

STORM WATER UTILITY USERS MANUAL



Village of Whitefish Bay

September 2013

Table of Contents

- SECTION 1.0 STORM WATER UTILITY GENERAL INFORMATION..... 2**
 - 1.1 INTRODUCTION.....2
 - 1.2 CONTACTS2
 - 1.3 STORM WATER UTILITY FEES2
 - 1.3.1 Storm Water Utility Creation.....2
 - 1.3.2 Effective Date of the Fee.....2
 - 1.3.3 Calculation of Charges.....3
 - 1.4 CUSTOMER FILE MAINTENANCE3
 - 1.4.1 New Construction/Redevelopment/Additions/Demolitions3
 - 1.4.2 ERU Calculations.....3
 - 1.4.3 Parcel Modifications3
 - 1.4.4 Village Customer File Updates3
- SECTION 2.0 PROCEDURES FOR OBTAINING ADJUSTMENTS..... 4**
 - 2.1 GENERAL.....4
 - 2.2 PROCEDURE TO APPLY FOR ADJUSTMENTS4
- SECTION 3.0 REBATE POLICY AND PROCEDURES 5**
 - 3.1 REBATE POLICY5
 - 3.2 TYPES OF REBATES5
 - 3.3 PROCEDURE TO APPLY FOR REBATES5
- SECTION 4.0 CREDIT POLICY AND PROCEDURES..... 7**
 - 4.1 CREDIT POLICY7
 - 4.2 TYPES OF CREDITS.....7
 - 4.2.1 Storm Water Quantity Credit.....7
 - 4.2.2 Storm Water Quality Credit7
 - 4.2.3 Riparian and Isolated Area Credit.....8
 - 4.3 PROCEDURE TO APPLY FOR CREDITS.....9
 - 4.4 GENERAL CONSIDERATION FOR PROVIDING CREDITS.....9
 - 4.5 REAPPLYING FOR CREDIT OR REVOKING OF CREDITS10
- APPENDIX A: APPLICATIONS AND FORMS..... 11**
- FORM 1 – ADJUSTMENT APPLICATION 12**
- FORM 2 – REBATE APPLICATION 13**
- FORM 3 – CREDIT APPLICATION 15**
- FORM 4 – APPLICATION CHECKLIST 17**
- APPENDIX B: STORM WATER UTILITY ORDINANCE AND RESOLUTIONS 19**

Section 1.0 STORM WATER UTILITY GENERAL INFORMATION

1.1 Introduction

This Storm Water Utility Users Manual provides a list of contacts, procedures for updating customer billing files, instructions on how to apply for adjustments, rebates, and credits with associated forms.

1.2 Contacts

The Director of the Storm Water Utility is the Village Engineer. General communications relating to storm water utility issues, adjustment, rebates, and credits should be addressed to the Village Engineer:

Village of Whitefish Bay
Attn: Mr. Dan Naze, PE, Village Engineer
5300 N. Marlborough Drive
Whitefish Bay, WI 53217
Phone: (414) 962-6690
Fax: (414) 962-5651
Email: d.naze@wfbvillage.org

1.3 Storm Water Utility Fees

1.3.1 Storm Water Utility Creation

The Village Board adopted Ordinance 1795 on July 1, 2013 which created Chapter 19 of the Village of Whitefish Bay Municipal Code establishing a new Storm Water Utility to aid in funding storm water management. Select details of the storm water utility as created under the aforementioned ordinance are described further in this Manual with the full ordinance in Appendix B.

The Village Board adopted Resolution 2898 affirming and establishing storm water utility rates on July 1, 2013 which is also described further in this manual with the full resolution in Appendix B.

The Storm Water Utility fee was established with three rate components.

A base charge (BC) was set at an initial rate of \$60 per year per ERU. The BC represents a portion of the overall fee that is designed to collect funds towards administrative, operation and maintenance, and some capital costs and is not eligible for credits.

An equivalency charge (EC) was set at an initial rate of \$40.00 per year per ERU. The EC equivalency charge represents a portion of the overall fee that is designed to collect funds towards some capital costs and is eligible for credits.

A special charge (SC) did not have an initial rate set. The SC is intended to represent a portion of the overall fee that is designed to collect funds towards program costs that are particular to an area or set of customers that are specially benefitted and served by a particular facility or service.

The Village Board adopted Resolution 2093 affirming and establishing storm water utility rebates and credits on September 9, 2013 which is also described further in this manual with the full resolution in Appendix B.

1.3.2 Effective Date of the Fee

The storm water utility fee began to accrue July 1, 2013.

1.3.3 Calculation of Charges

Storm water is billed based on the number of Equivalent Runoff Units (ERU). One ERU represents 3,045 square feet of impervious area. Each developed parcel is assigned an impervious area and resulting ERU by the Village or be classified as undeveloped

Undeveloped parcels are those which have less than 153 square feet of impervious area or which do not have any improvements and shall not be charged a storm water fee.

1.4 Customer File Maintenance

1.4.1 New Construction/Redevelopment/Additions/Demolitions

Applications for building permits that will result in the addition or removal of impervious area are required to complete Form 1 (Adjustment Application), located in Appendix A. The completed form should accompany the building permit application.

1.4.2 ERU Calculations

Equivalent Runoff Units (ERU) are calculated by dividing the total square feet of impervious area by 3,045 square feet (the square footage of one ERU). ERUs are to be rounded and reported to one decimal place (examples: 5.1 ERUs, 2.3 ERUs, etc.)

1.4.3 Parcel Modifications

Developments that involve land divisions or combinations are required to complete Form 1. Applicants must list all existing parcels and existing utility accounts that will be included in the project and provide additional supporting documents as needed to define the situation. Applicants must complete a separate Form 1 for each of the existing and new utility accounts impacted.

1.4.4 Village Customer File Updates

The Village may elect to periodically review and update the storm water utility billing file by reviewing aerial photography for changes in impervious area or through other means. A customer billing file can be updated at any time on the basis of new or more accurate information. No retroactive payments or charges will apply at the time of these adjustments and changes will be applied to the customer billing file on a going forward basis.

SECTION 2.0 PROCEDURES FOR OBTAINING ADJUSTMENTS

2.1 General

The purpose of this Section is to describe the process for making numeric adjustments to the number of ERUs assigned to a particular property. The impervious area and ERUs were assigned to each developed property based on interpretation of aerial photography using a geographic information system to analyze and calculate the area. One ERU is equivalent to 3,045 square feet of impervious area.

The Director of the Utility is responsible for assigning ERUs to each and every property in the Village. The number of ERUs assigned to a property will remain fixed unless physical changes are made that alter the amount of the impervious surface or to correct the impervious area upon which the current storm water charge is based.

The Village may periodically review and update the ERUs in the Village through a similar process of aerial photography interpretation or other means.

Customers may also apply for an adjustment to the ERUs assigned to his or her property if the customer believes the impervious area measurements on which the ERU calculation is based are inaccurate or the amount of impervious area changed due to development or demolition.

2.2 Procedure to Apply for Adjustments

Customers may seek an adjustment at any time by submitting a completed application detailing the grounds upon which the customer believes the estimation of ERUs is incorrect or should be changed. The required information and any associated fees are described on Form 1, located in Appendix A. The application and any required fee is to be submitted to the Village Engineer or his/her designee.

The Applicant shall provide any survey, sketches, drawings, plans, measurements and other supporting documentation required to demonstrate, to the satisfaction of the Village Engineer or his/her designee, that the information is accurate and correct. The Village Engineer or his/her designee shall be responsible for reviewing the Adjustment Application for compliance with this policy.

Customers requesting adjustments may be required to, at his, her or its own expense, provide supplemental information to the Village Engineer or his/her designee, including but not limited to survey data provided by a registered land surveyor (R.L.S.) and engineering reports prepared by a professional engineer (P.E.). Failure to provide such information within sixty (60) calendar days of applying for an adjustment may result in denial of the application. The Village Engineer shall endeavor to render a written decision within sixty (60) calendar days after receipt of a completed application. The Village Engineer shall consider whether the calculation of the impervious surface area and ERU calculation is correct using the information provided by the applicant and can grant the adjustment in whole, part, or deny the request.

The Village Engineer's decision shall be mailed to the address provided on the application. The decision of the Village Engineer is final. However, if the customer disagrees with the decision of the Village Engineer, customers may appeal the decision in accordance with the provisions of Storm Water Utility (Chapter 19.08) of the Village Code. Plus any associated fees with prior notice to the applicant.

SECTION 3.0 REBATE POLICY AND PROCEDURES

3.1 Rebate Policy

The Village of Whitefish Bay will provide rebates to customers that provide on-site storm water management and/or treatment control features in accordance with this section. Separate application procedures have been established for customers to apply for rebates, which are a one-time payment to encourage and offset the cost of certain types of best management practices (BMPs).

3.2 Types of Rebates

Customers are eligible for one-time rebates for properly installed and maintained:

- Rain Barrels
- Rain Gardens
- Porous Pavement
- Other BMPs approved by the Village Engineer

3.3 Procedure to Apply for Rebates

The required information and any associated fees are described on Form 2, located in Appendix A, and shall be submitted to the Village Engineer or his/her designee. By requesting a rebate the applicant gives the Village permission to enter onto your property to inspect the installation of the storm water facility. Incomplete applications will not be accepted by the Village Engineer.

In general, the information required to obtain a rebate is noted in the following table. For other BMPs not specifically identified in this document, customers are encouraged to present their proposal to the Village Engineer for preliminary approval prior to purchase and installation of the non-specified BMP.

REQUIRED INFORMATION FOR REBATE

Rain Barrel	Rain Garden	Porous Pavement
<ol style="list-style-type: none"> 1. Completed Application 2. Original receipt of purchase of rain barrel 3. A photograph of the installed rain barrel 	<ol style="list-style-type: none"> 1. Completed Application 2. Sketch of size and location 3. Square footage of the garden 4. Original receipt(s) of all purchased materials 5. A photograph of the installed rain garden 	<ol style="list-style-type: none"> 1. Completed Application 2. Sketch of size and location 3. Square footage of the porous pavement 4. Type and thickness of materials used 5. Original receipt(s) of all purchased materials 6. A photograph of the installed porous pavement

The Village Engineer will endeavor to render a written decision within sixty (60) days from the date that the completed application is received.

The Village Engineer's decision will be mailed to the address provided on the application. The decision of the Village Engineer is final. However, if the customer disagrees with the decision of the Village Engineer, customers may appeal the decision in accordance with the provisions of Storm Water Utility (Chapter 19.08) of the Village Code. Plus any associated fees with prior notice to the applicant.

If a rebate is approved, a check will be mailed to the applicant within sixty (60) days from approval. Approval may include acceptance of an associated maintenance agreement(s).

A Rain Barrel

The following websites contain information that describes how rain barrels can be purchased, installed, and maintained.

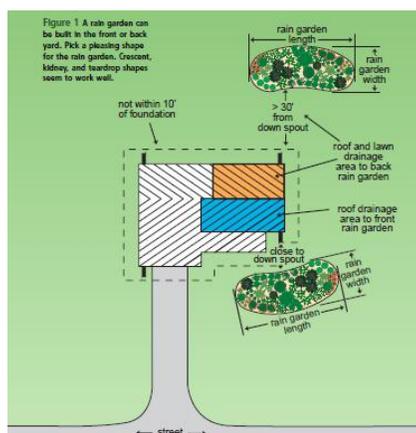
- <http://v3.mmsd.com/RainBarrels.aspx>
- http://www.lid-stormwater.net/raincist_home.htm



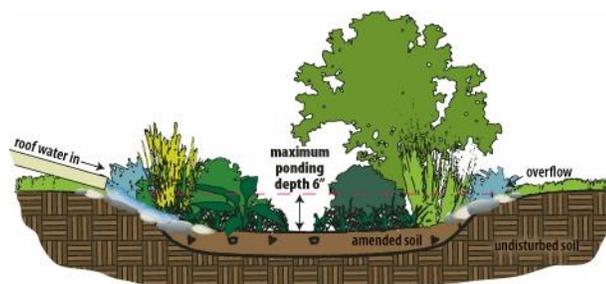
B Rain Garden

The following websites contain information that describes how rain gardens can be installed and properly maintained.

- <http://h2ocapture.com/Learn/Funding-Programs/Rain-Gardens-Project>
- http://www.lid-stormwater.net/bio_benefits.htm
- <http://dnr.wi.gov/topic/Stormwater/raingarden/>
- <http://learningstore.uwex.edu/pdf/GWQ037.pdf>
- <http://learningstore.uwex.edu/pdf/GWQ034.pdf>
- <http://learningstore.uwex.edu/pdf/GWQ041.pdf>



Plan View

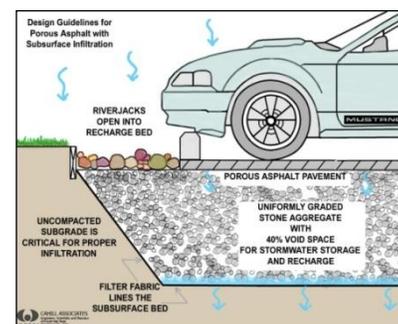


Cross-Section

C Porous Pavement

Porous pavement that is designed and constructed in accordance with design criteria recommended by PerviousPavement.org and the Interlocking Concrete Pavement Institute (ICPI) may be eligible for a rebate. Rebate amounts shall be established on the basis of square footage of qualifying porous pavement. Refer to the following websites for information on how porous pavement can be installed and maintained.

- <http://www.perviouspavement.org/>
- http://www.epa.gov/oaintnrt/stormwater/edison_parking_lot.htm
- <http://www.cabmphandbooks.com/Documents/Development/SD-20.pdf>



SECTION 4.0 CREDIT POLICY AND PROCEDURES

4.1 Credit Policy

The Village of Whitefish Bay will provide credits to customers that provide on-site storm water management and/or treatment control features or that have site specific drainage characteristics that cause some of the runoff associated with impervious areas to drain away from the Village's storm water management system as detailed in this section. Separate application procedures have been established for customers to apply for credits. Credits reduce some or all of the equivalency charge (EC) portion of the customer's storm water utility fee as long as the approved practice is in a properly maintained and working order.

4.2 Types of Credits

There are three specific types of credits available to customers:

- Storm Water Quantity Credit (up to 50% reduction in EC charge)
- Storm Water Quality Credit (up to 50% reduction in EC charge)
- Riparian and Isolated Area Credit (up to 100% reduction in EC charge)

4.2.1 Storm Water Quantity Credit

Parcels with on-site storm water quantity (peak flow / flood management) facilities may be eligible for a credit of up to a fifty percent (50%) reduction in the storm water equivalency charge (EC) portion of their fee. The following applies to this section:

- Facilities designed to reduce the post-development peak discharge rate of the 100-year design storm event to the pre-development peak discharge rate from the 2-year design storm event and as accepted by the Director may be eligible for credit.
 - For purposes of this subsection runoff quantity terms and requirements shall be interpreted based upon the Village's Stormwater Management Regulation 13.57 (Ord. 1642) or the current applicable regulation in place at the time of credit consideration.
 - Facilities that mitigate peak flows to a reduced control level less than that prescribed may be eligible for a prorated credit with approval by the director.
 - Facilities that reduce peak flows to less than the pre-development discharge rate for the 2-year design storm event are encouraged, but regardless of level of reduction the maximum credit remains 50% of the EC fee.
 - Facilities that provide water quality benefit may be eligible for additional credit up to a maximum combined credit totaling a 100% reduction in the EC charge.

4.2.2 Storm Water Quality Credit

Parcels with on-site storm water quality (pollution reduction) facilities may be eligible for a credit of up to a fifty percent (50%) reduction in the storm water equivalency charge (EC) portion of their fee. The following applies to this section:

- Facilities designed to reduce the post-development total suspended solids (TSS) discharge from the site by at least eighty percent (80%) compared to the unmanaged conditions total suspended solids (TSS) discharge and as accepted by the Director may be eligible for credit.
 - For the purposes of this subsection, TSS load and reduction values shall be calculated following Wisconsin Department of Natural Resources (WDNR) guidance and accepted models. http://dnr.wi.gov/topic/stormwater/standards/postconst_standards.html
 - Facilities that mitigate TSS loads to a reduced control level less than that prescribed may be eligible for a prorated credit with approval by the director.
 - Facilities that mitigate TSS to greater than an 80% reduction are encouraged, but regardless of reduction the maximum credit remains 50% of the EC fee.
 - Facilities that provide water quantity benefit may be eligible for additional credit up to a maximum combined credit totaling a 100% reduction in the EC charge.
 - No water quality credits shall be considered for any “natural” features such as, but not limited to, rivers, wetlands, lakes, floodplains, or water impoundments unless under exception as agreed to by the WDNR.

4.2.3 Riparian and Isolated Area Credit

Parcels with certain drainage characteristics may be eligible for a credit of up to a one hundred percent (100%) reduction in the storm water equivalency charge (EC) portion of their fee. The following applies to this section:

- If a parcel owner can show that one or more of the following conditions apply to the parcel in question and as accepted by the director, the parcel owner may be eligible for credit.
 - If storm water runoff from a parcel discharges directly into Lake Michigan or the Milwaukee River or a tributary to the aforementioned waterways without crossing another parcel under different ownership or entering any portion of the Village’s storm water drainage system; and the discharge does not result in exceeding federal, state or local water quality standards. (Riparian Credit)
 - If storm water runoff from a parcel infiltrates into the ground without crossing another parcel under different ownership or entering any portion of the Village’s storm water drainage system; and the discharge does not result in exceeding federal, state or local water quality standards. (Isolated Area Credit)
- Considerations for providing Riparian and Isolate Area Credits include:
 - 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.
 - If a previously determined Riparian or Isolated area no longer meets the definition and requirements set forth in this policy, the credit will be reduced or terminated depending on the situation in place at the time of recertification.
 - A parcel owner that is eligible for a riparian or isolated area credit and eligible for a 100% reduction in EC fee is not eligible for storm water quantity or quality credit as outlined in Sections 4.2.1 and 4.2.2.

- A parcel owner that is eligible for a riparian or isolated area credit and has not achieved a 100% reduction in EC fee is eligible to further reduce the EC fee up to a maximum of 100% with engineered facilities treating the non-riparian or isolated area(s) by applying for additional storm water quantity or quality credit as outlined in Sections 4.2.1 and 4.2.2.

4.3 Procedure to Apply for Credits

The required information and any associated fees are described on Forms 3 and 4, located in Appendix A, and shall be submitted to the Village Engineer or his/her designee. By requesting a credit the applicant gives the Village permission to enter onto your property to inspect the installation of the storm water facility or drainage situation. Incomplete applications will not be accepted by the Village Engineer.

Customers seeking a water quality or quantity credit must demonstrate that on-site storm water management controls, systems, activities or facilities are constructed, operated, maintained and performed to the standards established by the Village in Chapter 13.57 (or the appropriate storm water management ordinance in force in the Village of Whitefish Bay) of the Village Code. A maintenance plan must also be on file with the Village Department of Public Works for each facility for which credit is awarded. Failure to properly maintain storm water facilities will be grounds for forfeiture of any credit granted.

Customers seeking riparian or isolated area credit must provide mapping and other relevant information to describe the portion of the property, including impervious areas, that are considered riparian or isolated and those that are not.

Additional information may be required depending on the complexity of the project. A submitted application and checklist does not guarantee that the submittal is complete nor does it guarantee approval. Incomplete applications will not be accepted.

The Village Engineer will endeavor to render a written decision within sixty (60) days from the date that the completed application is received.

The Village Engineer's decision will be mailed to the address provided on the application. The decision of the Village Engineer is final. However, if the customer disagrees with the decision of the Village Engineer, customers may appeal the decision in accordance with the provisions of Storm Water Utility (Chapter 19.08) of the Village Code. Plus any associated fees with prior notice to the applicant.

If approved, the credit will be deducted from the customer's next storm water bill for the utility account(s) provided by the Applicant following completion and acceptance by the Village Engineer of the applicable BMP, including acceptance of maintenance agreement(s). If approved, the credit will begin on the day the applicant submitted a complete and valid application.

4.4 General Consideration for Providing Credits

When the Director receives an application for credits, several items may be considered including, but not limited to the following items:

- Quantity and quality management facilities treating less than the entire parcel will be considered when assigning the credit percentage under a pro-rated basis.
- 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.

- 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.
- The design and installation of the on-site storm water management practice must be approved by the Director before a credit will be issued.
- Maintenance plans are required for facility credit approval and the Village may require periodic inspection and/or proof of continued operation/maintenance (maintenance plans are not applicable to Riparian and Isolated Area Credits) to maintain (re-certify) credit status. Failure to maintain and operate the facility in keeping with the conditions that allowed a credit initially can be cause for the credit to be terminated. The owner will have a right to cure typically, but may require initiation of a new request for credit with applicable forms and fees.
- In considering a request for credit, the Director shall consider whether and to what extent the Village's storm water management program cost has been lessened by the condition presented by the parcel owner. If the Village's storm water management program cost has not been lessened, the request for a credit may be denied. If the Village's storm water management program cost has been lessened, the customer may be eligible for a credit.
- The Village of Whitefish Bay is not required to identify parcels or situations where credit eligibility may apply.
- 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.
- An application fee must be submitted with appropriate forms and data as required by the Village at the time of any Credit request unless waived by the Director or other Village entity in responsible charge. Application and review fees are subject to change from time to time and are set by resolution of the Village Board or other normal means of setting fees. A current fee schedule is available from the Director.

4.5 Reapplying for Credit or Revoking of Credits

A customer will not have to reapply annually for the credit granted, but the Village Engineer may review the credit and the basis thereof, no more frequently than annually, and may terminate the credit if the Village Engineer finds grounds for doing so. If such credit is terminated, the customer will be notified in writing. The Village may deny or revoke the credit, require payment of previous credits, and impose civil penalties if any of the following conditions are found:

1. The Village finds that the application was inaccurate.
2. The private storm water management system is unsafe, illegal, or has not been properly constructed.
3. The property does not comply with all applicable storm water requirements.
4. The Village is denied an opportunity to conduct a site inspection of the storm water management systems.

The foregoing list is not intended to be exhaustive and other conditions found that diminish, reduce or otherwise affect the storm water management feature implemented at the site will be cause for reevaluation and adjustment of the credit.

Appendix A: Applications and Forms

Form 2 – Rebate Application

Village of Whitefish Bay Storm Water Utility

Submit completed application and any necessary attachments to:

Village of Whitefish Bay Engineering Department
 Attn: Village Engineer
 Village of Whitefish Bay
 5300 N. Marlborough Drive
 Whitefish Bay, WI 53217

The information required to be submitted includes the following:

REQUIRED INFORMATION FOR REBATE

Rain Barrel	Rain Garden	Porous Pavement
1. Completed Application 2. Original receipt of purchase of rain barrel 3. A photograph of the installed rain barrel	1. Completed Application 2. Sketch of size and location 3. Square footage of the garden 4. Original receipt(s) of all purchased materials 5. A photograph of the installed rain garden	1. Completed Application 2. Sketch of size and location 3. Square footage of the porous pavement 4. Type and thickness of materials used 5. Original receipt(s) of all purchased materials 6. A photograph of the installed porous pavement

Questions should be directed to the Village Engineer (414) 962-6690.

1. **Rain Barrel Fee: \$0**
Rain Garden & Porous Pavement Fee: \$25 payable with submittal of the application

2. **Account Information**

Utility Account #: _____
 Customer Name: _____
 Property Address: _____

 Phone: _____
 E-mail: _____

3. **Requested Rebates**

Please check all applicable on-site storm water management practices for which rebates are being sought.

	On-Site Storm water Management Practices	Amount of One-Time Rebate	Number of Rain Barrels or Area of Rain Garden or Porous Pavement (sq.ft.)	Requested Rebate Total Amount	Receipt(s) Attached?	Official Use Only	
						Approval Signature	Date
<input type="checkbox"/>	Rain Barrel	\$25.00			<input type="checkbox"/>		
<input type="checkbox"/>	Rain Garden (up to 250 sq.ft.)	\$1.00 per sq.ft.			<input type="checkbox"/>		
<input type="checkbox"/>	Porous Pavement (up to 500 sq. ft.)	\$1.00 per sq.ft.			<input type="checkbox"/>		

4. Sketch

Attach a sketch, drawing or picture per requirement as noted above.

5. Receipts

Staple original receipts of all materials purchased to the back of this application.

6. Materials (porous pavement only)

List materials used and their thickness applied to construct the porous pavement.

Official use only

Date Received: _____ Application Number: _____ Date Entered Into System: _____

Form 3 – Credit Application Village of Whitefish Bay Storm Water Utility

Send Application to:

Village of Whitefish Bay Engineering Department
Attn: Village Engineer
Village of Whitefish Bay
5300 N. Marlborough Drive
Whitefish Bay, WI 53217

Official Use Only
Date Received: _____
Application Number: _____
Date Entered Into System: _____
Reviewer: _____

Instructions: Please type or print. Read all instructions before completing application.

Questions should be directed to the Village Engineer (414) 962-6690.

1. Fee: \$150 payable with submittal of the application

2. Applicant/Entity Receiving Credit

Name of Applicant: _____
Contact: First Name: _____ Last Name: _____
Street (1): _____
Street (2): _____
City: _____ State: ____ Zip Code: _____
Telephone Number: (____) _____
Fax Number: (____) _____

3. Property Owner

First Name: _____ Last Name: _____
Street (1): _____
Street (2): _____
City: _____ State: ____ Zip Code: _____
Telephone Number: (____) _____
Parcel Identification Number(s): _____

4. Engineer

Name of Project: _____
Name of Firm: _____
Contact: First Name: _____ Last Name: _____
Street (1): _____
Street (2): _____
City: _____ State: ____ Zip Code: _____
Telephone Number: (____) _____
Fax Number: (____) _____

5. Plan Review Information:

Attach the Application Check List (Form 4) of required information along with corresponding documentation for Storm Water Quantity and/or Quality Credit requests.

Form 3 (continued)

6. Storm Water Operation and Maintenance Agreement Letter

A Maintenance Plan must be developed for each storm water management practice. A maintenance agreement must be filed with the Village of Whitefish Bay prior to any credit being granted and must identify who will be responsible for the maintenance activities and shall also include a maintenance schedule. Failure to provide a maintenance agreement will be grounds for denial of the credit application.

7. Owner's Certifications:

By signing this application, I certify that I am the owner or authorized representative of the owner and have read this application and understand the terms and conditions of the Village of Whitefish Bay's Credit Policy. I certify that this application and additional materials accurately describe storm water management practices on the property identified on this application. I hereby grant the Village permission to enter this property for the sole purpose of conducting site inspections of the storm water management practices on my property.

Type or print owner name

Title or Authority

Signature of owner

Date

8. Engineer's Certification:

The above information and the information attached was prepared either by or under the supervision of myself as the qualified professional and is true and correct to the best of my knowledge and belief that the facilities were designed in accordance with Chapter 13.57 (or applicable) of the Village of Whitefish Bay Village Code.

Type or print name

Professional License Type and Number

Signature

Date

() -

Phone

CREDIT APPROVALS

Applicants must check the appropriate boxes for the credit % and level of management for each credit requested.

	Amount of Peak Runoff EC Credit		Post-Development Runoff Design Storm	Pre-Development Design Release Rate	Official Use Only	
					Approval Signature	Date
<input type="checkbox"/>	50 %	<input type="checkbox"/>	100-yr, 24-hr	to 2-yr, 24-hr		
<input type="checkbox"/>	____ %	<input type="checkbox"/>	100-yr, 24-hr	to ____-yr, 24-hr		
	(State requested if other / less than 50%)		(State approximate recurrence interval release rate if not achieving 2-yr)			
	Amount of Pollutant Reduction EC Credit		Pollutant Reduction		Approval Signature	Date
<input type="checkbox"/>	50 %		80%			
<input type="checkbox"/>	____ %		____ %			
	(State requested if other / less than 50%)		(State approximate TSS reduction rate)			
	Amount of Riparian or Isolated Area EC Credit				Approval Signature	Date
<input type="checkbox"/>			100 %			
<input type="checkbox"/>			____ %			
			(State requested if other / less than 100%)			
	Maintenance Plan				Approval Signature	Date
<input type="checkbox"/>	Maintenance Plan indicating individual responsible for the schedule for maintenance activities					

Form 4 – Application Checklist

Storm Water Utility Credit Application

Village of Whitefish Bay Storm Water Utility

(Checklist must be included with completed Credit Application – Form 3 – for Storm Water Quality and/or Quantity Credit requests.)

Instructions

The Checklist outlines information that should be included in the credit application for the storm water utility. Additional information may be required depending on the complexity of the project. A submitted application and checklist does not guarantee that the submittal is complete nor does it guarantee approval.

1. General Information

- Completed Credit Application.
- Location map showing the boundary of the proposed project and adjacent properties.
- Identification of hydrologic soil groups.

2. Pre-Development Site Conditions

- Topographic contours of the site using at least a 2-foot contour interval.
- Watershed boundaries, drainage basins and subbasins used in determining peak flow discharge rates and discharge volumes, including enough of the contiguous properties to show runoff patterns onto, through, and from the site.
- Watercourses that may affect or be affected by runoff from the site, including 100-year floodplain, lakes, streams, wetlands, channels, ditches, and other watercourses on and immediately adjacent to the site.

3. Post-Development Site Conditions

- Pervious and landscape areas.
- Impervious land use including all buildings, structures, and pavement.
- Final grades/topographic contours of the site using at least 2-foot contour intervals.
- New drainage network including enough of the contiguous properties to show runoff patterns onto, through, and from the site.
- Location and description of conveyance facilities such as a curbed street, swale, storm sewer, or natural drainage way.
- Location and type of all storm water management conveyance and treatment practices, including the on-site and off-site tributary drainage area(s).
- Locations and dimensions of drainage easements.
- Locations of maintenance easements specified in the maintenance agreement.
- Watershed boundaries, drainage basins and sub-basins used in determining peak flow discharge rates and discharge volumes.

Form 4 (continued)

(Checklist must be included with completed Credit Application)

Hydrologic Results

Computations of the peak flow discharge rates for the following design storms: 2-year, 5-year, 10-year, and 100-year for both pre-development conditions and post-development conditions.

All major assumptions used in developing input parameters including: curve numbers; acres of each drainage area(s); overland flow travel distance, time, and surface roughness; channel flow travel distance, time and roughness; etc. shall be clearly stated. Applicants must provide:

- Hydrologic Methodologies
- Runoff Input Values
 1. Drainage Basins
 2. Assumed runoff curve numbers (RCNs)
 3. Time of concentration (Tc) used in calculations
- Peak Runoff Discharge Rates
 1. Pre-development peak flow rates;
 2. Post-development peak flow rates with no detention;
 3. Post-development peak flow rates with detention;
- Pre- and Post-Development Runoff Volumes
- BMP Design
 1. Manufacture Make and Model (if applicable)
 2. Stage-storage-discharge table
 3. Description/design of outlet structure(s)
- Nonpoint Source Pollutant Loading Estimate with and without BMPs
- Annotated Computer Printouts and Other Calculations

Additional Required Documents

- Maintenance Plan and Maintenance Agreement
- Drainage Easements
- Professional Engineer Certification

Appendix B: Storm Water Utility Ordinance and Resolutions

STATE OF WISCONSIN MILWAUKEE COUNTY VILLAGE OF WHITEFISH BAY

ORDINANCE NO: 1795

**An Ordinance to Create Chapter 19 of the Municipal Code Establishing
the Village of Whitefish Bay Storm Water Utility**

The Village Board of the Village of Whitefish Bay, Milwaukee County does ordain as follows:

Section One. Chapter 19 of the Municipal Code is hereby created to read as follows:

(1) Chapter 19 of the Municipal Code of Ordinances is created to read as follows:

19. VILLAGE STORM WATER UTILITY

19.01 Operation and Director.

The Village Storm Water Utility is hereby created to be operated under the administrative direction of the Village Engineer. The overall operation of the Storm Water Utility shall be under the supervision and control of the Village Board.

19.02 Authority.

The Village, acting through the Storm Water Utility, may under the authority of Chapters 61 and 66 of the Wisconsin Statutes, including, but not limited to §§ 61.34(5), 61.36, 61.39, 66.0621, 66.0627, 66.0809, 66.0811, and 66.0821 do all those acts permitted to a storm water utility under Wisconsin Statutes including, but not limited to, the following:

(1) Acquire, construct, lease, own, operate, maintain, extend, expand, replace, clean, dredge, repair, manage and finance such facilities as are deemed by the Village to be proper and necessary for storm and surface water management. These facilities may include, without limitation due to enumeration, surface and underground drainage facilities, sewers, watercourse, retaining walls,

ponds, streets, roads, ditches and such other natural or manmade facilities as will support a storm water management system.

(2) Undertake operations or activities, or provide any services deemed by the Village to be proper and necessary for storm and surface water management; and

(3) Maintain compliance with all regulatory requirements for storm and surface water management.

19.03 Definitions.

Appropriate Fee. Any or all of the fee components as established by the Village Board.

Director. The Village Engineer or his/her designee.

Developed Parcel. A parcel shall be considered developed pursuant to this Ordinance if it has measurable impervious surfaces of at least 153 square feet. A parcel that is considered by the Village as developed shall have an impervious area assigned to it by the Village.

Equivalent Runoff Unit (ERU). The average horizontal impervious area of single-family properties within the Village, based on the "Village Zoning District 2 Single Family Residence" zoning classification.

Impervious Area or Impervious Surface. A horizontal surface that has been compacted or covered with a layer of material so that it is highly resistant to infiltration by rainwater. This includes, but is not limited to streets, roofs, sidewalks, parking lots and other similar surfaces as well as semi-impervious surfaces such as compacted gravel, stone or clay.

Parcel. A tract of land

Parcel (or Tax) Key. An identifying number to relate ownership (unique or shared) in a parcel.

Undeveloped Parcel. Any lot or parcel that has less than 153 square feet of impervious surfaces.

19.04 Applicability.

(1) This ordinance is applicable to all lands, lots or parcels within the Village; and

(2) This ordinance is applicable to lands outside the Village by written agreement approved by the Village Board which include the acceptance of storm water utility fees as established from time to time pursuant to the terms of this ordinance and subject to all other legal requirements.

19.05 Customer Classification.

For purposes of imposing the storm water charges, all applicable lands, lots and parcels shall be assigned a customer classification by the Director.

Customer Classification Establishment. The following two (2) customer classifications are established:

- (1) Developed
- (2) Undeveloped

Customer Classification Modification. The Village Board may, by ordinance, modify the aforementioned customer classifications or establish additional customer classifications to provide a fair and reasonable distribution of the costs of the Storm Water Utility.

19.06 Charge Methodology.

The following Charge Methodology is established for the purpose of imposing storm water charges:

(1) Charge Component Establishment.

There shall be three charge components that may be used to share the costs of the storm water Utility. These charge components are:

- (a) Base Charge (BC). The BC may be imposed on all lands, lots and parcels in the Village. The Base Charge will be designed to reflect the fact that all parcels benefit from the storm water management activities of the Village and/or that all parcels contribute storm water runoff (quantity burden) and pollution (quality burden) that must be managed by the Village. The BC may be designed to collect the administrative costs and other appropriate expenses of the storm water utility operations and maintenance. The BC may be based on the size of a parcel, impervious area (ERU basis), or other method.
- (b) Equivalency Charge (EC). The EC may be imposed on all parcels with impervious area. The EC will be designed on an ERU comparative basis.
- (c) Special Charge (SC). The SC may be imposed on parcels that are in an area specially benefited and served by a particular storm water management facility or service. This charge will be developed to reflect the relative burden of each parcel in a particular area that may not be appropriate to allocate to all parcels throughout the Village. The SC will be calculated on an ERU comparative basis unless dictated otherwise by resolution or ordinance.

(2) Charge Component Modification. The Village Board may, by ordinance or resolution, modify the aforementioned charge components or establish additional charge components to provide a fair and reasonable distribution of the costs of the Storm Water Utility.

(3) ERU Establishment. The value one (1.0) ERU is established to be equivalent to 3,045 square feet of impervious area.

(4) Impervious Area Determination. The Director shall be responsible for determining the impervious area of parcels as necessary to establish and maintain this storm water utility, based on

the best available information, including, but not limited to, data supplied by the Village Assessor, aerial photography, the parcel owner, tenant or developer. The Director may require additional information as necessary to make the determination.

(5) *Parcel ERU Determination.* The number of ERUs on an individual parcel is determined as follows:

A. Developed Parcels

- (1) All parcels determined to be developed are classified as such and are assigned an impervious area square footage and corresponding ERU value rounded to the nearest 0.1 ERUs.

B. Undeveloped Parcels

- (1) All parcels determined to be undeveloped (less than 153 square feet of impervious surfaces) are classified as such and assigned an impervious area square footage (if any) and an ERU value of zero for the purposes of this utility.

(6) *Storm Water Fees.* The Village Board may, by resolution, set or adjust the Base Charge, Equivalency Charge and the Special Charge fees to recover the cost of the storm water management program. Storm water fees will be kept on file with the Village Clerk and the Director. The fee for any individual parcel shall be the sum of all applicable charge components.

(7) *Billing Methodology.* The fee applicable to a parcel as established hereunder shall be billed to the parcel owner in the same manner as the water and sewer utility fees. The parcel owner shall be responsible for payment of the Storm Water Utility fee. A bill may be sent to a parcel that is not receiving other services from the Village. Late payment, failure to pay, and checks returned for insufficient funds shall be subject to the same penalties as established and documented by the Village for water and sewer utility fees. Unpaid charges may be assessed as a lien against the parcel pursuant to Sections 66.0809 and 66.0821(4)(d), Wisconsin Statutes.

19.07 Adjustments, Rebates, and Credits.

The Village Board shall from time to time adopt the criteria for providing adjustments, rebates, and credits.

A. The application fee schedule for Adjustments, Rebates, and Credits will be established by the Village Board through resolution.

(1) *Adjustments.* Adjustments may be considered at the request of parcel owners to correct the amount of impervious area upon which the bill is based, correct or update the parcel customer classification, or other items of consequence, upon the presentation of site specific information.

(a) *Adjustment Procedure.* Any parcel owner may apply for an adjustment to update or correct the information assigned to the parcel if the parcel owner believes there to be some information that is inaccurate. The following procedure for applying for an adjustment is established.

1. A request for an adjustment may be submitted at any time. All such requests shall be submitted to the Director on forms provided by the Village, together with all supporting information and any application fees.
2. The Director may require the parcel owner, at parcel owner's expense, to provide supplemental information.

(b) *Granting of Adjustments.* When an application for an adjustment is deemed complete by the Director, the Director shall have sixty (60) days from the date that the complete application is accepted to:

1. Grant the adjustment in whole;
2. Grant the adjustment in part; or,
3. Deny the adjustment.

Adjustments applied for and granted in whole or in part, shall be applied to the next billing cycle following the date on which a complete application for the adjustment has been filed with the Village. The Director shall provide a letter to the owner documenting the award or denial of the adjustment as well as the grounds upon which the decision was based. The applicants may appeal such determination following the appeals process described in Sec. 19.08.

(2) *Rebates.* Parcel owners that install and properly maintain applicable devices/practices may be eligible for a one time rebate. A rebate is not a long term reduction (credit) in the storm water utility charge. Rebates may be updated or amended from time to time by the Director.

(a) *Technical and Procedural Criteria.* The Director shall establish specified technical and procedural criteria by which rebates will be granted. Copies of such technical and procedural criteria will be maintained by and be available from the Engineering Department.

(b) *Rebate Procedure.* Any parcel owner may apply for a rebate if, based on a review of available Technical and Procedural Criteria, the parcel owner believes there to be grounds for receiving a rebate. The following procedure for applying for a rebate is established.

1. Parcel owners must make application to the Director on forms provided by the Director for such purpose.
2. The application for any rebates must be in writing and must include the information necessary to document the eligibility for the rebate, accompanied by

any application fee, and be in the format established by the Director. Incomplete applications will not be accepted by the Director.

3. Where applicable as a condition for granting rebate, applicants must have an approved maintenance agreement on file with the Director.

(c) *Granting of Rebates.* When an application for a rebate is deemed complete by the Director, the Director shall have sixty (60) days from the date that the complete application is accepted to:

1. Grant the rebate in whole;
2. Grant the rebate in part; or,
3. Deny the rebate.

Rebates applied for and granted in whole or in part, shall be applied to the next billing cycle following the date on which a complete application for the rebate has been filed with the Village. The Director shall provide a letter to the owner documenting the award or denial of the rebate as well as the grounds upon which the decision was based. The applicants may appeal such determination following the appeals process described in Sec. 19.08.

(3) *Credits.* Parcel owners may be eligible for credits (reduction) to their storm water utility charge. A credit may be considered for parcels that either receive a reduced level of storm water management service or result from privately owned and properly constructed and maintained storm water mitigating measures that allow the Village to realize a cost savings in some portion of their storm water management program.

(a) *Credit Policy.* The Director shall establish a credit policy and procedural criteria by which credits will be granted. Copies of such credit policy and procedural criteria will be maintained by and be available from the Engineering Department.

(b) *Credit Procedure.* Any parcel owner may apply for credit if, based on a review of available credit policy, the parcel owner believes there to be grounds for receiving credit to their storm water fee. The following procedure for applying for credit is established.

1. Parcel owners must make application to the Director on forms provided by the Director for such purpose.
2. The application for any credit must be in writing and must include the information necessary to document the eligibility for the credit, accompanied by any application fee, and be in the format established by the Director. Incomplete applications will not be accepted by the Director.
3. Where applicable as a condition for granting credits, applicants must have an approved maintenance agreement on file with the Director.

(c) *Granting of Credits.* When an application for a credit is deemed complete by the Director, the Director shall have sixty (60) days from the date that the complete application is accepted to:

1. Grant the adjustment in whole;
2. Grant the adjustment in part; or,
3. Deny the adjustment.

Credits applied for and granted in whole or in part, shall be applied to the next billing cycle following the date on which a complete application for the credit has been filed with the Village. The Director shall provide a letter to the owner documenting the award or denial of the adjustment as well as the grounds upon which the decision was based. The applicants may appeal such determination following the appeals process described in Sec. 19.08.

(d) *Regular Review of Credit.* The Director may review the credit and the basis thereof periodically, and may terminate the credit if grounds are found to do so. If such credit is terminated, the parcel owner will be notified in writing of the grounds for revoking the credit. The owner may appeal such determination following the appeals process or, may, if possible, correct the deficiencies that caused the termination and reapply for the credit.

19.08 Appeals.

Appeals regarding the storm water utility charges levied herein or any Adjustment, Rebate, or Credit requests shall be made to the Zoning Board of Appeals. The Board of Appeals shall make the determination of the charges within the scope of this chapter after considering all the facts in each case. If the finding of the Zoning Board of Appeals is not acceptable the appeal may be elevated to the Village Board.

19.09 Budget Excess Revenues.

The Village shall separately account for the Storm Water Utility finances. The Storm Water Utility shall prepare an annual budget, which is to include all operation and maintenance costs, costs of borrowing, capital costs and other costs related to the operation of the storm water utility. The budget is subject to approval by the Village Board. Any excess storm water revenues over expenditures in a year will be retained by the Fund for subsequent years' needs of the storm water utility.

Section Two: Severability: In the event that any provision of this Ordinance is for any reason held to be invalid, unconstitutional, or unenforceable by any court of competent jurisdiction, such portions of this Ordinance shall be deemed separate, distinct and independent provisions of the Ordinance and all remaining portions of this Ordinance shall remain in full force and effect.

Section Three. All ordinances or parts of ordinances conflicting with the provisions of this ordinance are hereby to such extent repealed.

Section Four. This ordinance shall take effect and be in force after its passage and posting pursuant to law.

Passed and Adopted by the Village Board of the Village of Whitefish Bay on the 1st day of July, 2013.

VILLAGE OF WHITEFISH BAY

Julie Siegel, Village President

Jennifer Amerell, Finance Director/Clerk

STATE OF WISCONSIN : MILWAUKEE COUNTY : VILLAGE OF WHITEFISH BAY

RESOLUTION NO. 2886

ADOPTING THE 2012 WPDES STORM WATER DISCHARGE PERMIT

ANNUAL REPORT

WHEREAS, the Village of Whitefish Bay is required to comply with the conditions of its Wisconsin Pollution Discharge Elimination System General Permit (WPDES); and

WHEREAS, the requirement for the drafting, acknowledgement of the report by elected officials, and submittal of an Annual Report certifying permit compliance is a condition of the permit dated March 1, 2007; and

WHEREAS, the Village Board of the Village of Whitefish Bay has reviewed the 2012 Annual Report and recommends adoption by resolution.

NOW, THEREFORE, BE IT RESOLVED that the Village Board of the Village of Whitefish Bay does hereby adopt the attached WPDES Permit Number WI-S061565-2 Annual Report, dated March 18, 2013 through this resolution.

PASSED AND ADOPTED this 15th Day of April, 2013.

Julie A. Siegel, Village President

Countersigned:

Jennifer R. Amerell, Village Clerk

STATE OF WISCONSIN : MILWAUKEE COUNTY : VILLAGE OF WHITEFISH BAY

RESOLUTION NO. 2903

A RESOLUTION ESTABLISHING STORM WATER UTILITY REBATES AND CREDITS

WHEREAS, the Village Board has established a Storm Water Utility within the Village of Whitefish Bay pursuant to Ordinance No.1795; and

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

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

NOW, THEREFORE, BE IT RESOLVED, that effective September 10, 2013, rebates and 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 Village.
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, rebate amounts, and other specifics and criteria will be kept on file by the Director.

B. Storm Water Quantity Credit

Parcels with on-site storm water quantity (peak flow / flood management) facilities may be eligible for a credit of up to a fifty percent (50%) reduction in the storm water equivalency charge (EC) portion of their fee. The following applies to this section:

1. Facilities designed to reduce the post-development peak discharge rate of the 100-year design storm event to the pre-development peak discharge

rate from the 2-year design storm event and as accepted by the Director may be eligible for credit.

- a. For purposes of this subsection runoff quantity terms and requirements shall be interpreted based upon the Village's Storm Water Management Regulation 13.57 (Ord. 1642) or the current corresponding regulation in place at the time of credit consideration.
- b. Facilities that mitigate peak flows to a reduced control level less than that prescribed under B.1.a may be eligible for a prorated credit with approval by the director.
- c. Facilities that reduce peak flows to less than the pre-development discharge rate for the 2-year design storm event are encouraged, but regardless of level of reduction the maximum credit remains 50%.

C. Storm Water Quality Credit

Parcels with on-site storm water quality (pollution reduction) facilities may be eligible for a credit of up to a fifty percent (50%) reduction in the storm water equivalency charge (EC) portion of their fee. The following applies to this section:

1. Facilities designed to reduce the post-development total suspended solids (TSS) discharge from the site by at least eighty percent (80%) compared to unmanaged conditions total suspended solids (TSS) discharge and as accepted by the Director may be eligible for credit.
 - a. For the purposes of this subsection, TSS load and reduction values shall be calculated following Wisconsin Department of Natural Resources (WDNR) guidance and accepted models.
 - b. Facilities that mitigate TSS loads to a reduced control level less than that prescribed under C.1.a may be eligible for a prorated credit with approval by the director.
 - c. Facilities that mitigate TSS to greater than an 80% reduction are encouraged, but regardless of reduction the maximum credit remains 50%.
 - d. No water quality credits shall be considered for any "natural" features such as, but not limited to, rivers, wetlands, lakes, floodplains, or water impoundments unless under exception as agreed to by the WDNR.

D. Riparian and Isolated Area Credit

Parcels with certain drainage characteristics may be eligible for a credit of up to a one hundred percent (100%) reduction in the storm water equivalency charge (EC) portion of their fee. The following applies to this section:

1. If a parcel owner can show that one or more of the following conditions apply to the parcel in question and as accepted by the director, the parcel owner may be eligible for credit.
 - a. If storm water runoff from a parcel discharges directly into Lake Michigan or the Milwaukee River or a tributary to the aforementioned waterways without crossing another parcel under different ownership or entering any portion of the Village'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 Village'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. 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.
- b. If a previously determined Riparian or Isolated area no longer meets the definition and requirements set forth in this resolution, the credit will be reduced or terminated depending on the situation in place at the time of recertification.
- c. A parcel owner that is eligible for a riparian or isolated area credit and eligible for a 100% reduction in EC fee is not eligible for storm water quantity or quality credit as outlined in Sections B and C.
- d. A parcel owner that is eligible for a riparian or isolated area credit and has not achieved a 100% reduction in EC fee is eligible to further reduce the EC fee up to a maximum of 100% with engineered facilities treating the non-riparian or isolated area(s) by applying for additional storm water quantity or quality credit as outlined in Sections B and C.

E. General Considerations for providing Credits

- 1. Quantity and quality management facilities treating less than the entire parcel will be considered when assigning the credit percentage under a prorated basis.
- 2. 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.
- 3. 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.
- 4. 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 Village.
- 5. Maintenance plans are required for facility credit approval and the Village may require periodic inspection and/or proof of continued operation/maintenance (maintenance plans are not applicable to Riparian and Isolated Area Credits) to maintain (re-certify) credit status. Failure to maintain and operate the facility in keeping with the conditions that allowed a credit initially can be cause for the credit to be terminated. The

owner will have a right to cure typically, but may require initiation of a new request for credit with applicable forms and fees.

6. In considering a request for credit, the Director shall consider whether and to what extent the Village's storm water management program cost has been lessened by the condition presented by the parcel owner. If the Village's storm water management program cost has not been lessened, the request for a credit may be denied. If the Village's storm water management program cost has been lessened, the customer may be eligible for a credit.
7. The Director shall develop policy guidance for providing credits to parcel owners that shall be consistently and fairly applied to all applicants for credit.
8. The Village of Whitefish Bay is not required to identify parcels or situations where credit eligibility may apply.
9. 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.
10. An application fee must be submitted with appropriate forms and data as required by the Village at the time of any Credit request unless waived by the Director or other Village entity in responsible charge. Application and review fees are subject to change from time to time and are set by resolution of the Village Board or other normal means of setting fees. A current fee schedule is available from the Director.

PASSED AND ADOPTED by the Village this 9th day of September, 2013.

Julie Siegel, President

Countersigned:

Jennifer Amerell, Finance Director/Clerk