and roads will be exempt from the storm drainage service charge.
- **Private streets.** The impervious areas of 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.
- **Undeveloped land (unimproved properties).** Undeveloped land or unimproved properties will not receive storm water bills.

3c. 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 impervious area rate methodology will be used.
- **Residential properties.** For residential properties, the storm water bill will be a flat fee based on one ERU per month. Each residential property is billed one ERU, regardless of size.
- **Non-residential properties.** The storm water bill for non-residential customers will be based on the actual impervious area of the property equated to ERUs.
- **Rounding non-residential ERUs.** The number of ERUs for a non-residential parcel will be rounded up to the nearest half of an ERU. See Section 1b for examples of ERU calculations.
- **Minimum ERU for non-residential properties with impervious areas.** All non-residential properties will be billed a minimum ERU value of one, even after a qualifying credit is applied. 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.



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3d. Billing Parameters

The following list presents the basic operating parameters for the City of Trotwood to bill for storm water services:

- **Date for first storm water billings.** Interim storm water fees began accruing on September 1, 2006. The first interim storm water bills were mailed on December 1, 2006. Customers were billed for four months of services. Beginning January 1, 2007 ERU billing fees will begin accruing, with the quarterly (three month) ERU bills scheduled to be mailed beginning March 1, 2007.
- **Billing per parcel.** The City will prepare and send storm water bills based on parcel ID numbers. An exception to this parameter is condominiums. The City will not combine parcels for billing if they do not share a parcel ID number.
- **Back billing.** The City can back-bill up to one year for the storm drainage service charge, but not prior to September 1, 2006.
- **Partial payments or designation of payments.** A customer cannot designate if water, sewer, refuse collection, or storm water service will be paid with a partial payment. The property will be considered delinquent if a partial payment is made.
- **Application of partial payments.** Partial payments will be distributed on a percentage basis between water, sewer, refuse collection, and storm water services. The property will be considered delinquent if a partial payment is made.
- **Non-payment of bill.** Non-payment of storm water fees will be handled in the same manner as non-payment of water, sewer, and refuse collection fees.
- **Status of property billing.** The storm water bill for a property for a given billing period will reflect the status of impervious areas in the database at the time of the billing.
- **Storm water bills sent to owners.** Storm water bills will be sent to the property owners, not the tenants. In some cases, this will mean an additional record in the City’s master billing file for the property since tenants often receive a water or refuse collection bill.
- **Late payment penalties.** The late payment penalties for storm water will be 5% of the current charges.
- **Storm water billing cycles.** The storm water billing will be done quarterly.
- **Impervious Area Corrections** – If it is determined that a customer’s impervious area is less than the total on record within the City’s database, the City will credit the overpayment to the customer’s account provided the customer (1) completes an Impervious Area Modification Request form, (2) requests that an overpayment credit be applied to their account or reimbursed in the form of a check, and (3) certifies that the impervious area has not changed over the period in which the overpayment credit has been requested. In no event shall overpayment credits be given for a period extending more than one year in arrears.



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If the customer’s impervious area is larger than the total on record within the City’s database, the customer will be required to pay for the revised value starting in the first quarter following the correction being made; however, the City will not back bill for impervious area corrections.

3e. Billing triggers

- **To begin billing a storm drainage service charge.** If a newly developed property is not receiving a storm water bill, the trigger will be the date a Certificate of Occupancy is issued for the property. The start date will be the next full quarter.
- **Setting up new accounts.** Once a parcel is created, and there is impervious area on the parcel, the current property owner will receive a storm water bill. Residential properties will be billed for 1 ERU. If the impervious area of a non-residential property has not been determined, the property will be billed for 1 ERU. A determination of the impervious area for the non-residential property will be made as soon as practical and reflected on future bills.

4. Credit Policy

The City of Trotwood approved a credit policy for eligible non-residential property owners to receive a credit on their storm drainage service charge bill. A copy of both the approved Credit Policy and the Credit Application Form are posted on the City’s website.

4a. Credit policy administration

The following list provides a summary of how the credit policy will be administered.

- **Credit policy for non-residential properties.** Non-residential properties may qualify for a credit to the storm drainage service charge.
- **Regional detention/retention credit.** If a credit is given to a property for a detention/retention facility that was designed to provide regional detention/retention, the credit will also be applied to the properties that were included in the basis of the regional design, provided the properties are eligible and apply for a credit.
- **Date credit takes effect.** A credit will be applied on the approval date of the credit application, as determined by the Public Works Operations Manager. Full credit will be given for the entire billing period that the approval date falls within.
- **Back credit.** A credit may be retroactively applied for up to one year (but not prior to September 1, 2006) if the current owner can show that the property met the requirements of the credit policy during that period and the current owner owned the property during that period. A credit will be applied to the storm water account until City storm water bills exhaust the amount unless a check for the amount is requested by the customer.
- **Applying the storm water credit in the billing file.** The credit will be applied by reducing the number of billable ERUs.



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- **Transfer of a credit with property transfer.** A credit will carry over to a new property owner, and the new property owner will not need to submit a credit application. However, to maintain a credit, the new property owner will be required to sign a new agreement if an agreement was needed for the original credit, as well as provide continuing maintenance or administration of the circumstances that gave rise to the credit.

5. Appeals Process

Although the City of Trotwood 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 Chapter 929.30.