



DEPARTMENT OF
PUBLIC UTILITIES

STORMWATER SERVICE AND CLEAN RIVER FEE CREDITING MECHANISM AND RESIDENTAL CONSERVATION PROGRAM

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REGULATION REGARDING STORMWATER SERVICE FEE; CLEAN
RIVER FEE; AND RESIDENTIAL BACKYARD CONSERVATION
PROGRAM

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Article 1: Definitions

- 1.1 "Credit" means a reduction in a customer's stormwater service 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 creates Green Infrastructure. The qualifying activities are prescribed herein.
- 1.2 "Stormwater control facility" means a facility 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. Stormwater facilities within this category do not meet the definition of green infrastructure.
- 1.3 "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" means discharges to surface waters that originate from precipitation events.
- 1.5 "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, permeable pavement, green roofs, and rainwater harvesting.
- 1.6 "Manual" means the most current version of the City's Stormwater Drainage Manual.
- 1.7 "Clean River Fee" (also known as the "Wet Weather Fee") means the sanitary sewer charge set forth in Columbus City Code 1147, which is based upon the Equivalent Residential Unit as defined in Chapter 1149, which establishes the stormwater service fee that is the subject of this rule.

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, Chapter 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 controls that exceed the requirements of the Manual, which either reduces the impact of stormwater runoff from their property and/or reduces 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 encourage single family homeowners to participate in the City's Backyard Conservation Program and reduce stormwater runoff from their properties.
4. To treat property owners inside and outside the City equitably by applying the peak credit 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 customer prior to the expiration of the credit. Renewal will require the customer to confirm that the BMP or ditch is being maintained and credit is still applicable.

2.4 Repeal of Prior Rules

All prior rules regarding Stormwater Service Fee Crediting Mechanism are hereby repealed.

2.5 Existing Credits

All credits that were granted before the enactment of this rule will expire on December 31, 2013. Any customer who wants an existing credit to continue must apply for a credit under the terms of this rule by November 29, 2013.

Article III: Peak Flow Credit Mechanism

- 3.1 All properties, other than properties zoned single family residential, which have constructed stormwater control facilities are eligible for a percentage reduction, or credit, in that property's stormwater service fee if total site discharge is reduced to exceed the performance requirements of the Manual. The credit applies to any new or existing developments that meet the standards set forth herein.
- 3.2 The Peak Flow credit 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. Customers that have an existing credit must reapply for the credit by November 29, 2013 and provide sufficient information to demonstrate that the property meets the requirements of this rule. If the customer has previously provided sufficient engineering documents, the documents do not need to be resubmitted.
- 3.3 Peak Flow credit is available only for those eligible properties whose total site discharge is reduced to exceed criteria of the current version of the Manual.
- 3.4 The amount of reduction (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 facility(ies) meets construction and maintenance standards in effect at the time of construction; 3) for which 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 amount of credit varies according to the amounts of peak flow reduction. The maximum amount of peak flow reduction (credit) available for exceeding the minimum retention/detention design, construction, and maintenance standards is 80 percent.
- 3.5 The determination regarding whether a site exceeds the City's flow reduction requirements for purposes of section 3.4 will be based on the most current version of the City's Stormwater Drainage Manual.
- 3.6 All property owners that are receiving a Peak Flow credit on the day this rule is effective may continue to receive the credit until December 31, 2013, at which time it expires. Property owners may reapply to continue to receive the credit, but credit will only be granted if the property owner meets the requirements of this rule.
- 3.7 Customers must submit renewal forms as set forth in section 2.3 of this Rule. Failure to operate or maintain the control facility(ies) as designed shall be reason for forfeiture of the credit. The City shall notify the property owner/operator of the facility's deficiencies.

Article IV: Credit for Public Stormwater Open Channel Maintenance

- 4.1 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.
- 4.2 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) must maintain the open channel to a minimal City standard, including but not limited to the requirements set forth in Article V.
- 4.3 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 fifty cents (\$1.50) per year per lineal foot of public stormwater open channel maintained and meeting all applicable sections of this regulation.
- 4.4 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.
- 4.5 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.
- 4.6 The amount of the credit cannot exceed the stormwater service fee.
- 4.7 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-Minimum Standards

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

Article VI – Green Infrastructure Crediting Mechanism

- 6.1 All properties other than single-family residential properties are eligible to receive a direct cost reduction (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 The GI credit 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 GI Stormwater BMPs 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.
- 6.4 When GI is utilized to provide all the necessary water quality control for the 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 impervious surface, the GI credit will equal 100% of the stormwater fee for the impervious surface controlled by the GI.
- 6.5 The following BMPs qualify as GI: bioretention facilities, permeable pavement with infiltration, green roofs, and rainwater harvesting. A traditional retention or detention pond does not qualify as GI.
- 6.6 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 facility as designed shall be reason for forfeiture of the credit. The City shall notify the property owner/operator of the facility's deficiencies.

Article VII – Backyard Conservation Program

- 7.1 Columbus' Backyard Conservation Program is available to all single-family and two-family homes in the City of Columbus. The purpose of the Backyard Conservation Program is to encourage our residents to engage in best management practices regarding stormwater. Installing a rain barrel can both diminish the amount of rainwater leaving a property, and encourage water conservation as the rain barrel can be used to water lawns and gardens.
- 7.2 To qualify for the Backyard Conservation Program, Columbus residents must meet the following requirements: 1) become members of GreenSpot; 2) attend or watch on-line an informational video regarding rain barrels and stormwater best practices; and 3) pass a quiz regarding the video.
- 7.3 Once qualified, the residents are eligible to obtain a rain barrel at cost. Each address is limited to two rain barrels. For more information, please go to www.GreenSpotRainBarrels.org

Article VIII – Clean River Fee

- 8.1 City Council has enacted a sanitary sewer charge designed to help offset the costs of the City's compliance with a mandate to reduce wet weather overflows from its sewers. See Columbus City Code 1147.01(ao). This fee, known as the Clean River Fee, is based on the same ERU calculation used to determine stormwater fees.
- 8.2 The Clean River Fee is applicable to all users of the City's sewer system, including non-City users.
- 8.3 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.