

## **Storm Water Charge**

### **CREDITS AND FEE ADJUSTMENTS APPEALS MANUAL**



City of Wilmington, DE

**July 2018**

# TABLE OF CONTENTS

---

1.0	GENERAL INFORMATION .....	1
1.1	Overview .....	1
1.2	Storm Water User Fee .....	1
1.3	Purpose.....	2
1.4	Definitions.....	3
2.0	STORM WATER CREDITS.....	5
2.1	Objective .....	5
2.2	Credit Policies .....	5
2.3	Storm Water Credits Application Requirements .....	8
2.4	Credits Application Procedures .....	9
3.0	STORM WATER FEE ADJUSTMENT APPEALS.....	11
3.1	Objectives.....	11
3.2	Fee Adjustments Appeal Policies.....	11
3.3	Fee Adjustment Appeal Application Requirements .....	13
3.4	Fee Adjustment Appeals Application Procedures .....	14
4.0	STORM WATER CREDITS AND FEE ADJUSTMENTS EXAMPLES.....	15
4.1	Storm Water Credits .....	15
4.2	Storm Water Fee Adjustments Appeal.....	16
	APPENDIX.....	18
	Table 1 Residential Storm Water Classes.....	19
	Table 2 Condominium Storm Water Classes.....	19
	Table 3 All Other Storm Water Classes.....	19
	Form A - Residential Storm Water Fee Adjustments Request.....	A-1
	Form B - Non-residential Storm Water Fee Adjustments Request.....	B-1
	Form C - Condominium Storm Water Fee Adjustments Request .....	C-1
	Form D Storm Water Credit Request .....	D-1
	Form E Storm Water Credit Renewal Request .....	E-1
	Form F Storm Water Notice of Disposition.....	F-1



# Storm Water Credits and Fee Adjustments Appeals Manual

---

## 1.0 GENERAL INFORMATION

### 1.1 Overview

The City of Wilmington's integrated storm water management program addresses the storm water needs of the City while protecting its water resources. The major goal of this program is to reduce the amount of pollutants discharged into the surface waters including rivers and creeks. These pollutant discharges occur as a consequence of storm water run-off, combined sewer overflows and wastewater treatment plant discharges.

The City is engaged in several management activities to mitigate the impact of these pollutant loads on rivers, including pre- and post-construction storm water management, watershed planning and protection, waste water treatment plant improvements, reduction of volume and frequency of combined sewer overflows, and surface water quality enhancement efforts through the promotion of storm water quality and quantity management utilizing best management practices.

### 1.2 Storm Water User Fee

The City of Wilmington (City) implemented a Storm Water Charge, effective January 1, 2007, pursuant to City Code Section 45-53, to provide a designated source of revenue for the City's storm water management, Combined Sewer Overflow (CSO) mitigation activities, and surface water quality management activities. These activities benefit everyone in the City by protecting the City streets and properties from flooding, pooling, erosion, pollution problems, property damage, and also enable the City to comply with federal and state regulatory requirements.

The key objective of the storm water user fee program is to facilitate equitable recovery of the City's integrated storm water management costs from all the parcels within the City's limits.

As it is not feasible for the City to measure the actual storm water runoff that occurs from a parcel, the City has defined a storm water user fee based on a parcel's estimated effective impervious area. The impact of a parcel on the City's storm water and CSO mitigation operations is quantified using a surrogate measure such as a parcel's impervious area from which storm water runoff occurs. Impervious area typically refers to any hard and compacted surface area including paved areas, hard undeveloped surfaces, buildings, rooftops, driveways, walkways, decks and patios, compacted grassed areas and parking lots. The City determines the impervious areas of parcels in two ways depending on the use of the parcel.

**Residential Parcels:** For all the residential parcels, which include the single family (SWR) and the multi-family residential (SWM) parcels, the impervious area is determined based on the actual main floor, attached area, and detached structure square footage data recorded in the County's tax assessment system. Based on the impervious area determined, SWR and SWM parcels are assigned to one of the four tiers of impervious area listed in Table 1, in Appendix A.

**Non Residential and Condominium Parcels:** The impervious area is estimated for all non-residential parcels including condominiums and multi-family apartments, by multiplying a parcel's gross area by the runoff factor assigned to each non-residential parcel. The parcel's gross area is obtained from New Castle County's (County) Tax assessment systems. The City first assigns a non-residential parcel to one of eleven non-residential storm water classes based on that parcel's land use code. The land use code is assigned by New Castle County, based on the occupancy permit that is issued to the parcel. Tables 2 and 3 in Appendix provide a list of the non-residential storm water classes and the corresponding runoff.



## Storm Water Credits and Fee Adjustments Appeals Manual

---

### 1.3 Purpose

In conjunction with the implementation of the storm water charge, the City has established a **storm water credits** and **fee adjustments** appeals program.

**Storm Water Credits:** The purpose of the storm water credits program is to enable non-residential parcel owners to seek reduction in storm water charges, if specific value added onsite storm water control measures have been implemented. The onsite storm water management measures need to significantly reduce the volume of runoff into the City's sewer system and/or enhance the water quality in the surface water bodies into which a parcel's runoff discharges. **Storm Water Credits** are associated with the construction, operation, and maintenance of privately owned storm water management facilities and/or non-structural best management practices that complement the City's storm water management efforts and support the City's CSO mitigation, storm water management and surface water quality protection activities. However, in the case of a credit application for a cemetery that has entered into a Cemetery Storm Water Management Easement Agreement with the City, the storm water management facilities and/or non-structural best management practices need not be privately owned to be eligible for a credit.

The purpose of the **fee adjustments appeals** process is to enable customers to seek fee adjustments for inaccurate assignment of storm water classification and/or inaccurate representation of a parcel's gross parcel area and/or impervious area.



# Storm Water Credits and Fee Adjustments Appeals Manual

---

## 1.4 Definitions

This section provides definitions for key terms relating to storm water credits and the fee adjustments appeals process described in this technical manual. See also the definitions section of the City Code § 45-53.

**All other storm water classes:** Refers to the various storm water classes, except the Single Family Residential Storm Water Class and the Condominium Storm Water Class.

**Appellant:** Refers to the parcel owner or the owner's authorized nominee who files an application for a fee adjustment appeal. (Not defined in City Code §45-53.)

**Applicant:** Refers to the parcel owner or the owner's authorized nominee who files an application for a storm water credit. (Not defined in City Code §45-53.)

**Best Management Practices (BMPs):** Best Management Practices are structural and/or non-structural stormwater management practices that are deployed in a property to control stormwater runoff and/or to improve the quality of stormwater runoff.

**Condominium:** Refers to the condominium parcels that are designated as such in the Assessor's Records of the New Castle County Department of Land Use, and includes both residential and non-residential condominiums.

**Condominium Unit:** Refers to one dwelling within a residential condominium or one component within a non-residential condominium.

**Dwelling:** Refers to one or more rooms, designed, and occupied or intended for occupancy as separate living quarters, with a kitchen, sleeping area and bathroom provided for the exclusive use of a single household.

**Equivalent Storm Water Unit (ESU):** A unit of measure that is set to equal the median impervious area square footage of the non-vacant, non-exempt parcels of the Single-Family Residential Storm Water Class.

**Equivalent Storm Water Unit Factor or ESU Factor:** Refers to the number of ESUs calculated for each parcel in the Condominium Storm Water Class and the All Other Storm Water Classes by dividing a parcel's impervious area by the ESU.

**Equivalent Storm Water Monthly Unit Rate or ESU Rate:** The Storm Water Charge Rate imposed monthly on the non-vacant, non-exempt parcels of the First Tier impervious area, of the Single-Family Residential Storm Water Class.

**Equivalent Storm Water Unit Ratio or ESU Ratio:** Refers to the number of ESUs assigned to each parcel in the Single-Family Residential Storm Water Class, based on the tier assigned to each parcel.

**Exempt Parcel:** Per Ordinance 14-013 (Amendment to Chapter 45 of the City Code regarding Water, Sewer, Stormwater Rates and Charges), effective July 1, 2015, no parcel in the City is exempt from stormwater charge.

**Impervious Area:** The total square feet of hard surface areas including buildings, driveways, any attached or detached structures, and paved or hard-scaped areas, or other surface areas that behave like an impervious area under wet weather conditions, that either prevent or restrict the volume of storm water that can enter into the soil, and/or thereby cause water to run off the surface in greater quantities or at an increased rate of flow than what would have occurred under natural undisturbed conditions.



## Storm Water Credits and Fee Adjustments Appeals Manual

---

**Non-residential classes:** The various storm water classes, except the single-family residential storm water class and the condominium storm water class. (Same definition as the ‘All other storm water classes’.) (Not defined in City Code §45-53.).

**NPDES Permit:** National Pollutant Discharge Elimination System permit means any permit authorizing the potential or actual point source discharge of pollutants to State waters, under prescribed conditions, pursuant to the State of Delaware “Regulations Governing the Control of Water Pollution.”

**NPDES General Permit:** Refers to NPDES permit issued by DNREC (Delaware Department of Natural Resources and Environmental Control), which covers multiple discharges of a point source category within a designated geographical area, in lieu of individual permits being issued to each discharge point (that covers one or multiple parcels).

**NPDES Individual Permit:** Refers to NPDES permit which is written for one specific facility (that may include one or more parcels) or site, by DNREC.

**Parcel:** Refers to any real property, either developed or undisturbed, which is assigned a tax parcel number.

**Paved Parcel:** Refers to a parcel upon which there is no structure except for paving, and which is assigned a “Paved” occupancy code in the Assessor’s records of the New Castle County Department of Land Use.

**Runoff Coefficients:** Multipliers used to estimate the impervious area for each of the “All Other Storm Water Class” parcels based on the square footage of the parcels as found in the New Castle County Department of Land Use records.

**Single-family Residential Storm Water Class:** Parcels with a single family, detached, semi-detached or attached dwelling.

**Storm Water Charge:** The monthly charge for storm water management assessed to a parcel within the city based on the use of the parcel on the last day of the month of the billing period.

**Storm Water Class:** The classes of uses defined such that the customers within a class have similar land use characteristics. A list of the storm water classes defined for the city is found in subsection 45-53(c).

**Tier:** The tier value that is assigned to each parcel in the Single-Family Residential Storm Water Class, based on the parcel’s actual impervious area.

**Vacant Parcel:** For the purposes of this article only, means a parcel upon which there is no structure except for some marginal structure such as fencing, and which is assigned a “Vacant” occupancy code in the Assessor’s records of the New Castle County Department of Land Use.

**Water Quality:** Refers to those characteristics of storm water runoff from a land disturbing activity that relate to the chemical, physical, biological or radiological integrity of water. (Not defined in City Code §45-53.)

**Water Quantity:** Refers to those characteristics of storm water that relate to the rate and volume of the storm water runoff resulting from land disturbing activities. (Not defined in City Code §45-53.)



# Storm Water Credits and Fee Adjustments Appeals Manual

## 2.0 STORM WATER CREDITS

### 2.1 Objective

The policies and procedures outlined for storm water credits processes is designed based on the following key objectives:

- Meet the City's CSO mitigation, storm water quantity management, and surface water quality protection operational needs.
- Provide a balance between simplicity and equitable cost recovery.
- Support the overall financial requirements of the combined sewer system.
- Provide an opportunity for non-residential parcels to obtain credits for reducing the storm water runoff to the City's combined sewer, separate storm sewer or surface water systems and/or enhancing the quality of storm water discharge by employing storm water Best Management Practices (BMPs).

### 2.2 Credit Policies

The system of credits defined in this *Storm Water Credits and Fee Adjustments Appeals Manual* (manual) is governed by the following policies:

#### 2.2.1 *Credit Application*

Only non-residential parcels are eligible to apply for storm water credits. Consequently, parcels assigned to the Single Family Residential and Multi-Family Residential storm water classes with charge codes of SWR1, SWR2, SWR3, SWR4, SWM1, SWM2, SWM3, or SWM4 are not eligible to apply for credits.

The **Storm Water Credits Application** (See Form D in the Appendix) and all supporting documentation must be filed by the applicant in writing, with the Commissioner of the Department of Public Works. The credit request may be filed any time but adjustments, if any, will be effective as stated in 2.2.9.

#### 2.2.2 *Types of Credits*

**Quantity Credits:** Quantity Credits are available to those properties that control storm water runoff entering into the City's combined sewer system, separate storm system or surface water system (rivers, streams, etc).

**Quality Credits:** Quality Credits are available on a case-by-case basis for parcels that implement BMPs to effectively control pollutants in the runoff and to enhance water quality.

**NPDES Credits:** NPDES credits are available for parcels that are governed by either an active "NPDES Individual Permit" or an active "NPDES General Permit", issued by DNREC, and are in full compliance with the permit requirements.

A parcel may be eligible for and can apply for one or more types of credits. However, the maximum aggregate storm water credit for any individual parcel cannot exceed 70% of the ESU Factor estimated for the parcel.



## Storm Water Credits and Fee Adjustments Appeals Manual

Credits will not be provided for storm water management systems that are under construction and/or are not fully functional and/or are not properly maintained, or parcels that are not in compliance with Individual or General NPDES permit requirements.

### 2.2.3 *Quantity Credits*

Quantity Credit is available to parcels that employ onsite structural storm water management measures such as retention or detention ponds, or other non-structural practices to manage storm water runoff. The applicant must unequivocally document and demonstrate the existence of fully functioning, privately owned and privately maintained storm water management facilities. In the case of a credit application for a cemetery that has entered into a Cemetery Storm Water Management Easement Agreement with the City, the storm water management facilities need not be privately owned to be eligible for a credit.

Quantity Credits may be provided if the parcel deploys stormwater management practices that meet one of the following technical criteria:

- Credits may be provided to parcels where the post-development peak storm water discharge rates do not exceed the pre-development peak discharge rates for the 2, 10, and 100 year frequency storm events. The allowable credit is as follows:
  - i. Facilities designed for a 2 and 10 year Storm: up to a 35% reduction
  - ii. Facilities designed for a 2, 10, and 100 yr Storm: up to a 50% reduction

The design standards and criteria of the storm water management structures must conform to the guidelines and design standards defined in Section 10.0 of the *Delaware Sediment and Stormwater Regulations* of Title 7 Natural Resources & Environmental Control Administrative Code issued by the Division of Soil and Water Conservation, of DNREC.

If quantity credits are provided, the City may at any time revoke the credits if the storm water management systems are found to be poorly maintained and/or non-functional.

### 2.2.4 *Quality Credits*

Water Quality Credits are available to parcels on a case-by-case basis, if the City determines that the parcel has implemented onsite Best Management Practices that significantly minimize pollutant levels in the storm water runoff. Water Quality Credits may be provided if the parcel deploys stormwater management practices that meet one of the following technical criteria:

- A maximum of up to 25% credit will be provided for areas that have BMPs to infiltrate the first inch of precipitation.
- A maximum of up to 10% credit will be provided for parcels that implement BMPs that produce a total suspended solid removal rate of greater than 80% of suspended solids in runoff from impervious areas during a 2 inch storm event.

If water quality credits are provided, the City may at any time revoke the credits for non-compliance of BMP standards.

In the case of a credit application for a cemetery that has entered into a Cemetery Storm Water Management Easement Agreement with the City, the storm water management facilities and/or non-structural best management practices need not be privately owned to be eligible for a credit.

### 2.2.5 *NPDES Credits*



## Storm Water Credits and Fee Adjustments Appeals Manual

NPDES Credits are available to parcels that possess a NPDES storm water permit that is approved and issued by DNREC. The allowable credit is as follows:

- i. Parcels with “NPDES Individual Permit” are eligible for a 10% Credit. These parcels must be in full compliance with the permit requirements including inspection, sampling, and other monitoring requirements for all the designated storm water outfalls. The parcel should not have had any violations during the preceding 24-month period, prior to the issuance or renewal of the credit.
- ii. Parcels with “NPDES General Permit” are eligible for a 5% Credit. These parcels must be in full compliance with the permit requirements including inspection, pollution plan, and other monitoring requirements for all the designated storm water outfalls. The parcel should not have had any violations during the preceding 24-month period, prior to the issuance or renewal of the credit.

The parcel should possess an approved Individual or General NPDES permit with defined Monitoring and Stormwater Management Plan (SMP) requirements. A Conditional “No Exposure” Exclusion certification will not qualify for a NPDES credit.

### 2.2.6 *Maximum Credits*

The maximum allowable storm water credits for *Quantity Reduction (Quantity Credits)* is 50% of the ESU Factor estimated for the parcel seeking the credit. The maximum allowable storm water credits for *Quality Control (Quality Credits)* is 25% of the ESU Factor. The maximum allowable storm water credits for *NPDES Individual Permit* is 10% and for *NPDES General Permit* is 5%, of the ESU Factor. However, the maximum aggregate storm water credit for any individual parcel cannot exceed 70% of the ESU Factor estimated for the parcel.

### 2.2.7 *Application Fee*

A credit application will not be considered complete and will not be processed unless accompanied by a non-refundable fee of \$100.00 per parcel, and by all other required supporting documentation as outlined in this *Storm Water Credits and Fee Adjustments Appeals Manual*. If the application fee check submitted is uncollectible, the Department of Public Works will terminate the technical review, until a valid application fee is credited.

### 2.2.8 *Bi-annual Renewal of Credits*

Any storm water quantity or quality credit that is provided to a parcel is contingent on continued maintenance and operation of the private storm water facilities or devices, as stipulated by the Commissioner of Public Works. Any storm water NPDES credit is contingent on continued compliance with the permit requirements, as stipulated by DNREC. The City may revoke the storm water credits at any time for non-compliance.

The approved credits are valid for a two year term. Renewal of the Credit is contingent on the Applicant submitting a **Storm Water Credits Renewal Application** (See Form E in the Appendix) accompanied by a non-refundable re-filing fee of \$50, by June 1st of the calendar year in which the credits are due to expire.

### 2.2.9 *Credit Adjustments*

For all storm water credit appeals received beginning January 1, 2008, any approved stormwater credits will become effective only from the billing period in which the appeal application is received. There will be no retroactive adjustments for prior billing periods.



## Storm Water Credits and Fee Adjustments Appeals Manual

However, in the case of changes to property ownership and/or to land use development, a grace period of up to six months from the date of the ownership change and/or land use classification change will be afforded to property owners, for filing a credit request and/or a credit renewal (if applicable) application.

If the application for credits is filed within that six month grace period, retroactive billing adjustments will be offered for stormwater charges assessed since the date of the ownership and/or land use classification change.

### 2.2.10 *Storm Water Charge Payment*

A pending credit request application shall not constitute a valid reason for non-payment of the currently assessed storm water charge. All storm water charges that are outstanding at the time of filing of the application must be paid in full prior to the City commencing the technical review, unless that requirement is waived in writing by the Commissioner of Public Works.

### 2.2.11 *Documentation Costs*

The City will not reimburse any costs that the applicant incurs in the preparation of the required documentation and/or the credit request application package.

### 2.2.12 *Burden of Proof*

The burden of proof shall be on the applicant to demonstrate the validity of the credit application by providing clear and convincing evidence.

### 2.2.13 *Right-of-Entry and Documentation Review*

Following submission of a storm water credits application, the City shall have an automatic Right-of-Entry into the parcel, following notice to the parcel owner, for the sole purpose of inspecting the facility/structure or system in the parcel for which the fee adjustment appeal is requested. The City shall also retain the rights to review all permit compliance documentation submitted to DNREC and all documentation required to be maintained at the facility, as stipulated by the NPDES permit.

### 2.2.14 *Decision*

The Department of Public Works will review and send a written disposition to the applicant, with a copy to the Director of Finance, within 60 days of the receipt of the fully completed credits request package, unless any extraordinary circumstances necessitate additional review time. The decision of the Commissioner of the Department of Public Works is final.

## 2.3 Storm Water Credits Application Requirements

The Applicant applying for storm water credits for one or more parcels must adhere to the following credit request application stipulations.

### 2.3.1 *Application*

Storm Water credit request for each parcel must be initiated by the applicant.

The applicant must submit a fully completed **Storm Water Credits Application** (See Form D in the Appendix) if applying for first time credits, or a fully completed **Storm Water Credits Renewal Application** (See Form E in the Appendix) if applying for renewal of credits. The application must be accompanied by the appropriate application fee and supporting documentation.



## Storm Water Credits and Fee Adjustments Appeals Manual

Only one application is allowed per parcel and the applicant may seek more than one type of credit defined in 2.2.2, in a single application. The applicant must submit a separate application package and application fee for each parcel being appealed.

### 2.3.2 *Supporting Documentation*

The applicant must provide the following technical documentation:

- a. Conceptual site plan and structural control location diagram showing the site, topographic details, overland flow paths, all storm water facilities, and surrounding area. Existing construction plans can be used but it must be verified that it was built according to the approved plans.
- b. Maps with locations, dimensions, and characteristics of existing and proposed storm drainage patterns and facilities.
- c. Topographic map outlining the size of the drainage area upstream of the developed parcel.
- d. Maps indicating existing and proposed grading and locations of all structures including buildings, parking, driveways, paving, and other impervious areas.
- e. Detailed engineering calculations that show the comparative results of pre-development runoff to post-development runoff that is routed through the storm water control structures.
- f. As-built construction drawings for new constructions and/or retrofitted existing construction.
- g. Copy of approved NPDES "Individual" or NPDES "General" permit (if applying for NPDES credit) and notice of violation or other compliance related notifications from DNREC issued within twelve months prior to the date of the credit request application.

The required technical documentation listed must be certified by a registered professional engineer or certified land surveyor.

The Commissioner may waive in writing the submission of a land survey.

### 2.3.3 *Fees*

Storm Water Credits are granted for a fixed term of two years and a first time request requires a non-refundable application fee of \$100.00 with the original application (Form D) submittal.

Bi-annual Storm Water credits renewal process requires a non-refundable application fee of \$50.00 with the renewal application (Form E) submittal.

The application fee can be paid by cash at the counter, or by check payable to the *City of Wilmington*. Please do not mail cash.

### 2.3.4 *Schedule*

The applicant can apply for first time storm water credits at anytime. However, storm water credits renewal application must be filed by **June 1<sup>st</sup>** of the calendar year in which the credits are due to expire.

## 2.4 Credits Application Procedures

The following general procedures will be adhered to during the receipt, processing, and disposition of the storm water credits application:

- 2.4.1 The applicant can either download Form D or Form E as appropriate from the City's website or request Customer Service to mail the application.



## Storm Water Credits and Fee Adjustments Appeals Manual

---

- 2.4.2 The completed application, supporting documentation, and the appropriate non-refundable application fee must be submitted to:
- The Commissioner of Public Works**  
City of Wilmington  
Louis L. Redding City/County Building  
800 N. French St., 6<sup>th</sup> Floor  
Wilmington, DE 19801
- 2.4.3 The Department of Public Works will review and send a written disposition (**Form F**) to the applicant, with a copy to the Director of Finance, within 60 days of the receipt of the fully completed storm water credits request package, unless any extraordinary circumstances necessitate additional review time.
- 2.4.4 Storm Water credits, if approved, will become effective as stated in 2.2.9.



# Storm Water Credits and Fee Adjustments Appeals Manual

## 3.0 STORM WATER FEE ADJUSTMENT APPEALS

### 3.1 Objectives

The policies and procedures outlined for storm water fee adjustments processes are designed based on the following key objectives:

- Provide a mechanism to address inaccuracies, if any, in storm water class assignment, in gross parcel area data provided by the County, or in residential impervious area data provided by the County.
- Provide a mechanism to address exceptions to storm water class based runoff coefficients assigned to non-residential parcels and used in impervious area estimation.

### 3.2 Fee Adjustments Appeal Policies

The system of fee adjustments appeals defined in this manual is governed by the following policies:

#### 3.2.1 *Reasons for Fee Adjustments Appeal Application*

The appellant can file for a fee adjustment for one or more of the following reasons as applicable:

- a. **Inaccurate Storm Water Classification or Tier:** The appellant can file an adjustment request if the storm water class or residential tier currently assigned is believed to be inaccurate.
- b. **Inaccurate Gross Parcel Area:** The appellant can file an adjustment request if the Gross Parcel Area, assigned to a parcel is believed to be incorrect.
- c. **Inaccurate Impervious Area Estimation:** The appellant can file an adjustment request if the actual impervious area of the parcel is different from the impervious area that the City has estimated based on the storm water class runoff coefficients.

The City will not accept fee adjustment appeal application for any reason other than those stipulated above.

#### 3.2.2 *Fee Adjustment Appeals Application*

The storm water charge fee adjustment appeal and all supporting documentation must be submitted by the appellant, in writing, to the Commissioner of the Department of Public Works. The appeal may be filed any time but adjustments, if any, will only be effective as stated in 3.2.4.

The following forms must be used when filing fee adjustment appeals:

- a. FORM A: Residential Appeals
- b. FORM B: Non Residential Appeals
- c. FORM C: Condominium Appeals

See Appendix for forms A, B and C.

#### 3.2.3 *Application Fee*

- a. A Fee Adjustment Appeal Application filed using **Forms A, B and C** for reasons (a), (b) and (c) listed in **3.2.1**, will not be considered complete and will not be processed unless accompanied by required supporting documentation as outlined in this Storm Water Credits and Fee Adjustments Appeals Manual.
- b. No application fee is required for filing adjustment appeals for reasons (a) listed in 3.2.1



# Storm Water Credits and Fee Adjustments Appeals Manual

- c. A Fee Adjustment Appeal Application filed using **Forms B and C** for reasons (b) and (c) listed in **3.2.1** should be accompanied by an application fee of \$100.00, payable to the City of Wilmington.

If the application fee check issued is uncollectible, the Department of Public Works will terminate the technical review, until a valid application fee is credited.

The application fee is refundable if the adjustments appeal is settled in the appellant’s favor. The appellant will forfeit the application fee if the appeal is settled in favor of the City.

### 3.2.4 *Storm Water Fee Adjustments*

For all storm water fee adjustment appeals received beginning January 1, 2008, pursuant to the technical review by the City, any approved stormwater fee adjustments will become effective only from the billing period in which the adjustment appeal application is received. There will be no retroactive adjustments for prior billing periods.

However, in the case of changes to property ownership and/or to land use development, a grace period of up to six months from the date of the ownership change and/or land use classification change will be afforded to property owners, to file a fee adjustment appeal application.

If the fee adjustment application is filed within that six month grace period, retroactive billing adjustments will be offered on stormwater charges assessed since the date of the ownership and/or land use classification change.

In the case of impervious area estimation appeal filed, for non-residential (FORM B) and condominium (FORM C), the City will apply the runoff co-efficients, as defined in Figure 1, for the various land cover delineations that may exist on a property:

**Figure 1: Runoff Co-efficients for Land Cover Delineations**

Type of Land Cover	Runoff Co-efficient
Water / River / Stream	0.00
Woods / Marsh / Wetlands	0.10
Grass	0.30
Loose Gravel	0.50
Compacted Gravel	0.75
Cobblestone	0.80
Concrete	0.95
Asphalt	0.95
Structures	1.00

*The corrections, if any, made to a parcel’s gross and/or impervious area acreage and/or storm water classification, may result in an increase or decrease of a parcel’s monthly storm water charge.*

An example of the revised runoff co-efficient calculated based on site specific land cover delineation is provided in Section 4.2.1.



## Storm Water Credits and Fee Adjustments Appeals Manual

### 3.2.5 *Storm Water Charge Payment*

A pending fee adjustment appeal application shall not constitute a valid reason for non-payment of the assessed storm water charge. All storm water charges that are outstanding at the time of the application must be paid in full prior to the City commencing the technical review. Any storm water charge bill that is received during the adjustment appeal application review process need to be paid in full.

### 3.2.6 *Documentation Costs*

The City will not reimburse any costs that the appellant incurs in the preparation of the required documentation and/or the fee adjustment appeals application package.

### 3.2.7 *Burden of Proof*

The burden of proof shall be on the appellant to demonstrate the validity of the appeal by providing clear and convincing evidence.

### 3.2.8 *Right-of-Entry*

Following submission of a fee adjustment appeals application, the City shall have an automatic Right-of-Entry into the parcel, following notice to the parcel owner, for the sole purpose of inspecting the facility/structure or system in the parcel for which the fee adjustments appeal is requested.

## 3.3 Fee Adjustment Appeal Application Requirements

The appellant applying for storm water fee adjustments for one or more parcels must adhere to the following fee adjustment application stipulations.

### 3.3.1 *Application*

The fee adjustments appeal for each parcel must be initiated by the appellant.

The appellant must submit a fully completed **Storm Water Fee Adjustment Appeal Application** (See Form A, Form B or Form C in the Appendix) accompanied by the appropriate application fee and supporting documentation, as outlined in 3.2.2 and 3.2.3.

Only one application is allowed per parcel, and the application may seek more than one type of fee adjustment defined in 3.2.1. The appellant must submit a separate application package and application fee for each parcel being appealed.

### 3.3.2 *Supporting Documentation*

The appellant must provide the following technical documentation when filing for a storm water fee adjustments appeal:

- a. **Inaccurate Storm Water Classification:** Appellant must submit valid documentation such as occupancy permit, parcel deed, and parcel map to provide convincing evidence of the need for reclassification of the storm water class.
- b. **Inaccurate Gross Parcel Area:** Appellant must submit valid documentation prepared by a registered land surveyor showing gross parcel area. In addition, the appellant may provide documentation such as parcel deed and parcel map to demonstrate the correct gross parcel area and any other information the Commissioner may specify.
- c. **Inaccurate Impervious Area Estimation:** Appellant must submit valid documentation such as site plan, parcel map, "as-built" construction drawings, and impervious area calculations certified by a registered land surveyor or a professional engineer, to demonstrate the need for



## Storm Water Credits and Fee Adjustments Appeals Manual

assigning a runoff factor lower than the stormwater class based runoff that the City has assigned.

The Commissioner may waive in writing the submission of a land survey.

### 3.3.3 **Fees**

Storm Water Fee Adjustment Appeal requested using **Form B and Form C** requires an application fee of \$100.00 with the application package submittal.

Storm Water Fee Adjustment Appeals requested using Form A does not require an application fee.

The application fee can be paid by cash, or by check payable to the *City of Wilmington*. Do not mail cash.

### 3.3.4 **Schedule**

The appellant can apply for a fee adjustment at anytime. However, all storm water charge adjustments will be effective as outlined in section 3.2.4.

## 3.4 Fee Adjustment Appeals Application Procedures

The following general procedures will be adhered to during the receipt, processing, and disposition of the storm water fee adjustments appeals process:

- 3.4.1 The appellant can either download Form A, Form B or Form C from the City's website or request Customer Service to mail the application.
- 3.4.2 The completed application, supporting documentation, and the appropriate non-refundable application fee, if any, must be submitted to:  
**The Commissioner of Public Works**  
City of Wilmington  
Louis L. Redding City/County Building  
800 N. French St., 6<sup>th</sup> Floor  
Wilmington, DE 19801
- 3.4.3 The Department of Public Works will review and send a written disposition (**Form F**) to the appellant, with a copy to the Director of Finance, within 60 days of the receipt of the fully completed storm water fee adjustments appeals package.
- 3.4.4 Storm Water charge adjustments, if approved, will become effective as stated in 3.2.4



# Storm Water Credits and Fee Adjustments Appeals Manual

## 4.0 STORM WATER CREDITS AND FEE ADJUSTMENTS EXAMPLES

### 4.1 Storm Water Credits

The following examples illustrate the calculation procedures that would be applied in the assessment of monthly storm water charges, if storm water credits are approved for a parcel. The examples are based on a non-residential parcel with an estimated 100 ESUs and a monthly ESU Rate of \$4.949/ESU.

#### 4.1.1 *Quantity Reduction Credit*

The following example shows the credit amount calculation and the billable monthly storm water charge for a parcel that is granted a Quantity Credit only.

Total original ESUs estimated for the parcel: 100 ESUs  
Total original monthly storm water charge:  $\$4.949 \times 100 = \$494.90$

Approved Quantity Credit: 45%  
Applied Quantity Credit Adjustment:  $45\% \times 100 \text{ ESUs} = 45 \text{ ESUs}$

Total **Billable ESUs** estimated for the parcel:  
Original ESUs – Quantity Credit =  $100 \text{ ESUs} - 45 \text{ ESUs} = 55 \text{ ESUs}$

Total **Billable monthly storm water charge**:  $\$4.949 \times 55 \text{ ESUs} = \mathbf{\$272.20}$

Quantity Credit Amount Issued to the Parcel:  $(\$494.90 - \$272.20) = \$222.70$

#### 4.1.2 *Quality Control Credit*

The following example shows the credit amount calculation and the billable monthly storm water charge for a parcel that is granted a Quality Credit only.

Total original ESUs estimated for the parcel: 100 ESUs  
Total original monthly storm water charge:  $\$4.949 \times 100 = \$494.90$

Approved Quality Credit: 10%  
Applied Quality Credit Adjustment:  $10\% \times 100 \text{ ESUs} = 10 \text{ ESUs}$

Total **Billable ESUs** estimated for the parcel:  
Original ESUs – Quality Credit =  $100 \text{ ESUs} - 10 \text{ ESUs} = 90 \text{ ESUs}$

Total **Billable monthly storm water charge**:  $\$4.949 \times 90 \text{ ESUs} = \mathbf{\$445.41}$

Quality Credit Amount Issued to the Parcel:  $(\$494.90 - \$445.41) = \$49.49$

#### 4.1.3 *NPDES Individual Permit Credit*

The following example shows the credit amount calculation and the billable monthly storm water charge for a parcel that is granted a NPDES Individual Permit Credit only.

Total original ESUs estimated for the parcel: 100 ESUs  
Total original monthly storm water charge:  $\$494.90$

Approved NPDES Individual Credit: 10%



## Storm Water Credits and Fee Adjustments Appeals Manual

Applied NPDES Credit Adjustment:  $10\% \times 100 \text{ ESUs} = 10 \text{ ESUs}$

Total **Billable ESUs** estimated for the parcel:

Original ESUs – NPDES Individual Credit =  $100 \text{ ESUs} - 10 \text{ ESUs} = 90 \text{ ESUs}$

Total **Billable monthly storm water charge**:  $\$4.949 \times 90 \text{ ESUs} = \mathbf{\$445.41}$

NPDES Individual Credit Amount Issued to the Parcel:  $(\$494.90 - \$445.41) = \$49.49$

### 4.1.4 *Water Quantity, Quality, and NPDES Credit*

The following example shows the credit amount calculation and the billable monthly storm water charge for a parcel that is granted a Quantity, Quality, and NPDES Credits.

Total original ESUs estimated for the parcel: 100 ESUs

Total original monthly storm water charge: \$494.90

Approved **Quantity** Credit: 45%

Approved **Quality** Credit: 10%

Approved NPDES Credit: 10%

Applied **Quantity** Credit Adjustment:  $45\% \times 100 \text{ ESUs} = 45 \text{ ESUs}$

Applied **Quality** Credit Adjustment:  $10\% \times 100 \text{ ESUs} = 10 \text{ ESUs}$

Applied **NPDES** Credit Adjustment:  $10\% \times 100 \text{ ESUs} = 10 \text{ ESUs}$

Total Applied Credit Adjustments:  $45 \text{ ESUs} + 10 \text{ ESUs} + 10 \text{ ESUs} = 65 \text{ ESUs}$

Total **Billable ESUs** estimated for the parcel:

Original ESUs – Credit Adjustments =  $100 \text{ ESUs} - 65 \text{ ESUs} = 35 \text{ ESUs}$

Total **Billable monthly storm water charge**:  $\$4.949 \times 35 \text{ ESUs} = \mathbf{\$173.22}$

Total Credit Amount Issued to the Parcel:  $(\$494.90 - \$173.22) = \$321.68$

## 4.2 Storm Water Fee Adjustments Appeal

The following example illustrates the calculation procedures that would be applied in determining a revised runoff co-efficient in the case of a non-residential property that files an adjustment appeal seeking impervious area variance, and in determining the revised monthly storm water charge.

### 4.2.1 *Inaccurate Impervious Area Estimation*

The calculations for this example are based on the following assumptions:

- Non-residential parcel belonging to the Commercial (SW01) storm water class with a Gross Parcel Area of 190,000 sq. ft.
- Impervious Area for this parcel is estimated using the City's assigned Commercial Storm Water Class based runoff coefficient of 95%
- The Monthly ESU Rate is \$4.949/ESU
- One ESU = 789 Sq. Ft.



## Storm Water Credits and Fee Adjustments Appeals Manual

- The property consists of a building that is 100,000 sq. ft.; sidewalks of 10,000 sq. ft.; gravel parking lot of 50,000 sq. ft.; and grass area of 30,000 sq. ft.

The runoff co-efficients are assigned to the various land cover delineations as shown in Figure 2. Applying the runoff co-efficients to the respective delineated land cover area, an impervious area is calculated for each delineated land cover area. The sum of all the delineated land cover impervious area yields the total impervious area for the property. Using the revised impervious area and the total property gross area, a runoff co-efficient specific to this property is calculated.

**Figure 2 – Calculation of a Runoff Co-efficient Based on Land Cover Delineation**

Land Cover Delineation (1)	Area (Sq. Ft.) (2)	Runoff Co-efficient (3)	Calculated Impervious Area (Sq. Ft.) (4)=(2)x(3)
Structures	100,000	1.00	100,000
Asphalt	10,000	0.95	9,500
Loose Gravel	50,000	0.50	25,000
Grass	30,000	0.30	9,000
<b>Total Property Gross Area</b>	<b>190,000</b>		<b>143,500</b>
<b>Revised Runoff Co-efficient calculated and assigned to this property: (143,500 Sq. Ft. / 190,000 Sq. Ft.) (Rounded)</b>			<b>0.755</b>

**Original Monthly Storm Water Charge Calculation:**

Total impervious area estimated for the parcel:

$$190,000 \text{ sq. ft.} \times 95\% \text{ (runoff coefficient)} = 180,500 \text{ sq. ft.}$$

Total original ESUs:  $180,500 \text{ sq. ft.} / 789 = 228.77 \text{ ESUs (Rounded)}$

Total **original** monthly storm water charge:  $228.77 \text{ ESUs} \times \$4.949 = \mathbf{\$1,132.18}$

**Revised Monthly Storm Water Charge Calculation:**

Total Impervious Area Based on Land Cover Delineation (from Table 1) = 143,500 sq. ft.

The revised runoff co-efficient =  $143,500 / 190,000 = \mathbf{.755}$  (rounded)

Total revised ESUs:  $143,500 \text{ sq. ft.} / 789 \text{ sq. ft.} = \mathbf{181.88 \text{ ESUs}}$

Total revised monthly storm water charge:  $181.88 \text{ ESUs} \times \$4.949 = \mathbf{\$900.12}$



## **APPENDIX**



**TABLE 1 - SINGLE FAMILY RESIDENTIAL PARCELS**

Impervious Area tiers	Impervious Area (Square Feet)	ESUs	Monthly Fee
SWR1/SWM1	0 to 799	1.00	\$4.95
SWR2/SWM2	800 to 1,299	1.45	\$7.18
SWR3/SWM3	1,300 to 2,399	2.48	\$12.27
SWR3/SWM4	2,400 and over	4.40	\$21.78

**TABLE 2 - CONDOMINIUM PARCELS**

Stormwater Class	Stormwater Charge Code	Stormwater Class Description	Runoff Factor
CNDL	SW02	Condominium Lead	Individually Determined

**TABLE 3 - ALL OTHER STORM WATER CLASSES**

Stormwater Class	Stormwater Charge Code	Stormwater Class Description	Runoff Factor
COM	SW01	Commercial	95%
GOV	SW03	Government	95%
IND	SW04	Industrial	90%
INS	SW05	Institutional	90%
MFA	SW06	Multi-Family Apartment	75%
PAR	SW08	Parks and Cemeteries	25%
PAV	SW09	Paved Surface	95%
PKG	SW10	Parking	95%
REC	SW11	Playground / Arenas	35%
UTI	SW12	Utilities	90%
VAC	SW13	Vacant	30%



# Form A-RESIDENTIAL

Request Number

## CITY OF WILMINGTON, DELAWARE STORM WATER FEE ADJUSTMENT REQUEST

Parcel ID: \_\_\_\_\_ Account#: \_\_\_\_\_ Date: \_\_\_\_\_

Parcel Owner: \_\_\_\_\_

Service Address: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Email: \_\_\_\_\_ Phone: \_\_\_\_\_

**REASON FOR FEE ADJUSTMENT REQUEST:** (Check one or more of the following)

**Inaccurate Storm Water Class:** Indicate the current class and the class that is being requested. (*See the reverse side of this form for a list of Storm Water Classes*).

Current SW Class: \_\_\_\_\_ Requested SW Class: \_\_\_\_\_

**Inaccurate Impervious Area:** For the three items listed in the table below, please indicate the actual area in square footage (Sq. Ft.) that you have delineated. Provide a site plan that shows the measurements of the main floor, attached structure, and detached structure as applicable.

Description	Measurement (Sq. Ft.)
Main Floor Area	
Attached Structure Area	
Detached Structure Area	

**OWNER CERTIFICATION and RIGHT-OF-ENTRY:**

I certify that the information contained in the application is, to the best of my knowledge, correct and represents a complete and accurate statement. I further understand that the storm water fee adjustment will be based on the information provided and the City may revoke the fee adjustment if a later determination indicates that the information provided was inaccurate. I hereby grant permission for a City representative to enter the parcel for the purpose of inspecting the facility/structure or system in the property for which fee adjustments appeal is requested.

\_\_\_\_\_  
Signature of Owner

\_\_\_\_\_  
Date



# Form A-RESIDENTIAL

**Request Number**

**CITY OF WILMINGTON, DELAWARE  
STORM WATER FEE ADJUSTMENT REQUEST**

**FOR CITY USE ONLY (To be completed by City):**

**Application Received By:** \_\_\_\_\_ **Date Received:** \_\_\_\_\_

**Application Reviewed By:** \_\_\_\_\_ **Date Reviewed:** \_\_\_\_\_

**Application Status:** Approved: \_\_\_\_\_ Denied: \_\_\_\_\_

**Remarks:**

Table 1 provides a list of Single and Multi-Family Residential Parcel tiers and their stormwater fees. Table 2 lists the Condominium class. Table 3 provides a list of the All Other Storm Water Classes and the associated Runoff Coefficients used in estimating the impervious area.

**TABLE 1 – RESIDENTIAL STORM WATER CLASSES**

Impervious Area Tiers	Stormwater Charge Code	Impervious Area (Sq. Ft.)	ESUs	Monthly Fee
Residential Tier 1	SWR1 / SWM1	0 to 799	1.00	\$4.95
Residential Tier 2	SWR2 / SWM2	800 to 1,299	1.45	\$7.18
Residential Tier 3	SWR3 / SWM3	1,300 to 2,399	2.48	\$12.27
Residential Tier 4	SWR4 / SWM4	2,400 and over	4.40	\$21.78

**TABLE 3 – ALL OTHER STORM WATER CLASSES**

Stormwater Class	Stormwater Charge Code	Stormwater Class Description	Runoff Factor
COM	SW01	Commercial	95%
GOV	SW03	Government	95%
IND	SW04	Industrial	90%
INS	SW05	Institutional	90%
MFA	SW06	Multi Family Apartment	75%
PAR	SW08	Parks & Cemeteries	25%
PAV	SW09	Paved Surface	95%
PKG	SW10	Parking	95%
REC	SW11	Recreational Playgrounds / Arenas	35%
UTI	SW12	Utilities	90%
VAC	SW13	Vacant	30%

**TABLE 2 – CONDOMINIUM STORM WATER CLASSES**

Stormwater Class	Stormwater Charge Code	Stormwater Class Description	Runoff Factor
CNDL	SW02	Condominium	Individually Determined

**Send the Completed Application and Supporting Documentation To:**

**The Commissioner**  
 Department of Public Works  
 Louis L. Redding City/County Building  
 800 N. French St., 6<sup>th</sup> Floor  
 Wilmington, DE 19801

**For inquiries, please call: (302) 576-3060**

(NOTE: A separate application form and supporting documentation must be filed for each parcel)



Form B-NON RESIDENTIAL
CITY OF WILMINGTON, DELAWARE
STORM WATER FEE ADJUSTMENT REQUEST

Request Number

Parcel ID: Account #: Date:

Parcel Owner:

Service Address:

Mailing Address:

Email: Phone:

REASON FOR FEE ADJUSTMENT REQUEST: (Check one or more of the following)

Inaccurate Storm Water Class: Indicate the current class and the class that is being requested. (See the reverse side of this form for a list of Storm Water Classes and their description).

Current SW Class: Requested SW Class:

Inaccurate Estimation of Impervious Area: Indicate the current Impervious Area and the revised Impervious Area that is being requested. Submit supporting documentation duly certified by a registered professional engineer or land surveyor. Required documentation includes site plan, parcel map, building plans, as-built drawings, and impervious area calculations.

Current Impervious: Sq. Ft. Requested Impervious: Sq. Ft.

Inaccurate Gross Parcel Area: Indicate the current Gross Area and the adjusted Gross Area that is being requested. Provide a professional engineer certified site plan or parcel deed containing total gross parcel area information.

Current Gross Area: Sq. Ft. Requested Gross Area: Sq. Ft.

APPLICATION FEE:

One-time Application Fee of \$100.00 Payable to the City of Wilmington.

OWNER CERTIFICATION and RIGHT-OF-ENTRY:

I certify that the information contained in the application is, to the best of my knowledge, correct and represents a complete and accurate statement. I further understand that the storm water fee adjustment will be based on the information provided and the City may revoke the fee adjustment if a later determination indicates that the information provided was inaccurate. I hereby grant permission for a City representative to enter the parcel for the purpose of inspecting the facility/structure or system in the property for which fee adjustments appeal is requested.

Signature of Owner

Date



**Form B-NON RESIDENTIAL  
CITY OF WILMINGTON, DELAWARE  
STORM WATER FEE ADJUSTMENT REQUEST**

<b>Request Number</b>
-----------------------

**FOR CITY USE ONLY (To be completed by City):**

**Application Received By:** \_\_\_\_\_ **Date Received:** \_\_\_\_\_

**Application Reviewed By:** \_\_\_\_\_ **Date Reviewed:** \_\_\_\_\_

**Application Status:** Approved: \_\_\_\_\_ Denied: \_\_\_\_\_

**Remarks:**

Table 1 provides a list of Single and Multi-Family Residential Parcel tiers and their stormwater fees. Table 2 lists the Condominium class. Table 3 provides a list of the All Other Storm Water Classes and the associated Runoff Coefficients used in estimating the impervious area.

**TABLE 1 – RESIDENTIAL STORM WATER CLASSES**

Impervious Area Tiers	Stormwater Charge Code	Impervious Area (Sq. Ft.)	ESUs	Monthly Fee
Residential Tier 1	SWR1 / SWM1	0 to 799	1.00	\$4.95
Residential Tier 2	SWR2 / SWM2	800 to 1,299	1.45	\$7.18
Residential Tier 3	SWR3 / SWM3	1,300 to 2,399	2.48	\$12.27
Residential Tier 4	SWR4 / SWM4	2,400 and over	4.40	\$21.78

**TABLE 3 – ALL OTHER STORM WATER CLASSES**

Stormwater Class	Stormwater Charge Code	Stormwater Class Description	Runoff Factor
COM	SW01	Commercial	95%
GOV	SW03	Government	95%
IND	SW04	Industrial	90%
INS	SW05	Institutional	90%
MFA	SW06	Multi Family Apartment	75%
PAR	SW08	Parks & Cemeteries	25%
PAV	SW09	Paved Surface	95%
PKG	SW10	Parking	95%
REC	SW11	Recreational Playgrounds / Arenas	35%
UTI	SW12	Utilities	90%
VAC	SW13	Vacant	30%

**TABLE 2 – CONDOMINIUM STORM WATER CLASSES**

Stormwater Class	Stormwater Charge Code	Stormwater Class Description	Runoff Factor
CNDL	SW02	Condominium	Individually Determined

**Send the Completed Application, Fee, and Supporting Documentation To:**

**The Commissioner**  
 Department of Public Works  
 City of Wilmington  
 Louis L. Redding City/County Building  
 800 N. French St., 6<sup>th</sup> Floor  
 Wilmington, DE 19801

**For inquiries, please call: (302) 576-3060**

**(NOTE: A separate application form, fee, and supporting documentation must be filed for each parcel)**



**Form C-CONDOMINIUM  
CITY OF WILMINGTON, DELAWARE  
STORM WATER FEE ADJUSTMENT REQUEST**

<b>Request Number</b>
-----------------------

**Parcel ID:** \_\_\_\_\_ **Account#:** \_\_\_\_\_ **Date:** \_\_\_\_\_

**Parcel Owner:** \_\_\_\_\_

**Service Address:** \_\_\_\_\_

\_\_\_\_\_

**Mailing Address:** \_\_\_\_\_

\_\_\_\_\_

**Email:** \_\_\_\_\_ **Phone:** \_\_\_\_\_

**REASON FOR FEE ADJUSTMENT REQUEST:** (Check one or more of the following)

- Inaccurate Storm Water Class:** Indicate the current class and the class that is being requested. (*See the reverse side of this form for a list of Storm Water Classes*).

Current SW Class: \_\_\_\_\_ Requested SW Class: \_\_\_\_\_

- Inaccurate Impervious Parcel Area:** For the two items listed in the table below, please indicate the revised area (Sq. Ft.) that is being requested. Provide a site plan that shows the delineations of the ground floor area, and any additional paved area.

Description	Requested (Sq. Ft.)
Ground Floor Area	
Additional Paved Area	

- Inaccurate Gross Parcel Area:** Indicate the current Gross Area and the revised Gross Area that is being requested. Provide a professional engineer certified site plan or parcel deed containing total gross parcel area information.

Current Gross Area: \_\_\_\_\_ Sq. Ft. Requested Gross Area: \_\_\_\_\_ Sq. Ft.

**APPLICATION FEE:**

- One-time Application Fee of \$100.00 Payable to the City of Wilmington.

**OWNER CERTIFICATION and RIGHT-OF-ENTRY:**

I certify that the information contained in the application is, to the best of my knowledge, correct and represents a complete and accurate statement. I further understand that the storm water fee adjustment will be based on the information provided and the City may revoke the fee adjustment if a later determination indicates that the information provided was inaccurate. I hereby grant permission for a City representative to enter the parcel for the purpose of inspecting the facility/structure or system in the property for which fee adjustments appeal is requested.

\_\_\_\_\_  
**Signature of Owner**

\_\_\_\_\_  
**Date**



**Form C-CONDOMINIUM  
CITY OF WILMINGTON, DELAWARE  
STORM WATER FEE ADJUSTMENT REQUEST**

<b>Request Number</b>
-----------------------

**FOR CITY USE ONLY (To be completed by City):**

**Application Received By:** \_\_\_\_\_ **Date Received:** \_\_\_\_\_

**Application Reviewed By:** \_\_\_\_\_ **Date Reviewed:** \_\_\_\_\_

**Application Status:** Approved: \_\_\_\_\_ Denied: \_\_\_\_\_

**Remarks:**

Table 1 provides a list of Single and Multi-Family Residential Parcel tiers and their stormwater fees. Table 2 lists the Condominium class. Table 3 provides a list of the All Other Storm Water Classes and the associated Runoff Coefficients used in estimating the impervious area.

**TABLE 1 – RESIDENTIAL STORM WATER CLASSES**

Impervious Area Tiers	Stormwater Charge Code	Impervious Area (Sq. Ft.)	ESUs	Monthly Fee
Residential Tier 1	SWR1 / SWM1	0 to 799	1.00	\$4.95
Residential Tier 2	SWR2 / SWM2	800 to 1,299	1.45	\$7.18
Residential Tier 3	SWR3 / SWM3	1,300 to 2,399	2.48	\$12.27
Residential Tier 4	SWR4 / SWM4	2,400 and over	4.40	\$21.78

**TABLE 2 – CONDOMINIUM STORM WATER CLASSES**

Stormwater Class	Stormwater Charge Code	Stormwater Class Description	Runoff Factor
CNDL	SW02	Condominium	Individually Determined

**TABLE 3 – ALL OTHER STORM WATER CLASSES**

Stormwater Class	Stormwater Charge Code	Stormwater Class Description	Runoff Factor
COM	SW01	Commercial	95%
GOV	SW03	Government	95%
IND	SW04	Industrial	90%
INS	SW05	Institutional	90%
MFA	SW06	Multi Family Apartment	75%
PAR	SW08	Parks & Cemeteries	25%
PAV	SW09	Paved Surface	95%
PKG	SW10	Parking	95%
REC	SW11	Recreational Playgrounds / Arenas	35%
UTI	SW12	Utilities	90%
VAC	SW13	Vacant	30%

**Send the Completed Application, Fee, and Supporting Documentation To:**

**The Commissioner**  
Department of Public Works  
City of Wilmington  
Louis L. Redding City/County Building  
800 N. French St., 6<sup>th</sup> Floor  
Wilmington, DE 19801

**For inquiries, please call: (302) 576-3060**

**(NOTE: A separate application form, fee, and supporting documentation must be filed for each parcel)**



**Form D**  
**CITY OF WILMINGTON, DELAWARE**  
**STORM WATER CREDITS APPLICATION**

<b>Request Number</b>
-----------------------

**I. General Information**

<b>Parcel ID:</b>	<b>Account # (from Utility Bill):</b>	<b>Date:</b>
<b>Parcel Owner:</b>	<b>Service Address:</b>	
<b>Owner Phone:</b>	<b>City / State / Zip:</b>	
<b>Owner Email:</b>	<b>Mailing Address:</b>	
<b>Authorized Nominee:</b>	<b>City / State / Zip:</b>	
<b>Nominee Phone:</b>	<b>Storm water Class (from Utility Bill):</b>	
<b>Nominee Email:</b>	<b>Credit Request:</b> Quantity <input type="checkbox"/> Quality <input type="checkbox"/> NPDES <input type="checkbox"/>	

**II. Required Documentation Checklist**

<b>Check if any of the following attachments are included:</b>	
<input type="checkbox"/> As-Built Drawings	<input type="checkbox"/> Site Map / Plan
<input type="checkbox"/> Drainage Area Maps	<input type="checkbox"/> Individual or General NPDES Permit
<input type="checkbox"/>	Pre-development and Post-development Calculations for the 2, 20, 25, 50 and 100 year Design Storms
<input type="checkbox"/>	Routing Calculations through the Facility or Control for the 2, 20, 25, 50 and 100 year Design Storms
<input type="checkbox"/>	Total Storage Volume of Facility or Control
<input type="checkbox"/>	Emergency Spillway Size, Type, Configuration and Rating
<input type="checkbox"/>	Maintenance Plan and Schedule
<input type="checkbox"/>	Application Fee of \$100.00 (Non-Refundable) Payable to the City of Wilmington

**III. Engineer Certification**

I certify that the "As-Built Drawings" and other maps are an accurate representation of the subject storm water facility or control, and that the required calculations have been performed as per acceptable engineering standards.

Registered Professional Engineer: \_\_\_\_\_

Registration Number: \_\_\_\_\_

Company: \_\_\_\_\_

Phone: \_\_\_\_\_ Email: \_\_\_\_\_

\_\_\_\_\_  
**Signature of Engineer**

\_\_\_\_\_  
**Date**



**Form D**  
**CITY OF WILMINGTON, DELAWARE**  
**STORM WATER CREDITS APPLICATION**

<b>Request Number</b>
-----------------------

**IV. Owner Certification and Right-of-Entry**

I certify that the information contained in the application and in the attached documents is, to the best of my knowledge, correct and represents a complete and accurate statement. I further understand that the storm water credit will be based on the information provided and the City may revoke the credit if a later determination indicates that the information provided was inaccurate. I hereby grant permission for a City representative to enter the parcel for the purpose of inspecting the facility/structure or system in the parcel for which storm water credit is requested.

\_\_\_\_\_

**Signature of Owner** **Date**

**V. FOR CITY USE ONLY (To be completed by the City)**

**Application Received By:** \_\_\_\_\_ **Date Received:** \_\_\_\_\_

**Application Reviewed By:** \_\_\_\_\_ **Date Reviewed:** \_\_\_\_\_

**Application Status:** Approved: \_\_\_\_\_ Denied: \_\_\_\_\_

**Credit Approved (%):** Quantity: \_\_\_\_\_ Quality: \_\_\_\_\_ NPDES: \_\_\_\_\_

**Remarks:**

**Send the Completed Application, Fee, and Supporting Documentation To:**

**The Commissioner**  
 Department of Public Works  
 City of Wilmington  
 Louis L. Redding City/County Building  
 800 N. French St., 6<sup>th</sup> Floor  
 Wilmington, DE 19801

**For inquiries, please call: (302) 576-3060**

**(NOTE: A separate application form, fee, and supporting documentation must be filed for each parcel)**



**Form E**  
**CITY OF WILMINGTON, DELAWARE**  
**STORM WATER CREDITS RENEWAL APPLICATION**

<b>Request Number</b>
-----------------------

**I. General Information**

<b>Parcel ID:</b>	<b>Account # (from Utility Bill):</b>	<b>Date:</b>
<b>Parcel Owner:</b>	<b>Service Address:</b>	
<b>Owner Phone:</b>	<b>City / State / Zip:</b>	
<b>Owner Email:</b>	<b>Mailing Address:</b>	
<b>Authorized Contact:</b>	<b>City / State / Zip:</b>	
<b>Contact Phone:</b>	<b>Storm water Class (from Utility Bill):</b>	
<b>Contact Email:</b>	<b>Credit Renewal Request:</b> Quantity <input type="checkbox"/> Quality <input type="checkbox"/> NPDES <input type="checkbox"/>	

**II. Supporting Documentation Checklist**

<b>Check if any of the following attachments are included:</b>	
<input type="checkbox"/>	As-Built Drawings (if changed)
<input type="checkbox"/>	Site Map / Plan (if changed)
<input type="checkbox"/>	Drainage Area Maps (if changed)
<input type="checkbox"/>	Written Description of Inspection and Maintenance Activities Performed During the Past Year
<input type="checkbox"/>	Maintenance Plan and Schedule
<input type="checkbox"/>	NPDES "Individual" or NPDES "General" Permit (if applicable)
<input type="checkbox"/>	Annual Renewal Fee of \$50.00 (Non-Refundable) Payable to the City of Wilmington

**III. Owner Certification**

I certify that the information contained in the application and in the attached documents is, to the best of my knowledge, correct and represents a complete and accurate statement. I further understand that the storm water credit will be based on the information provided and the City may revoke the credit if a later determination indicates that the information provided was inaccurate. I hereby grant permission for City representative to enter the parcel for the purpose of inspecting the facility/structure or system in the parcel for which storm water credit is requested.

\_\_\_\_\_

**Signature of Owner**

\_\_\_\_\_

**Date**



**Form E**  
**CITY OF WILMINGTON, DELAWARE**  
**STORM WATER CREDITS RENEWAL APPLICATION**

<b>Request Number</b>
-----------------------

**IV. FOR CITY USE ONLY (To be completed by the City)**

**Application Received By:** \_\_\_\_\_ **Date Received:** \_\_\_\_\_

**Application Reviewed By:** \_\_\_\_\_ **Date Reviewed:** \_\_\_\_\_

**Application Status:** Approved: \_\_\_\_\_ Denied: \_\_\_\_\_

**Credit Approved (%):** Quantity: \_\_\_\_\_ Quality: \_\_\_\_\_ NPDES: \_\_\_\_\_

**Remarks:**

**Send the Completed Application, Fee, and Supporting Documentation To:**

**The Commissioner**  
 Department of Public Works  
 City of Wilmington  
 Louis L. Redding City/County Building  
 800 N. French St., 6<sup>th</sup> Floor  
 Wilmington, DE 19801

**For inquiries, please call: (302) 576-3060**

**(NOTE: A separate application form, fee, and supporting documentation must be filed for each parcel)**



Form F

Request Number

CITY OF WILMINGTON, DELAWARE

STORM WATER FEE ADJUSTMENT / CREDITS NOTICE OF DISPOSITION

Parcel ID: \_\_\_\_\_ Account #: \_\_\_\_\_ Date: \_\_\_\_\_

To: [Empty box]

Disposition For:  Fee Adjustment Appeals Application  Storm Water Credits Application

Your application for Fee Adjustment has been reviewed and approved as indicated below:

Revised storm water class: \_\_\_\_\_  Revised Runoff Factor: \_\_\_\_\_%

Revised Gross Parcel Area: \_\_\_\_\_ Sq. Ft.  Revised Impervious Area: \_\_\_\_\_ Sq. Ft.

Your application for Storm Water Credit has been reviewed and approved as indicated below:

Quantity Credit: \_\_\_\_\_% Quality Credit: \_\_\_\_\_% NPDES Credit: \_\_\_\_\_%

Your application for Fee Adjustment / Storm Water Credit has been reviewed and returned for the following reason:

[Empty box]

Your application for Fee Adjustment / Storm Water Credit has been reviewed and denied for the following reason:

[Empty box]

Your application for Fee Adjustment / Storm Water Credit has been reviewed and the following revised monthly charge is approved:

Your Revised Monthly Charge: \$ \_\_\_\_\_

Bill Amount due to Owner (if any): \$ \_\_\_\_\_

Bill Amount due from Owner (if any): \$ \_\_\_\_\_

By: \_\_\_\_\_  
Commissioner, Department of Public Works

\_\_\_\_\_ Date

