

# **STORM WATER CREDIT MANUAL**

CITY OF BLOOMINGTON, ILLINOIS  
ENGINEERING DEPARTMENT

Revised January, 2006

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## **PREFACE**

### **Applications for Credits should be sent to:**

Engineering Department  
City of Bloomington  
P. O. Box 3157  
115 E. Washington St  
Bloomington, IL 61702-3157

Attn.: Storm Water Utility Credit

**Checks should be made payable to:** City of Bloomington

### **For questions regarding the Credit Application, Contact:**

Director of Engineering  
City of Bloomington  
P. O. Box 3157  
115 E. Washington St  
Bloomington, IL 61702-3157

Phone: 309-434-2225  
Fax: 309-434-2201  
e-mail: [engineer@cityblm.org](mailto:engineer@cityblm.org)

### **Application Procedure:**

Initial review of Storm Water Utility Credit Applications will be completed within 60 days of the receipt of the application form and fee payment. Application fees are one-time and nonrefundable. The application forms will be checked for completeness and accuracy. If the application is found to be complete and accurate, a letter will be sent to the applicant notifying them of approval of the credit. Any application for credit is an acknowledgment of the indemnification statement in Chapter 2 of this document, and the City of Bloomington's (City) right-of-entry to inspect and verify the information submitted on said application. If deficiencies are found during the review, a deficiency letter will be sent to the applicant's contact person. Upon receipt of additional information from the applicant to constitute a complete application, the review will resume and be completed within 60 days of receipt of additional information. Billing adjustments required to implement credits shall be applied retroactively to the date of the customer's complete credit application. If an application is denied, a letter explaining reasons for the denial will be provided to the applicant. The applicant has the right to appeal this decision, in accordance with the procedures outlined in Section 6.3.9 of Chapter 24 of City Code.

## **Chapter 1: General Information**

The City Council of the City of Bloomington, Illinois has created a citywide Storm Water Utility to provide storm water management activities such as public education and participation, the elimination of illicit discharges, control of construction site runoff, and pollution prevention.

The primary source of revenue for the Storm Water Utility are the Storm Water Service Charges applied to all developed property in the City. Storm Water Service Charges to a property are related to the amount of storm water runoff from the property. Since it is not feasible to directly measure this runoff, the actual charge is based upon the area of impervious area on each property. In general terms, the impervious areas are the portions of the property that shed water during a storm. Typical impervious areas include sidewalks, driveways, roofs, awnings, patios, parking lots, and compacted aggregate.

Each single family residential property will be charged a flat rate depending upon the size of the parcel, Small, Medium or Large. Small single family residential parcels are those with a gross area less than or equal to 7,000 square feet. Medium single family residential parcels are those with a gross area greater than 7,000 square feet but less than or equal to 12,000 square feet. Large single family residential are those with a gross area greater than 12,000 square feet.

A Single Family Residential parcel is developed land containing one dwelling structure which contains one or more bedrooms, with a bathroom and kitchen facilities, designed for occupancy by one or two families. Single Family Residential units may include houses (including duplexes), manufactured homes and mobile homes located on one or more individual lots or parcels of land. Developed land may be classified as Single Family Residential despite the presence of a commercial use within the dwelling unit so long as such use does not result in additional impervious area such as parking spaces, playgrounds, structures or additions to the building which are used for nonresidential uses.

Properties whose land use is other than single family residential, such as, but not limited to, multifamily with 3 or more units, institutional, commercial, business, or industrial, shall be billed for the number of Impervious Area Units (IAU's) within the property. An IAU is defined as 1,000 square feet of impervious area. The amount of impervious area contained within a property divided by 1,000 and rounded up to the next whole number shall be the number of IAU's assigned to the property. The number multiplied by the unit-billing rate contained in Chapter 37 of City Code shall be the storm water service charge for the particular property.

The number of IAU's assigned to a property will remain constant unless physical changes are made that alter the amount of its impervious area. In these cases, billing changes will be made automatically at the completion of construction. Typically these changes will be triggered through the building permit process.

Storm Water Service Charges shall not be billed for parcels of land which are part of an established creek bed, regardless of the amount of impervious area contained therein, provided said parcel of land is owned by a public entity. This shall not include parking lots, streets, roadways, sidewalks, bike paths or other means of public conveyance.

The City of Bloomington has developed a system of credits for storm water service customers who have facilities or controls in place to temporarily store or treat storm water runoff, thereby

reducing the impact on the drainage system. This manual details the policies and procedures applicable to the storm water service charge credit program.

## **Chapter 2 Credit Policies:**

It is the City's intent to encourage sound technical design practices that reduce the negative impact of development on the drainage system through a simple but effective credit system. Properties whose impact on the storm water drainage system is significantly limited or has been effectively reduced through specific controls shall be entitled to a credit adjustment that will be applied to its storm water service charge. This manual will give property owners credit if they own and maintain a storm water detention facility that meets the code requirements of the City of Bloomington.

### **A. Application Fee**

A credit application will not be considered complete and will not be processed unless it is accompanied by the application fee and all appropriate forms and information required in this manual. The credit application fee shall be one hundred dollars (\$100.00). Application fees are one-time and nonrefundable.

It is the intent of the Engineering Department to process applications within sixty (60) days of submittal of the complete and correct application package. Billing adjustments required to implement credits shall be applied retroactively to the date of the customer's complete credit application. A pending application for credit shall not constitute a valid reason for nonpayment of the current Storm Water Service Charges. In the case of new development, Storm Water Service Charges and the associated credits detailed herein do not apply until construction is complete and as-built data for the storm water improvement/BMP has been submitted.

The application fee is intended to cover one detention basin or a related group of detention basins within one development. Therefore an application fee may cover more than one residential or commercial lot.

### **B. Rate Reduction Credit**

The Rate Reduction Credit is available for:

1. Storm water facilities that control the peak rate of storm runoff according to the following criteria:

50% Rate Reduction Credit for those properties that control the post-development peak rate of storm water runoff for the one hundred (100) year design storm with a release rate less than or equal to a three (3) year pre-developed runoff in accordance with the City of Bloomington's Manual of Practice for the Design of Public Improvements.

25% Rate Reduction Credit for those properties that control the post-development peak rate of storm water runoff for the fifty (50) year design storm with a release rate less than or equal to a three (3) year post-developed runoff in accordance with the City of Bloomington's Manual of Practice for the Design of Public Improvements.

This credit is created primarily for properties whose land use is other than single family residential, such as, but not limited to, multifamily with 3 or more units, institutional,

commercial, business, or industrial. However, single family residential properties served by a privately maintained *regional* detention facility may be eligible for a Rate Reduction Credit. It is not intended that this credit be extended to Single Family Residential properties with their own individual on-site detention facility.

2. Any entity which directly discharges to Sugar Creek, Skunk Creek, Pheasant Creek, Goose Creek, or Kickapoo Creek without flowing through any portion of the Municipal Sewer System, and is arranged in such a manner that no surface flow from said property is discharged from it without first undergoing an NPDES permitted water treatment process approved by the Director of Engineering shall be eligible for a 100% Rate Reduction Credit.

### **C. Application Requirements**

1. Application fee.

2. The owner shall supply maintenance information along with their application. Any association agreements or contracts for inspection and/or maintenance are required to be disclosed as part of the application. Indicate the schedule for major maintenance that will be performed and how many times per year basic maintenance (such as erosion control and/or mowing) activities are performed.

3. The owner shall supply the following technical information in accordance with the City of Bloomington's Manual of Practice for the Design of Public Improvements along with their application:

a) Conceptual site plan and structural control location diagram.

b. Locations, dimensions, and characteristics of all proposed and existing drainage patterns and facilities.

c. Existing and proposed grading and location of all structures, parking, driveways, and other impervious areas.

d. Detailed engineering calculations providing the results of routing the storm runoff for the one-hundred (100) year storm event through the basin or control, along with comparison to pre-development runoff rates. Total storage volume calculations and emergency spillway configuration are also required. Calculations shall be in a form and from a source acceptable to the Director of Engineering.

1) The sum-total of pre-developed and post-developed runoff rates and volumes from all water sheds *within the property* must be calculated and compared, regardless of the number of natural or constructed watersheds in the property. Control of runoff in only one of the property's watersheds, ignoring all others, will not receive credit. Control of runoff in only one watershed, *which takes into account the runoff from all others*, could receive credit.

e. Upon completion of construction, as-built data and calculations shall be in a form and from a source acceptable to the Director of Engineering and shall be submitted in order to complete the application. The as-built data must verify the capacity of the detention.

4. Existing facilities will be eligible for credit as long as they meet the requirements of the City of Bloomington Storm Water Ordinance and Construction Standards in the City's Manual of Practice for the Construction of Public Improvements. In this case, the information required in the preceding items 2 & 3, and any other supporting material, shall be submitted for review. Retrofitting of existing structures is also allowed to provide or increase the amount of credit for a property. The process of retrofitting existing structures is similar to that for new developments. As-built data shall be submitted for the existing or retrofitted structure before the credit will be applied.

5. The owner shall be required to sign a statement certifying that information is correct and acknowledgment that the credit determination will be based on the information provided. A later determination that the information was inaccurate may result in the loss of the credit.

#### **D. Maximum Credit**

The maximum aggregate credit for any individual property is one hundred percent (100%) of its gross billing amount for the Storm Water Service Charge. Developments must still conform to all applicable ordinances and standards of the City of Bloomington, Illinois.

#### **E. Maintenance Requirements**

Inspection reports shall be signed and sealed and shall be in a form and from a source acceptable to the Director of Engineering. Furthermore, these inspection reports shall be filed with the City every five (5) years, as calculated from the original application date, in order to maintain any level of Rate Reduction Credit. If a property owner fails to file required inspection reports or if a random City inspection results in failure, the City will send a letter informing the property owner of the required action to avoid revocation of the Quantity credits. If the property owner fails to take the required action, the credits will be revoked until the situation is corrected. No retroactive credits will be given during said lapse period. Credits will be restored on the effective date of the submittal of the property owner's acceptable response. At a minimum, inspection reports shall include:

1. The condition of the release structure.
2. Documentation that the quantity (volume) of detention has not been reduced.
3. The condition of the emergency overflow and verification that it has sufficient capacity.
4. Documentation of any signs of erosion or instability in any part of the structure and corrective action required (if necessary).

#### **F. Indemnification**

In consideration for permission to construct or install a storm water improvement/BMP, and by nature of applying for a storm water user fee credit, the applicant is hereby legally acknowledging and agreeing to the following:

1. After completion of the construction or installation by the Owners and approval by the City, the construction or installation of a storm water improvement/BMP shall remain a privately owned and maintained storm water improvement/BMP, shall not be accepted by the City, and shall not become a part of the maintenance program of the City of Bloomington Storm Water Utility or the Public Works Department. All maintenance responsibility and liability shall be and remain with the Owners, their personal representatives, heirs, grantees, successors and assigns.
2. Owners, their personal representatives, heirs, grantees, successors and assigns shall indemnify and hold harmless the City of Bloomington, its officers agents and employees from any and all claims, actions, causes of action, judgments, damages, losses, costs, and expenses (including attorney's fees) arising out of or resulting from the construction, installation, maintenance, or operation of the storm water improvement/BMP.
3. This Agreement shall run with the real estate upon which the storm water improvement/BMP has been constructed and shall be binding upon the Owners, their personal representatives, heirs, grantees, successors and assigns so long as the drainage facility and/or improvement or any part of it shall be used by them. This Agreement shall be disclosed upon transfer of real estate. At such time as the storm water improvement/BMP shall cease to be so used, this Agreement shall immediately terminate.

### **Chapter 3 Refunds:**

Any Customer may request a review of their storm water utility fee at any time. The City of Bloomington's Engineering Department will perform the review of the property in question in a timely manner. The written results of the review will be provided to the Customer requesting the review. If the review reveals the Customer has been overcharged for the storm water utility fee, the Engineering Department will notify the Water Billing Department of the amount of refund due to the Customer paying the Storm Water Utility Fee. Any refund due as a result of overcharging of the storm water utility fee may be either credited to the Customer's future water bills or may be sent in the form of a check at the discretion of the City of Bloomington's Water Billing Department. **The maximum time frame for credit reimbursement shall be no more than six (6) months.** If the review indicates the Customer has been receiving a Storm Water Utility fee which is less than the amount they should have been charged, the Engineering Department shall notify the Water Billing Department of the increase necessary to bring the Storm Water Utility Fee to the proper amount. The City will not make any attempt to recoup the Storm Water Utility Fees lost as a result of an error on the City's part unless directed to do so by the City Manager or City Council.