



DEPARTMENT OF
PUBLIC UTILITIES

STORMWATER SERVICE AND CLEAN RIVER FEE CREDITING MECHANISM

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REGULATION REGARDING STORMWATER SERVICE FEE AND
CLEAN RIVER FEE

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Article 1: Definitions

1.1 Credit

"Credit" means an on-going reduction in a customer's stormwater service fee and/or clean river fee given for certain qualifying activities which reduce either the impact of increased stormwater runoff, reduces the City's costs of providing stormwater management, or create Green Infrastructure. The qualifying activities are prescribed herein.

1.2 Stormwater Control Practice

"Stormwater control practice" means a practice which provides temporary or permanent storage of stormwater runoff in ponds, parking lots, depressed areas, buried underground vaults or tanks, etc., for future release, and is used to attenuate flow or eliminate subsequent surface discharges.

1.3 Public Stormwater Open Channel

"Public stormwater open channel" means 1) all open channels which convey, in part or in whole, stormwater; 2) that is an open channel which has a permanent/drainage/stormwater easement owned by the City of Columbus or is located within City of Columbus owned property; and 3) drains an area which includes City of Columbus owned property or public right-of-way. A public stormwater open channel does not include roadside ditches which convey only immediate right-of-way (roadside) drainage.

1.4 Stormwater

"Stormwater" means stormwater runoff, snow melt runoff, and surface runoff and drainage.

1.5 Green Infrastructure

"Green Infrastructure" or "GI" means stormwater quality or quantity BMP's that provide a function in addition to stormwater management such as water reuse, providing greenspace or habitat in the City, and/or reducing greenhouse gas emission reduction. Examples of green infrastructure include bioretention facilities, pervious pavements, green roofs, rainwater harvesting systems, and shallow constructed wetlands.

1.6 Manual

"Manual" means the most current version of the City's Stormwater Drainage Manual.

1.7 Clean River Fee

"Clean River Fee" (also known as the "Wet Weather Charge") means the sanitary sewer charge set forth in Columbus City Code Chapter 1147.

Article II: General Provisions

2.1 Statutory Authorization

This regulation of the Department of Public Utilities, Division of Sewerage and Drainage, is adopted pursuant to Columbus City Code Chapters 1147 and 1149, as authorized by the Director of the Department of Public Utilities.

2.2 Purposes

The following purposes are served by this rule:

1. To encourage non-single family home property owners to install and operate stormwater control practices that exceed the requirements of the Manual which either reduce the impact of stormwater runoff from their property and/or the City's cost of providing stormwater management.
2. To encourage the use of Green Infrastructure to meet the requirements of the Manual.
3. To treat property owners inside and outside the City equitably by applying the Credit for peak flow reduction to the Clean River Fee.

2.3 Renewal of Credits

All Credits shall expire at the end of odd-numbered years. The City shall send a renewal form to each affected customer prior to the expiration of the Credit. Renewal will require the customer to confirm that each stormwater control practice or ditch is being maintained and Credit is still applicable.

2.4 Repeal of Prior Rules and Regulations

This regulation supersedes and replaces all prior rules and regulations regarding Stormwater Service Fee; Clean River Fee; and Residential Backyard Conservation Program, and all such rules and regulations are hereby repealed.

Article III: Credit for Peak Flow Reduction

3.1 Eligibility

All properties other than single-family residential properties that discharge to a stormwater control practice are eligible to receive a Credit in the property's stormwater service fee. The Credit applies to any new or existing developments that meet the standards set forth herein.

3.2 Application

The Credit for Peak Flow Reduction is available upon successful completion of the application process, including the submittal of all necessary engineering calculations, documentation, proof of required information, signed and stamped by a professional engineer registered in the State of Ohio.

3.3 Determination

The Credit, if any, will be given to all eligible properties, provided:

1. Total site discharge control exceeds the City's flow reduction requirements by an amount calculated on the basis of standard engineering formulas established and approved for use by Administrator of the Division of Sewerage and Drainage;
2. The control practice(s) meets the construction and maintenance standards in effect at the time of construction;
3. A complete credit application form has been submitted; and
4. There has been provided to the City a signed right-of-entry by the owner thereof.

The determination regarding whether a property exceeds the City's flow reduction requirements for purposes of section 3.4 will be based on the Manual.

3.4 Limits

The amount of credit varies according to the amount of peak flow reduction. The maximum amount of Credit for Peak Flow Reduction available for exceeding the minimum retention/detention design, construction, and maintenance standards is 80 percent.

3.5 Renewal

Customers must submit renewal forms as set forth in section 2.3 of this Rule. Failure to operate or maintain the control practice(s) as designed shall be reason for forfeiture of the Credit. The City shall notify the property owner/operator of the practice's deficiencies.

Article IV: Credit for Public Stormwater Open Channel Maintenance

4.1 Eligibility

All properties other than single-family residential properties who maintain public stormwater open channels are eligible to receive a Credit in the property's stormwater service fee. The Credit applies to any new or existing developments that meet the standards set forth herein.

4.2 Application

To receive the credit, the property owner must provide to the City:

1. A site plan at appropriate scale indicating the open channel proposed to be maintained;
2. Evidence that the channel meets the definition of public stormwater open channel;
3. Evidence indicating the size of the tributary area to the open channel;
4. Evidence of an easement dedicated to the City;
5. A statement signed by the property owner releasing the City from any assumed maintenance activities on the open channel; and
6. A written commitment to maintain the open channel to a minimal City standard, including but not limited to the requirements set forth in Article V.

4.3 Determination

1. For public stormwater open channels draining an area of 10 acres or larger, the property will receive a stormwater service fee Credit of one dollar and fifty cents (\$1.50) per year per lineal foot of public stormwater open channel maintained and meeting all applicable sections of this regulation.
2. For public stormwater open channels draining an area less than 10 acres, the property will receive a stormwater service fee Credit of seventy-five cents (\$0.75) per year per lineal foot of public stormwater open channel maintained and meeting all applicable sections of this regulation.

If all requirements and conditions of this section are met, the credit will be applied to the property and become effective the date a completed maintenance credit application was submitted.

4.4 Limits

The amount of the credit cannot exceed the stormwater service fee.

4.5 Renewal

Customers must submit for renewal as set forth in section 2.3 of this Rule. Failure to maintain the open channel shall be reason for forfeiture of the Credit. The amount of forfeiture shall be based upon the length of the property owner's channel affected by this failure to maintain. The City shall notify the property owner of this forfeiture and actions necessary to receive applicable Credit.

Article V: Stormwater Open Channel Maintenance Standards

5.1 Minimal City Standards

The following standards of maintenance shall apply to open channels:

1. The open channel shall be kept free from any debris, vegetation and material which does or could inhibit the normal flow of water.
2. Any erosion occurring on the open channel shall be repaired, so as to prevent further erosion from occurring.
3. Sediment deposited in the streambed which inhibits the normal flow of water shall be removed.

Article VI: Credit for Green Infrastructure

6.1 Eligibility

All properties other than single-family residential properties are eligible for a Credit in the property's stormwater service fee by installing and maintaining GI. The Credit applies to any new or existing developments that meet the standards set forth herein.

6.2 Application

The Credit for GI is available upon successful completion of the application process, including the submittal of all necessary engineering calculations, documentation, proof of required information, signed and stamped by a professional engineer registered in the State of Ohio.

6.3 Determination

GI stormwater control facilities provide additional benefits to the City and the community. Those benefits may include water reuse, providing greenspace or habitat in the City, and/or greenhouse gas emission reduction. The City wants to encourage developers to include more GI in developments. Thus, the City will provide a Credit for GI even if the performance requirements of the Manual are not exceeded.

When GI is utilized to provide all the necessary water quality control for an area of impervious surface, the GI credit will equal 25% of the stormwater fee for the impervious surface controlled by the GI. When GI is utilized to provide all the necessary water quality and quantity control for an impervious surface area, the GI Credit will equal 100% of the stormwater fee for the impervious surface controlled by the GI.

6.4 Renewal

Customers must submit renewal forms as set forth in section 2.3 of this Rule. Customers must provide information required by the renewal form including any necessary reports or documentation. Failure to operate or maintain the practice as designed shall be reason for forfeiture of the Credit. The City shall notify the property owner/operator of the practice's deficiencies.

Article VII: Clean River Fee

7.1 Eligibility

City Council has enacted a sanitary sewer charge designed to help off-set the costs of the City's compliance with a mandate to reduce wet weather overflows from its sewers. See Columbus City Code 1147.01(aq). This wet weather charge, known as the Clean River Fee, is based on the same ERU calculation used to determine stormwater service charges. The Clean River Fee is applicable to all users of the City's sanitary sewer system, including non-City users.

7.2 Determination

Any customer who qualifies for a stormwater Credit pursuant to Articles III (Peak Flow) of this rule may also receive a Credit for the applicable Clean River Fee. Non-Columbus customers may apply for the Credit for the Clean River Fee by filing an application with the City that demonstrates the customer meets the requirements of Articles III.