



# City of Shelby

## Stormwater Utility

### Frequently Asked Questions

This list of questions and answers has been prepared to help resolve questions and clarify issues related to the implementation of the Stormwater Utility in Shelby.

#### **What is stormwater runoff?**

Stormwater runoff is the water that flows off roofs, driveways, parking lots, streets and other hard surfaces during rain storms. Stormwater runoff is also the rain that flows off grass surfaces and wooded areas that is not absorbed into the soil. The runoff that is not absorbed into the ground flows into ditches, culverts, catch basins and storm sewers. It does not receive any treatment before entering the streams and lakes, which causes stormwater pollution.

#### **What is stormwater pollution?**

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

#### **Why is stormwater runoff a problem?**

As precipitation falls on agricultural and undeveloped areas, it is primarily absorbed into the ground or slowly runs off into streams, rivers or other water bodies.

However, development resulting in rooftops and paved areas prevent water from being absorbed and create a faster rate of runoff. This development often causes localized flooding or other water quantity or quality issues. In addition, stormwater can carry harmful pollutants, cause flooding, erode topsoil and stream banks and destroy habitats.

#### **Why do we need to manage our stormwater runoff?**

Stormwater runoff needs to be managed just as any other natural resource. First, it is needed to maintain the quality of our natural watercourses as drinking water supplies and for recreational activities such as swimming, fishing, water skiing, etc. Secondly, stormwater also needs to be managed to minimize damages that may occur when stormwater runoff exceeds the capacity of the pipes and open channels used to carry the stormwater to our rivers and streams.

#### **What is the City currently doing about these problems?**

Historically, the City has performed maintenance of the stormwater collection system, which includes cleaning, repair and replacement of the City’s stormwater

infrastructure. The City also regulates the effects of stormwater runoff from new development. Most recently, the Federal Government has mandated that all cities the size of Shelby implement a series of programs and services to improve water quality.

**What is the City's responsibility for stormwater?**

The City is responsible for managing all aspects of stormwater within its jurisdiction. The City operates and maintains drainage facilities that are located within the public right-of-way. The City does not maintain facilities that are located on private property or that fall under the jurisdiction of other governmental jurisdictions such as Cleveland County.

**Why has the City of Shelby chosen to implement a separate fee for stormwater management?**

By establishing a dedicated funding source through stormwater fees, the City can ensure that the revenue required to manage and to maintain this important system is available. A stormwater utility program will enable the City to take a more aggressive approach to stormwater management. The additional funds raised through the stormwater fee will allow the City to provide an increased level of system maintenance and repair that is necessary to support the aging infrastructure in Shelby. In addition, the utility fees will enable the City to construct necessary capital improvement projects to reduce the risk to public health and safety. Finally, the fees will support the development of a comprehensive stormwater management and quality improvement plan, as mandated by the State and Federal Governments.

**Why do I have to pay a stormwater fee?**

The City is responsible for compliance with new Federal and State regulations on water quality as well as providing stormwater management facilities and services. This includes installation and maintenance of storm drains, inlets, and ditches as well as public education. All of these services are done to protect personal and public property as well as provide for a healthy environment. Funding is not provided by Federal or State government for these services.

**What will the money collected by the Stormwater Utility be used to pay for?**

The revenues generated by this fee will be used to fund all stormwater-related services, which include enforcement of the City's stormwater ordinances, planning for future impacts, stormwater infrastructure maintenance and repairs, and construction of necessary capital improvement projects. The fee will also pay for annual compliance requirements of the City's National Pollutant Discharge Elimination System Municipal Separate Storm Sewer System (NPDES MS4) permit, which is a program mandated by the State and Federal government for all communities similar in size to Shelby.

**Why do we need to spend more for stormwater?**

Historically, the allocation of funds has not been sufficient to address all of the City's stormwater service needs. The City has provided stormwater services on a limited budget, which has resulted in a backlog of stormwater projects with certain maintenance activities being performed on an infrequent basis. Local, state, and federal laws also require that municipalities address the environmental impacts of

stormwater pollution, but do not provide funds to do it. Consequently, the City must investigate alternative means for raising revenue.

**When does the stormwater fee become effective?**

Stormwater Utility fees will be included with City of Shelby utility bills beginning in August 2014.

**Why is there a stormwater fee instead of a tax?**

A property's value does not affect runoff, so property taxes are not the most equitable way to pay for stormwater services. For example, a multi-story building and single story shopping mall may have similar value and pay similar property taxes. However, the shopping center produces more runoff because of the amount of parking and rooftops. The fee system ensures the shopping center pays a higher stormwater fee than the high rise.

**Will tax-exempt properties, such as churches, non-profit organizations, local, state and federal agencies, and public utilities have to pay a stormwater fee?**

Yes, because it is a fee – not a tax. Taxes are based on the value of the property. The stormwater fee is assessed based on the amount of impervious surface on the property (i.e. hard surfaces such as roofs, driveways, and parking lots), which is directly related to the amount of runoff the property produces. The runoff generated by these impervious surfaces contributes to pollution and flooding problems and, therefore, all property owners should pay their share of the costs.

**What is the basis for the fee that is to be charged?**

The stormwater utility fee is based on the square footage of impervious surface area on your lot. The vast majority of utilities across the country have found this to be the most equitable way to charge and collect revenues for this program. A stormwater quality utility fee is similar to a water or sewer fee. In essence, customers pay a fee related to the amount of runoff generated from their site, which is directly related to the amount of impervious surface on the site.

**What is impervious surface area?**

Impervious surface area is any surface that does not readily absorb water and impedes the natural infiltration of water into the soil. Common examples include roofs, driveways, parking areas, sidewalks, patios, decks, tennis courts, concrete or asphalt streets, crushed stone and compacted gravel surfaces.

**How are impervious surfaces determined?**

Impervious areas will be determined by analyzing aerial photography to identify the amount of impervious surface on each property. This photography has been processed to produce scaled images from which accurate measurements can be made. On all new construction projects, site plans will be geographically referenced in the City's GIS mapping system to determine the impervious area.

**What is an Equivalent Residential Unit (ERU)?**

An ERU is the amount of impervious surface (measured in square feet) on a typical, single family, residential (SFR) property in Shelby. That amount is 2,600 square feet. The ERU was determined by performing detailed measurements of impervious

surfaces contained on a sample of single family residential (SFR) properties selected at random across all areas of the City. The resulting data was analyzed and the median impervious surface value for the data set determined the ERU value.

**How will residential properties be billed?**

Single-family homes will be charged a flat rate each month. The fee will appear on the City of Shelby utility bill.

**How are commercial property fees determined?**

Each commercial property will be measured to determine the amount of impervious area on the property. To determine the monthly fee, that total impervious area will be converted to ERUs based on one ERU per 2,600 square feet. The minimum Utility fee for any developed property shall not be less than one ERU. All ERU measurements will be rounded to the nearest tenth (Ex: 3.44 ERU = 3.4 ERU). After the ERU is determined for the property, the tiered fee schedule shall be utilized to determine the correct monthly fee.

**Is there anything I can do to reduce my commercial stormwater utility fee?**

Yes, the City adopted a stormwater fee credit policy that provides opportunities for commercial customers to reduce their monthly fee. Fee credits will be granted to customers that install best management practices on site that reduce the runoff burden to the City's stormwater system. More information may be acquired from the City's stormwater department link at [www.cityofshelby.com](http://www.cityofshelby.com) or by contacting the Engineering Department at 704-484-6840.

**How is billing for new properties initiated?**

New properties will begin paying the stormwater fee when a certificate of occupancy is issued by the City Inspections Department. This coincides with billing of utility services such as water, sanitary sewer, gas and electricity. New residential properties will be billed a single ERU. New commercial properties will be charged based on the amount of impervious area reported as required on the site plan which must be reviewed and approved by the City.

**How is billing data developed for properties which do not fit typical residential or commercial properties?**

The City Engineering Department staff is responsible for obtaining impervious area measurements for all properties within the City limits. Atypical properties may require additional research to obtain impervious areas, compute ERUs, and determine applicable fees. The Stormwater Administrator is responsible for obtaining and providing this information to the Customer Service Department so that accurate bills can be generated, sent, and collected.

**How will partial payments (or non-payment of the Stormwater Service Fee) be handled?**

Partial payments of the City utility bill will be applied to charges on the bill in accordance with the City's payment application schedule as maintained by the Customer Services Department. This procedure applies to all charges on the utility bill. Collection procedures for non-payment will follow the standard City process for collection of any delinquent utility bill.

### **How will rental properties be billed?**

For residential rental properties, generally, the party responsible for the City utility bill will receive the Stormwater Service Fee. In some special residential cases, the fee will be billed to the property owner or manager. For commercial rental properties, the bill will be sent to the party receiving the utility bill in the case of single tenants. Where multiple, commercial tenants are present on one parcel, the bill will be sent to the owner, property manager, or whoever is responsible for the tax bill. Special arrangements will be made for properties which do not have other City utility services. In these special cases, the bill can be sent to the owner, renter, or some other responsible party such as a mortgage company or trustee. In cases of disputed responsibility, the owner of the property will ultimately be responsible for payment of the service fee.

### **What happens when a residential property becomes vacant and all other utility services are cut off?**

A property's impact on stormwater quantity and quality doesn't change significantly because of occupancy; therefore the Stormwater Service Fee applies whether or not the property is occupied. Once a residential, rental property becomes vacant and other utilities are cut off, the owner will have a grace period of 6 months to re-rent the property and resume Stormwater Service Fee payment. Since the service fee covers the entire month in which it was billed, the 6-month grace period will start from the date the utility account was closed. Stormwater Service Fees for the vacant period will be waived so long as service payment is resumed within 6 months. If the grace period is exceeded, all accrued stormwater charges and any charges while vacant going forward will be the responsibility of the property owner. If the grace period is exceeded, water, sewer, gas and electrical services will not be connected, for property owner or prospective tenant, until the back Stormwater Service Fees are paid and the account is brought up to date.

### **What happens when a commercial property becomes vacant and all other utility services are cut off?**

A property's impact on stormwater quantity and quality doesn't change significantly because of occupancy; therefore the Stormwater Service Fee applies whether or not the property is occupied. When the property becomes vacant and other City utility services are cut off, the Stormwater Service Fee will be assigned to the property owner for payment. The City's standard collection procedures will apply if the owner is delinquent.

### **Are railroad tracks and rail beds impervious?**

Railroad tracks and roadbeds are pervious due to the gap-graded ballast used in construction which allows stormwater infiltration. Paved surfaces and buildings associated with railroad yard and facilities are impervious in the same way as other properties.

### **Do other cities have a stormwater fee?**

Approximately 65 cities in North Carolina have a stormwater fee. In North Carolina, cities such as Charlotte, Cornelius, Davidson, Huntersville, Matthews, Mint Hill, Kings Mountain, Pineville, Indian Trail, Stalling, Wilson, Greenville, High Point,

Greensboro, Durham, Winston-Salem, Fayetteville, Asheville, Mount Holly, Gastonia, Concord, Raleigh, and Wilmington use a stormwater utility fee.

**What are the goals of the City of Shelby's stormwater program?**

The stormwater program focuses on reducing the potential for the loss of life or property due to flooding and improving and protecting the quality of our lakes, rivers, and streams.

**What are some examples of drainage problems?**

Drainage problems may include roadway or structural flooding, clogged or failing underground pipes and culverts, stream bank erosion and stormwater pollution affecting a stream.

**Why do I have to pay when I do not have any drainage problems?**

Everyone in the City benefits from the Stormwater Management Program. If stormwater runs off your property, the City must have a program and funding to manage the increase in runoff and pollutants. Direct benefits may include complying with Federal and State mandates, protecting your property from upstream runoff, protecting property downstream from your runoff, providing safe roadways, educating our children about pollution, and improving water quality.

**I have a drainage problem in my yard, who do I call to get help with this problem?**

You can call the City of Shelby – Engineering Department at 704-484-6840. If the problem is a City responsibility, we will investigate your concern and advise you of what action can be taken.

**Where can I get more information regarding the stormwater utility?**

More information is available by calling the Engineering Department at 704-484-6840 or by visiting the City of Shelby's webpage at [www.cityofshelby.com](http://www.cityofshelby.com).

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