

Village of Royal Palm Beach, *Florida*

Stormwater Utility Final Policy and Procedures Manual



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**CDM
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Table of Contents

Section 1 Introduction.....	1-1
1.1 Definitions.....	1-1
1.2 Responsibility.....	1-4
1.3 Stormwater Management.....	1-4
1.4 Stormwater Utility Fees.....	1-5
1.5 Credits and Adjustments	1-5
 Section 2 Stormwater Management Utility Enterprise Fund and Billing Policies	 2-1
2.1 Stormwater Management Utility Enterprise Fund.....	2-1
2.2 Utility Customer Classification.....	2-2
2.3 Rates for Stormwater Management Service.....	2-2
2.4 Billing Provisions	2-2
2.5 Payment Provisions and Delinquency Penalties	2-4
2.6 Inactive Customer Accounts	2-6
2.7 Billing Database Updates.....	2-6
 Section 3 Appeals for Adjustment	 3-1
3.1 Impervious Area Measurement Adjustment.....	3-1
3.2 Exemptions.....	3-1
3.3 Process of Appealing for an Adjustment.....	3-2
 Section 4 Stormwater Fee Credit Opportunities.....	 4-1
4.1 Stormwater Control Measure Credit.....	4-1
4.2 NPDES MS4 Permit Support Credit.....	4-2
4.3 NPDES MS4 Permit Credit.....	4-2
4.4 Eligibility for Credits	4-3
4.4.1 Customers	4-3
4.4.2 Maintenance Agreement.....	4-3
4.4.3 Right of Entry	4-3
4.4.4 Existing Stormwater Control Measures	4-3
4.4.5 Upgrades.....	4-4
4.5 Stormwater Control Measure Maintenance	4-4
4.5.1 Required Stormwater Control Measure Maintenance	4-4
4.6 Validation of Credit.....	4-5
4.6.1 Documentation.....	4-5
4.6.2 Control Measure Inspections	4-6
4.7 Credit Application for New Stormwater Control Measures	4-6
4.7.1 Preliminary Interaction with the Village	4-6
4.7.2 Perform Hydrologic Analysis and Design Control Measure	4-6

4.7.3 Complete Application 4-6

4.7.4 Construction of a New Stormwater Control Measure 4-7

4.7.5 Inspection of a New or Existing Stormwater Control Measure 4-7

4.8 Credit Application for Existing Stormwater Control Measures 4-7

4.9 Credit Renewal 4-7

4.10 Implementation of the Credit 4-8

Appendices

Appendix A – Forms and Instructions for Adjustments / Application Forms

Tables

Table 4-1 Village of Royal Palm Beach Stormwater Funding Study Maximum
Fee Credit Structure for Stormwater Controls 4-2

Figures

Figure 2-1 Nonresidential/Commercial Impervious Area Example..... 2-3

Section 1

Introduction

The purpose of this Uniform Policy and Procedures Manual is to describe the policies set forth by the Village of Royal Palm Beach (the Village) concerning stormwater management fee credits (Credits) and stormwater management fee adjustments (Adjustments). The Village Stormwater Utility Fee by Ordinance No. 864, collectively referred to below as the Stormwater Utility Ordinance. The Stormwater Utility Ordinance provides the Village with the authorization to establish and collect fees for the services and Control Measures provided by the Village. Opportunities for Credits and Adjustments were also created in the Stormwater Utility Ordinance and this manual provides technical and administrative assistance in applying for them. The remainder of this section defines terms used throughout the manual and provides background on stormwater management

1.1 Definitions

All definitions as used in the credit manual, unless the context clearly indicates otherwise, shall have the meanings assigned in the following sections or as provided in the Stormwater Utility Ordinance. In the event of a conflict, the meaning provided in the Ordinances shall govern. Words not defined in this section will have the meaning given by common and ordinary use as defined in the latest edition of Webster's Dictionary.

Ordinance No. 864 Stormwater Management Utility Definitions:

Village shall mean the Village of Royal Palm Beach, Florida, and its staff and elected officials.

Department shall mean the Village public works department.

Developed Property shall mean any parcel of land that has been modified by the action of persons to reduce the land's natural ability to absorb and hold rainfall. These modifications include, but are not limited to, clearing, grading, cementing, filling, or compacting the natural ground, or erecting or constructing buildings, parking lots, driveways, patios, decks, walkways, and athletic courts.

Drainage Area shall mean the watershed (acreage) contributing surface water runoff to the Village's storm drainage system.

Equivalent Residential Unit (ERU) shall mean the basic unit for the computation of stormwater service charges and is defined as 2,723 square feet of impervious area, which represents the estimated median impervious area for all developed, detached single-family properties in the Village.

Impervious Area shall mean the horizontal projection of any part of any parcel of land that has an impermeable cover caused to be erected or constructed by the action of persons, and such covers include, but are not limited to, buildings, parking lots, driveways, patios, decks, walkways, and athletic courts.

Manager shall mean the Village manager or designee.

Multifamily Residential Properties shall mean and include all residential development not classified as single-family residential. Common areas associated with such properties shall be included in the charge to the multifamily units on such properties.

Nonresidential/Commercial Properties shall mean and include all Developed property that is not primarily used for residential purposes and that is classified by the property appraiser as land use types 10 through 99 using Florida Department of Revenue Land Use Codes, as amended or supplemented.

Receiving Water shall mean those creeks, streams, rivers, lakes, sinkholes, and other bodies of water into which surface waters are directed, either naturally or in manmade ditches, pipes, or open systems.

Single-Family Property shall mean and include all single-family detached housing units.

Stormwater Basin Area shall mean the horizontal area occupied by stormwater detention, retention, and/or detention/retention basins at the design maximum water surface elevation.

Stormwater Detention Basin shall mean a facility, either natural or manmade, that collects and contains stormwater runoff and allows the release of the stormwater through a structure that is designed to control the rate of the release of the stormwater, as acknowledged by the Village manager or designee.

Stormwater Fee Adjustment shall mean a change made to a fee to correct an overcharge or an undercharge of the customer's stormwater fee.

Stormwater Fee Credit shall mean a reduction a customer receives for implementing practices that mitigate the peak discharge or runoff pollution or decrease the Village's cost of maintaining the system beyond standard (base) requirements.

Stormwater Detention/Retention Basin shall mean a facility, either natural or manmade, that performs a combination of both a stormwater detention basin and a retention basin, as acknowledged by the Village manager or designee.

Stormwater Management System shall mean and include all natural and manmade elements used to convey stormwater from the first point of impact with the surface of the earth to a suitable receiving water body or location internal or external to the boundaries of the Village. The stormwater management system includes all pipes, channels, streams, ditches, wetlands, sinkholes, inlets, swales, detention/retention basins, ponds, and other stormwater conveyance and treatment facilities.

Stormwater Retention Basin shall mean a facility, either natural or manmade, that collects and contains stormwater runoff and only allows the release of the stormwater runoff by one or more of the following: evaporation, percolation into the natural ground and/or percolation into a manmade filtration system that may convey the stormwater runoff to a stormwater management system, as acknowledged by the Village manager or designee.

Stormwater Retention Volume shall mean the maximum capacity of a stormwater retention basin(s).

Undeveloped shall mean any real property that is not Developed property.

Other Definitions for this Document:

Customer shall mean the person or entity to which a bill for stormwater fees is sent. Customers may include the owner, or a homeowner's association with responsibility for property or for common areas associated with the property, or a person or entity who has requested in writing to be the recipient of the Fee for a property.

Customer Account shall mean a water service account maintained by the Palm Beach County Water Utility for Customers within the Village limits.

Department shall mean the Village of Royal Palm Beach Public Works Department.

Department of Revenue (DOR) Code shall mean the Department of Revenue land use code as defined by Subsection 12D-8.008(2)(c), Florida Administrative Code.

Existing Stormwater Control Measure shall mean the stormwater control measures that were fully constructed and approved by the Village under stormwater management standards that existed prior to the implementation of the Monthly Service Charge.

Maintain or Maintenance shall mean any action necessary to keep stormwater control measures and devices in proper working condition, so that such Control Measures will continue to comply with applicable Village Ordinances to prevent safety hazards, public nuisances, and the failure of stormwater control measures and devices to function as intended. Maintenance includes activities identified on approved stormwater control plans, any applicable stormwater operations and maintenance manual, any applicable agreements or certifications to the Village, and those activities outlined in the Village's Ordinances.

Monthly Service Charge shall mean the Stormwater Management Fee charged to a Customer for stormwater services on a monthly basis.

New Stormwater Control Measure – shall mean the Stormwater Control Measures that were fully constructed and approved by the Village under stormwater management standards constructed after the implementation of the Monthly Service Charge.

Offsite Drainage shall mean stormwater runoff that did not originate on the subject property and flows to the property overland or through a network of natural or man-made drainage systems.

Owner shall mean the person or entity with legal responsibility for property and/or facilities, including stormwater management facilities.

Pre-Developed Conditions shall mean the condition of a property before development occurs on the parcel.

Post-Developed Conditions shall mean the condition of a property following any development activity on the parcel. For upstream areas, this refers to complete build-out conditions, as determined from current zoning.

Stormwater Control Measure shall mean any device constructed to manage stormwater quantity and/or quality. Another term used for a Stormwater Control Measure is Control Measure or Best Management Practice (BMP).

Stormwater Management Design Standards shall mean the design and maintenance standards for Control Measures found in the Village Ordinances and/or the stormwater criteria defined in Chapter 40E of the Florida Administrative Code as outlined in the South Florida Water Management District (SFWMD) Environmental Resource Permit Information Manual.

Stormwater Management Fee (Fee) is the Fee charged to provide stormwater services to developed land. The Fee is based upon the Equivalent Residential Unit (ERU) method as calculated for that property.

Stormwater Management Utility Enterprise Fund –is the fund that includes all revenues generated by the Stormwater Management Fee, , grants, or other funding sources from which all expenditures related to Stormwater Management Services shall be paid. Expenditures from the fund for activities that are not related to the Village’s stormwater management services shall not be permitted, except for a prorated charge for general Village government services that relate to the overall administration of the Stormwater Management Utility.

Stormwater Management Services are defined as the stormwater management programs designed to protect water quality and quantity by controlling the level of pollutants in, and the quantity and flow of, stormwater, and the servicing of structural and natural stormwater and management systems owned or controlled by the Village. Stormwater Management Services include any cost necessary to ensure that all aspects of stormwater quality and quantity are managed in accordance with federal and state laws, regulations and rules, and costs related to the mapping, planning, construction, operation, maintenance, inspection, management and regulation of the stormwater management system and the regulation of impervious surface and stormwater.

Tenants shall mean the person or party who is legally responsible for conditions established in a signed lease agreement with a Customer for Nonresidential/Commercial Properties.

1.2 Responsibility

The director of the stormwater management utility is the Manager. The Public Works Director or designee also is responsible for planning, operations, and management of the Stormwater Management System, compliance with the National Pollution Discharge Elimination System (NPDES) Phase I Stormwater Permit, and enforcement of floodplain regulations and the Stormwater Ordinance. The responsibility for the development of the stormwater utility database resides with Public Works.

1.3 Stormwater Management

Development covers land with impervious cover, allowing less stormwater to infiltrate than could under pre-development (natural) conditions. Increased impervious cover leads to larger volumes and higher rates of stormwater runoff, which pose a threat to the public health, safety, and welfare because, if unmanaged, the increased runoff may flood emergency vehicle routes and properties, erode watercourses and channels, and pollute streams and rivers.

Stormwater Management is the practice of managing stormwater runoff in order to avoid water quantity and water quality problems. By mapping, planning, constructing, operating, cleaning, regulating and maintaining natural and constructed stormwater management Control Measures, the Village reduces the adverse effects of stormwater and improves the quality of canals, streams, rivers, and lakes in and around the Village.

1.4 Stormwater Utility Fees

In order to provide a stable source of funding for the Village to provide Stormwater Services, which benefit owners and occupants of developed land in the Village, the Village has established a stormwater utility. The Stormwater Management Fee (Fee) is proportional to the demand for Stormwater Services as measured by the amount of Impervious Area on a property. Impervious Area is the single most important factor affecting the peak rate of runoff, the total volume discharged, and pollutant loadings of stormwater that flows from a property.

1.5 Credits and Adjustments

The Village has established opportunities for Customers to receive Credits and Adjustments in the Stormwater Utility Ordinance. Credits are associated with the construction, operation, and maintenance of privately-owned Stormwater Control Measures beyond the minimum standards required by or incorporated by reference into the Village Code and/or in the SFWMD Environmental Resource Permit Information Manual, and which benefit the Village Stormwater Management Program. Adjustments are Fee changes meant to correct errors in the information used by the Village to determine the Customer's Stormwater Management Fee.

Customers may qualify for Credit when they can demonstrate that their Existing or New Stormwater Control Measure provides cost savings the Village would otherwise incur as part of Village stormwater management efforts. Credits may only be applied to the property where the Stormwater Control Measure is located. The Control Measure must comply with Section 4 et seq. of this manual and exceed the minimum Village requirements for stormwater runoff control, which may be found in the Land Development Code or exceed the requirements in effect at the time the site was approved for development.

Residential and Non-Residential Developed Lands are eligible for Credits. Single-Family Residential Developed Lands are only eligible for Credits if the Stormwater Control Measure subject to the credit is wholly owned and operated by one entity (such as the owner of a single-family residence or a Neighborhood Association or other legally-recognized organization) and it can be demonstrated that the activity reduces the stormwater management burden caused by each Customer. In such cases, the Credit would only be applied to those dwelling units that are demonstrated to contribute runoff to the qualifying Stormwater Control Measure.

The Village has also established an appeals process that allows all Customers to appeal for Adjustment if they determine their Fee is applied in error as discussed in the Stormwater Utility Ordinance. The Village may also make an Adjustment if it discovers an oversight in determining the Fee for a Customer. Section 3 details the policy for Appeals for Adjustment while Section 4 details the Credit opportunities available to Customers.

Section 2

Stormwater Management Utility Enterprise Fund and Billing Policies

2.1 Stormwater Management Utility Enterprise Fund

A Stormwater Utility Fund has been established for the deposit of fees and charges collected by the utility. These funds are for the exclusive use of the Village's stormwater management system as defined in Section 24-26 of the Stormwater Management Utility (Ordinance No. 864), which includes the following:

- Preparation of plans for improvements and betterments to the stormwater management system;
- Construction of improvements and betterments to the stormwater management system, including, but not limited to, the purchase of land for same;
- Promulgation of regulations for the use of the stormwater management system, including provisions for enforcement of such regulations;
- Review and approval of all new development permits within the Village for compliance with stormwater management regulations included in present Village ordinances or ordinances later adopted;
- Performance of routine and as needed maintenance and minor improvement to the stormwater management system;
- Establishment of charges for the Village's stormwater management system;
- Evaluation of water quality concerns for discharges to the stormwater management system; and,
- Performance of all normal utility functions to include construction, operation, and maintenance of the Village's stormwater management system, including, but not limited to, the hiring of staff, the selection of special consultants, the entering into contracts for services and construction of facilities, and the handling of purchase, lease, sale or other rights to property for the stormwater management system.

2.2 Utility Customer Classification

Developed Property in the Village is subject to a Monthly Service Charge. Exemptions are not allowed based on age, tax exemption, or other status of an individual or organization. For purposes of imposing the Monthly Service Charge, Developed Property within the Village are classified as Residential, Non-Residential/Commercial, or Undeveloped. Improved public transportation ways, including public streets, roads, sidewalks, mobility paths, greenways and trails, airport runways, and internal roads within public facilities, which have been conveyed to the city and are used by the general public for motor vehicle transportation are not included.

2.3 Rates for Stormwater Management Service

Rates for stormwater management service are established in Section 24-27 Authority for Service Charges of the Stormwater Utility Ordinance. A Customers Monthly Service Charge is calculated using the following methods:

1. **Residential customer.** Each single-family property and each multifamily or condominium dwelling unit shall be considered one ERU for billing purposes.
2. **Nonresidential/commercial customer.** Nonresidential/commercial property service charge shall be:
 - a. Number of ERU's = Impervious Area divided by ERU Impervious Area
 - b. A minimum value of 1.0 ERU shall be assigned to each nonresidential/commercial customer. The ERU calculation shall be rounded to the nearest 0.1 ERU.
3. **Monthly Service Charge** = (No. of ERU's) x Rate/ERU.
4. **Application to all developed properties.** Service charges shall apply to all Developed property within the Village using the Village's stormwater management system.
5. **Undeveloped property.** Stormwater management service charges shall not be charged to Undeveloped property.

For Nonresidential/commercial Customers without multiple tenants, impervious areas for each parcel (site) were measured by the Village using aerial photography and Geographic Information System (GIS) tools. Since, Nonresidential/commercial Customers often share common space and parking areas, Village staff estimated the impervious area associated with each building using aerial photography, site plans, and field visits. **Figure 2-1** presents an example of impervious area.

2.4 Billing Provisions

Per Section 24-28 Combined Billing, of the Stormwater Utility Ordinance, the Monthly Service Charge shall be billed in conjunction with the customer's monthly water bill issued by Palm Beach County Water Utilities. A combined statement for applicable Village stormwater management utility services and Palm Beach County water service, plus applicable taxes and surcharges, shall be rendered each Customer monthly for such service. The rendering of combined billings is not an obligation on the part of the Village and failure of the customer to receive the statement shall not release nor diminish the obligation of the Customer with respect to payment thereof, or relieve the customer of any obligation under this article. Combined billings for service are due and payable when rendered; and shall be processed in accordance with the Palm Beach County Water Utility Department's adopted policies.



Figure 2-1
Nonresidential/Commercial Impervious Area Example

Developed property with No Water Service

Currently, Developed Property is required to have water service within the Village by ordinance. The Palm Beach Water Utility Department is the provider of water services to the Village. If exceptions are identified to this requirement in the future, the Manager may consider implementing a Monthly Service Charge to Developed Property without water service using one of the following methods:

1. A new Customer Account will be generated by the Palm Beach County Water Utility Department if requested by the Manager for the purpose of sending the Monthly Service Charge for Stormwater Management Services to the Customer;
2. The Manager will work with the Customer to identify whether or not a separate, existing, Customer Account is available and can be appended to cover the Developed Property not served by an existing water meter; or,
3. The Manager can send a Monthly Service Charge directly to the Customer. Under this option, the Village and the Customer can adjust the frequency of billing as mutually agreed upon.

Developed Property with One Water Meter and Multiple Tenants

For Developed Property served by a single water meter with multiple Tenants, the Monthly Service Charge will be sent to the Customer. The Customer is responsible for remittance of the Monthly Service Charge prior to its stated due date. It will be the responsibility of the Customer to allocate the Monthly Stormwater Service Charge to each Tennant. The Manager will only be responsible for determining the total number of ERUs for Developed Property and the associated Monthly Service Charge to be paid by the Customer.

Developed Property with Multiple Water Meters and Multiple Customers

For Developed Property served by a more than one water meter, the Manager will develop a Monthly Service Charge for each Customer using the following guidelines:

1. The Manager will first distinguish water meters from an irrigation only meters. Only the Customer Account assigned to each water meter will be used for billing (1 to 1 relationship). Meters for irrigation only will be assigned “no charge”;
2. If there is more than one water meter serving a Developed Property, then the Manager will identify the number of ERU’s assigned to each water meter that will be the basis for the Monthly Service Charge to each Customer Account (each water meter);
3. It will be the responsibility of the Customer to pay the total Monthly Service Charge. The responsibility of collecting a Monthly Service Charge from each Tenant on a Developed Property is the responsibility of the Customer;
4. It will be the responsibility of the Customer to allocate the Monthly Stormwater Service Charge to each Tennant. In aggregate, the Monthly Service Charge allocated to each Tenant cannot be greater than the total Monthly Service Charge billed to the Customer. The Monthly Service Charge allocated to each Tenant shall be based upon the number of ERU’s determined from their allocation of space, parking, and related impervious area. The Manager will assist a Customer in determining the number of ERUs associated with each Tennant of the Developed Property; and,
5. The Customer is ultimately responsible for payment of the Monthly Service Charge for the Developed Property on or before the designated due date.

2.5 Payment Provisions and Delinquency Penalties

The Palm Beach County Water Utilities is the entity that will manage the billing of the Monthly Service Charge. The Monthly Service Charge will be included on the existing utility service bill as a separate line item for Stormwater Management Services. Summarized below is a description of the billing process per Chapter 2 of the Palm Beach County Water Utility Customer Service Policy. Customers should refer to the Customer Service Policy for specific details of payment provisions and delinquency penalties.

Payment Provisions

The Monthly Service Charge issued to each Customer will be paid to the Palm Beach County Water Utility as directed on the bill. Each Customer shall be billed 12 months per year, with a billing cycle consisting of approximately 1 month. Payment must be received by the bill due date to insure proper credit to the Customer Account prior to the next bill. Non-payment prior to the beginning of the next billing period shall result in the unpaid amount being carried forward as a past-due balance. Bills will be rendered monthly and shall be considered as received by the Customer when mailed to their service or mailing address, as requested by the Customer. Non-receipt of bills by the Customer does not release nor diminish the obligation of the Customer with respect to payment.

Delinquent Customer Accounts

A Customer who has not paid in full any month's bill, and who's subsequent month's bill shows a past-due balance, is considered delinquent and will incur past due fees per Chapter 6 of the Palm Beach County Water Authority's Policy. Payment of the total past due balance plus any accrued past-due fees must be received by the Palm Beach County Water Utility within 14 calendar days of the statement shown on the Customer's utility bill or service will be discontinued if the past due bill is \$35 or greater.

Partial Payments

Payments received by the Palm Beach County Water Utility for monthly Customer billings are applied in the following manner (1) Deferred Payment Plan; (2) Wastewater Service; (3) Reclaimed Water Service; (4) Potable Water Service; (5) Stormwater Management Service. When payment has not been received in full, service may be refused and/or disconnected. Services will not be reactivated on the basis of partial payment when service has been disconnected unless arrangements have been made with the Palm Beach County Water Utility in advance.

Withholding of Service

Except where may otherwise by law, the Palm Beach County Water Utility may withhold or discontinue service until all past-due amounts, past-due fees and Customer Account reactivations fees and unpaid liens, which are owed and unpaid to the Palm Beach County Water Utility are paid in full. In general, 10 days notification of proposed termination will be provided to allow the Customer adequate time to respond and correct such deficiency unless more immediate action is justified in the interest of public health, safety, and welfare.

Authority to Lien Property for Unpaid Fees

Per Florida Statute, if a Customer Account has not been paid as and when due, and be in fault for 60 days or more, the Board of County Commissioners of Palm Beach County may cause a lien for the unpaid amount and subsequent accruing unpaid amounts, including but not limited to interest, attorney's fees and filing fees, to be filed on the parcel of property to which the utility service was provided or made available. In addition, pursuant to Article VIII., Sec. 2(b), *Florida Constitution*, as implemented by Sec. 166.021(1), *Florida Statutes*, granting broad home rule powers to municipalities, and in furtherance of the authority granted by Sec. 403.0893(1), *Florida Statutes*, for the imposition of stormwater utility fees, the Village shall have a lien on all lands and premises subject to the stormwater management utility services for all service charges until paid, which Lien, when delinquent for more than 60 days, may be foreclosed by the Village as provided by law.

2.6 Inactive Customer Accounts

Inactive Customer Accounts occur when no one is occupying a rental property or lease space or if a property has been vacated by the Customer and utilities have been turned off. If all utility services have been discontinued, no Monthly Service Charges will be applied to the Developed Property.

2.7 Billing Database Updates

The Department will provide the Palm Beach County Water Utilities with updated ERU information based on the following:

Change in Account –The billing database will be updated upon activation of the new account. A change in account for both residential and non-residential customers will result in the new account inheriting the ERU assignment from the previous account. This assumes no change in impervious area at the time of account change.

Modification to the Impervious Area -If the distribution of impervious area is modified in the case of a tenant either expanding or reducing their square footage within a developed site, the ERU assignments for affected accounts will be updated. Updates to the billing database will go into effect after receipt of Temporary Certificate of Occupancy or Certificate of Occupancy from the Village of Royal Palm Beach Building Department.

New Development –Newly developed properties will be added to the billing database after receipt of Temporary Certificate of Occupancy or Certificate of Occupancy from the Village of Royal Palm Beach Building Department.

The Department will provide the information in the format needed by the Palm Beach County Water Utilities compatible with their current billing system.

Section 3

Appeals for Adjustment

A Stormwater Fee Adjustments may be available to a Customer through the appeals process specified in Section 24-30 – Appeals; Adjustments; Exemptions of the Stormwater Utility Ordinance as referenced here and below at Section 3.3. A Stormwater Fee Adjustment is a change made to a fee to correct an overcharge or an undercharge of a Customer's Monthly Service Charge. A Stormwater Fee Adjustment is not to be confused with a Stormwater Fee Credit, which is intended to reduce a Monthly Service Charge by a percentage reflecting the benefit provided to the Village's efforts to operate and maintain the Stormwater Management System by Customer-implemented stormwater management practices. Stormwater Fee Adjustment opportunities are detailed below. This document is not the sole source, but a guide to assist in interpreting policies set forth in the Stormwater Utility Ordinance. Customers must be subject to a Monthly Stormwater Charge for Stormwater Management Services provided by the Village to be eligible for a Stormwater Fee Adjustment.

3.1 Impervious Area Measurement Adjustment

The Village has applied Palm Beach County Property Appraiser data, aerial photography, GIS technology, and development plan reviews to determine the Impervious Area for all properties within the Village Limits, using a combination of both direct measurement and statistical analysis for Single Family Residential properties Nonresidential/Commercial properties. If a Customer has reason to believe that the Impervious Area for a property as reported by the Village is incorrect, the Customer may appeal to the Village using the form in **Appendix A** of this manual.

3.2 Exemptions

Developed Property in the Village, whether public or private, is subject to a Monthly Service Charge. However, the Village will grant exemptions for the Monthly Service Charge for specified properties. Exemptions shall not be allowed based on age, tax exemption, or other status of an individual or organization. The following exemptions from the Monthly Service Charge are allowed:

- (1) Undeveloped Property** - As defined in Section 1.
- (2) Public Roads** - Improved public streets, not including internal roads within public facilities which have been conveyed to and accepted for maintenance by the Florida Department of Transportation, Palm Beach County, or the Village of Royal Palm Beach and which are used by the general public for motor vehicle transportation.
- (3) Railroad tracks** – Rails, ties, and ballast are exempt from the fee. However, railroad stations, maintenance buildings or other developed land shall not be exempted from Monthly Service Charges.

3.3 Process of Appealing for an Adjustment

Stormwater Fee Adjustments are obtained by participating in the appeals process described above and in the Stormwater Utility Ordinance. Any Customer determining that their property qualifies for an exemption or that their Monthly Service Charge is not in proportion to the amount impervious surface on their property may apply for Stormwater Fee Adjustment by submitting the appeals form in Appendix A to the Public Works Director. As part of the submission, the Customer must provide the Public Works Director with evidence or justification in writing for the correction of the Monthly Service Charge in question. In some cases, the Customer may also be required to submit, at his or her expense, a survey prepared by a registered land surveyor or other information to support the request for a Stormwater Fee Adjustment. The Public Works Director will issue a written determination on a particular matter. Once the Public Works Director has made a determination on the matter, the Customer is allowed 30 days (after service of the written decision) to file an appeal with the Manager.

Customers awarded a Stormwater Fee Adjustment by the Manager may be eligible to receive the Stormwater Fee Adjustment retroactive to the Stormwater Management Fee but in no case longer than one past year. Stormwater Fee Adjustments will not be awarded for any period preceding Stormwater Management Fee inception or preceding the date at which the Village judges the stormwater runoff generated from the Developed Property is inconsistent with the Monthly Service Charge paid. The one-year retroactive payment policy also applies to cases where the Manager determines that the monthly Service Charge for a Developed Property is less than it should be based on the amount of impervious surface on the Developed Property.

In instances in which Village has not or incorrectly billed a Customer, the Manager may retroactively bill Customers for the exact unbilled or incorrectly billed time period up to one year where the date of the error or omission can be determined or estimated by the Manager. In such instances, the Customer will be entitled to make payments over the same length of time in which the billing error or omission occurred.

Section 4

Stormwater Fee Credit Opportunities

A Stormwater Fee Credit is a reduction a Customer receives for implementing practices that mitigate the peak discharge or runoff pollution or decrease the Village's cost of maintaining the system beyond standard (base) requirements. A Customer may be eligible for a Stormwater Fee Credit under the following circumstances: 1) the Customer has installed an onsite Stormwater Control Measure compliant with Stormwater Management Design Standards referenced in this document; 2) the Customer reduces the burden of non-structural best management practices required of the Village under its National Pollutant Discharge Elimination System (NPDES) permit for its Municipal Separate Storm Sewer System (MS4) General Permit (Permit No. FLS000018); or 3) the Customer holds and is in compliance with an NPDES MS4 General Permit separate from the Village's NPDES MS4 General Permit. The maximum allowable Stormwater Fee Credit for any combination of the three possible credits is 80 percent.

Single-Family Property Customers are only eligible for Stormwater Fee Credits if the Stormwater Control Measure subject to the Stormwater Fee Credit is wholly owned and operated by one entity (such as a Neighborhood Association or other legally-recognized organization) and the Customer's Developed Property drains to the Stormwater Control Measure. In such instances, each dwelling unit demonstrated to contribute runoff to the qualifying Stormwater Control Measure may be eligible for its equal pro-rata share of the credit unless other arrangements for billing the Monthly Service Charge to the Homeowner's Association was made pursuant to the Stormwater Utility Ordinance.

The following sections describe the three types of Stormwater Fee Credit opportunities, eligibility requirements, credit enforcement, and the process of applying for the Stormwater Fee Credit. The reader should not view this document as a sole source but as a guide to assist in interpreting the requirements.

4.1 Stormwater Control Measure Credit

The Village Code of Ordinances mandates engineered Stormwater Control Measures to minimize the qualitative and quantitative impacts of runoff and ensure compliance with federal point source discharge requirements based on the permit conditions provided in NPDES Permit No. FLS000018 or for new development. For installing and maintaining Stormwater Control Measure exceeding Village Stormwater Management Design Standards specified or incorporated by reference in the Code of Ordinances, Customers will be eligible for a maximum Stormwater Fee Credit of 80 percent (40 percent for onsite Stormwater Control Measures and 40 percent for offsite Stormwater Control Measures). To qualify, Customers must demonstrate that their existing stormwater or new Stormwater Control Measure controls the volume and quality of stormwater generated from their immediate Developed Property (onsite) and/or upstream tributary areas (offsite). In addition, the Stormwater Control Measure must exceed Stormwater Management Design Standards existing at the time the original site plan was approved outlined in the Code of Ordinances, effectively reducing Village stormwater management costs by reducing the Village's stormwater service responsibilities and costs. The Stormwater Control Measure must also meet all applicable laws of the State of Florida.

Stormwater Fee Credit opportunities are also available for Customers with a Stormwater Control Measure that controls runoff from an upstream tributary area, which means a Customer is controlling runoff from offsite. A Customer controlling runoff from an upstream area is eligible for a maximum Stormwater Fee Credit of 40 percent. The Stormwater Fee Credits available for controlling runoff from offsite are additive with those available for controlling runoff from onsite. In the case of a Stormwater Control Measure controlling upstream drainage area, the post-developed condition must be calculated based on complete build-out of the upstream drainage area as determined from current zoning and available Village planning documents, subject to review and approval by the Village. The structure of the Stormwater Fee Credits is summarized in **Table 4-1**.

Table 4-1 Village of Royal Palm Beach Stormwater Funding Study Maximum Fee Credit Structure for Stormwater Controls

Control Measure Type	Stormwater Control Category & Minimum Threshold Values	Credit Allowance (Percent)
Onsite	Water Quantity (Volume) – 20% Maximum Credit	
1	Attenuate Onsite Flows 105% to 150% Greater than Required by Ordinance	10%
2	Attenuate Onsite Flows Greater than 150% Required by Ordinance	20%
Onsite	Water Quality – 20% Maximum Credit	
1	Treat 105% to 150% of the Onsite Tributary Area Requirement	10%
2	Treat more than 150% of the Onsite Tributary Area Requirement	20%
Offsite	Water Quantity (Volume) – 20% Maximum Credit	
1	Attenuate Offsite Flows 105% to 150% Greater than Required by Ordinance	10%
2	Attenuate Offsite Flows Greater than 150% Required by Ordinance	20%
Offsite	Water Quality – 20% Maximum Credit	
1	Treat 105% to 150% of the Offsite Tributary Area Requirement	10%
2	Treat more than 150% of the Offsite Tributary Area Requirement	20%
Maximum Total Credit Available		80%

4.2 NPDES MS4 Permit Support Credit

Customers that provide services that help the Village comply with specific requirements included in its NPDES MS4 Phase I Permit will be eligible for a Stormwater Fee Credit of an amount to be determined by the Village on a case-by-case basis and not to exceed 20 percent. The Stormwater Fee Credit will be determined based on a comparison between the Village's NPDES MS4 program requirements and the customer's stormwater management activities. A Stormwater Fee Credit will be given for elements of the programs that reduce the burden on the Village to provide Stormwater Management Services related to its NPDES Permit. The negotiated Stormwater Fee Credit for the Customer's additional efforts will be based on the relative benefits offered to the Village, based on the population served, protection provided, contributing drainage area, or other appropriate metrics. The NPDES MS4 permit Stormwater Fee Credit may be received in addition to the Stormwater Control Measure credit listed above. Therefore, a customer receiving all Stormwater Fee Credits is eligible for a credit of up to 100 percent (80 percent plus 20 percent).

4.3 NPDES MS4 Permit Credit

Customers holding an NPDES MS4 General Stormwater Permits separate from the Village NPDES MS4 Permit will also be eligible for a credit of an amount to be determined by the Village on a case-by-case basis up to 100 percent of the Monthly Service Charge. It is expected that the Indian Trail

Improvement District (ITID) and Lake Worth Drainage District (LWDD) will receive 100 percent credit because they each have their own NPDES MS4 permit and are responsible for permit compliance. The 100 percent credit would be reduced if stormwater management services (i.e., program management, NPDES, O&M, CIP, etc.) becomes the responsibility of the Village.

4.4 Eligibility for Credits

Customers must pay a fee for Stormwater Management Services provided by the Village and must apply the Stormwater Fee Credit to Developed Property containing the credited Stormwater Control Measure to be eligible for a Stormwater Fee Credit. For Developed Property with credited Stormwater Control Measures in common areas owned and operated by a Homeowners' Association or other similar entity recognized by the Village, each dwelling unit demonstrated to contribute runoff to the credited Stormwater Control Measure shall be eligible for its equal pro-rata share of the Stormwater Fee Credit unless other arrangements for billing the fee are made pursuant to the Stormwater Utility Ordinance. Other Single-family Developed Property are not eligible for credits.

4.4.1 Customers

Section 2 of this Document summarizes the manner in which Customers will be billed. A Customer is the person or entity receiving a Monthly Service Charge for Stormwater Management Services. Any Customer receiving a Monthly Service Charge for Stormwater Management Services is eligible to receive a Stormwater Fee Credit if they meet the requirements for a particular credit.

4.4.2 Maintenance Agreement

An owner of a Stormwater Control Measure must agree in writing to maintain the credited Stormwater Control Measure to Village Stormwater Management Design Standards and all other applicable standards and state law in order to be eligible for Stormwater Fee Credit. Failure to maintain a Stormwater Control Measure in strict compliance to Village standards will result in the loss of the Stormwater Fee Credit and possible surcharge to recapture improper Stormwater Fee Credits. The owner of a credited Stormwater Control Measure is responsible for notifying the Village if the Stormwater Control Measure is compromised or damaged in any way or is no longer complying with state law or Village Stormwater Management Design Standards. The Owner of a credited Stormwater Control Measure must also notify the Village if any repair work is performed that may alter the operation of the Stormwater Control Measure.

4.4.3 Right of Entry

In order to be eligible for a Stormwater Fee Credit, an owner of a credited Stormwater Control Measure must first agree in writing that Village staff have permission to inspect Stormwater Control Measures on the Owner's property at any time. Failure to permit Village inspection shall terminate the Stormwater Fee Credit.

4.4.4 Existing Stormwater Control Measures

Existing Stormwater Control Measures may be eligible for a Stormwater Fee Credit if they meet requirements for a particular Stormwater Fee Credit (see Table 4-1). Existing Stormwater Control Measures must exceed Village Stormwater Management Design Standards at the time the site was approved and must be maintained to be eligible for a Stormwater Fee Credit.

4.4.5 Upgrades

Recognizing that the Village's Stormwater Design Standards may evolve in future years, the Village will not require current recipients of a Stormwater Fee Credit to upgrade their Stormwater Control Measures immediately to conform to future changes in Village Stormwater Management Design Standards. However, once a Village Stormwater Management Design Standards is changed, the Village will only guarantee existing Stormwater Fee Credits until its next renewal date (maximum period of three (3) years) provided the Customer maintains the Stormwater Control Measure to Village standards and the Stormwater Control Measure otherwise complies with State law. In the event that a Stormwater Control Measure has not been upgraded to the new Stormwater Management Design Standard at the end of the Stormwater Fee Credit cycle, it will be terminated.

4.5 Stormwater Control Measure Maintenance

In order to receive a Stormwater Fee Credit, a Stormwater Control Measure must be privately maintained in strict compliance to Village standards and State of Florida standards where applicable to ensure that the Stormwater Control Measure functions as credited at all times. Furthermore, Customers must document all operation and maintenance activities and provide the Village with a report every three (3) years, including an independent engineering inspection by a professional engineer licensed to practice engineering in the State of Florida. Required maintenance activities are described in the following sections. More information concerning Maintenance may be obtained from the Department.

4.5.1 Required Stormwater Control Measure Maintenance

The following Stormwater Control Measure maintenance activities are required for a Customer to be eligible for a Stormwater Control Measure Stormwater Fee Credit. These activities are required to ensure that the Stormwater Control Measure performs as credited, complies with the requirements of the Village and state law, meets safety standards, and is not a public nuisance. Maintenance activities are required on all drainage structures related to the Stormwater Control Measure, including dams, fore bays, inlets, headwalls, velocity dissipaters, spillways, pipes, feeder channels, discharge channels, etc. The Owner of a credited Stormwater Control Measure must comply with all applicable maintenance practices below that are relevant to the credited Stormwater Control Measure. The following list is not intended to be comprehensive; Customers are referred to the Village Department and those documents incorporated therein by reference for specific minimum maintenance requirements.

- **Debris and Litter Removal** – This activity must be performed after storm events totaling approximately two inches over a 24-hour period or as needed in order to prevent the structure from clogging and failing and to prevent a public nuisance.
- **Erosion and Structural Repair** – Side slopes, emergency spillways, and embankments all may periodically suffer from slumping and erosion. Regrading, revegetating, compacting and/or installing or replenishing rip-rap may be required to correct erosion problems that develop.
- **Nuisance Control** – Standing water or soggy conditions within a “dry” Stormwater Control Measure can create nuisance conditions for nearby residents. Common nuisance conditions may include odors, mosquitoes, litter, and weeds. Regular maintenance to remove debris and ensure control structure functionality is required to control these potential problems. In addition, well-maintained and established wetland plants in wet detention ponds or bird nesting boxes

around the pond can provide a habitat for birds and predacious insects and fish that can actively serve as a natural check on nuisance insects such as mosquitoes. Cyclical alteration of the water level in the pond or installation of aeration/agitation features will also disrupt most unwanted larval growth.

- **Outlet Control** – Maintain outlet control devices to ensure proper functioning in the control of stormwater velocities at the outlet of the Stormwater control measure. Re-vegetating and/or replenishing or installing rip-rap may be required to correct erosion problems at the outlet of stormwater control measure pipes.
- **Removal of Log Jams and Debris** - All stream and ditches within the stormwater system should be inspected periodically for blockages. If identified, the blockages and debris should be removed as quickly as practicable.
- **Sediment Removal** – This activity is to be performed as needed or as required by the Village to ensure proper working order of the control measure and its related stormwater control measure features (channels, pipes, etc.). Sediment removal is also required to maintain the required storage volume.
- **Structural Repairs and Replacement** – Eventually, stormwater control structures will deteriorate and must be replaced. Major structural damage to outlet structures (i.e. cracks, leaks, or failure) must be repaired as soon as possible.

4.6 Validation of Credit

Inspections and documentation are the primary methods employed to monitor Stormwater Fee Credits. Failure to maintain and operate the Stormwater Control Measure in strict compliance with Village Stormwater Management Design Standards and with stormwater permit conditions established by the South Florida Water Management District (SFWMD) will result in the loss of the Stormwater Fee Credit and possible surcharge to recapture improper Stormwater Fee Credits. All credited Stormwater Control Measures are also subject to nuisance ordinances of the Village.

4.6.1 Documentation

Documentation (as measured from the date the Stormwater Fee Credit application was approved by the Village) must be submitted to the Village Department every three (3) years to continue receiving a Stormwater Fee Credit. The required documentation consists of the following:

- Inspection report from an independent Professional Engineer licensed to practice engineering in the State of Florida;
- A Professional Engineer, Licensed in the State of Florida, must validate the stormwater control measure exceeds the Village's Stormwater Management Design Standard in place at the time of the 3-year Stormwater Fee Credit renewal;
- Recently dated photographs showing the condition (including any known damage or disrepair) of the Stormwater Control Measure. For stormwater ponds and other devices, these photos should include views of the outlet structure, all side slopes, vegetated littoral zones, a view from the downstream channel looking upstream at the dam and emergency spillway, a view from the dam showing the condition of the downstream channel, and a view of areas designed to catch sediment (if possible); and,

- Records demonstrating that required maintenance activities have been completed.

4.6.2 Control Measure Inspections

Each Customer that has applied for and received a Stormwater Fee Credit for a Stormwater Control Measure has the private responsibility to inspect and repair their Stormwater Control Measure to ensure that it is functioning as credited. In addition, the Village reserves the right to inspect Stormwater Control Measures receiving a Stormwater Fee Credit at any time. If the field inspection proves that any of the documentation submitted for continuation of the Stormwater Fee Credit is not accurate, or the Stormwater Control Measure is not maintained, or if the Stormwater Control Measure is not operating as credited, the Stormwater Fee Credit will be forfeited, and the customer must repay the Village in the form of a surcharge the amount of credit received during the period for which the Village determines the Stormwater Control Measure was out of compliance.

Inspections will be performed by a representative of the Village Department to assure that a Stormwater Control Measure is operating as credited (no blockage due to excessive sediment accumulation, logs, or debris). Annual inspection is possible with additional inspections of problematic areas following large storm events (two inches of rainfall or more over a 24-hour period).

4.7 Credit Application for New Stormwater Control Measures

The following sections present the typical Stormwater Fee Credit application process for new and existing Stormwater Control Measures. The steps described are recommended to expedite the application process.

4.7.1 Preliminary Interaction with the Village

Since the calculations and hydrologic analyses involved in the design of a Stormwater Control Measure are complex, a Professional Engineer registered in the State of Florida must design the New Stormwater Control Measure, or must certify the review of any Existing Stormwater Control Measures or proposed Stormwater Control Measure upgrades. The public is encouraged to discuss the proposed Stormwater Control Measure with the Department to maximize potential Stormwater Fee Credit opportunities and benefits to the Village. The Department will evaluate how a proposed Stormwater Control Measure will fit into the drainage scheme of the Village, based on their general knowledge and the results of stormwater master planning performed for the Village's drainage system, allowing them to provide valuable insight to one designing a Stormwater Control Measure or to one owning an Existing Stormwater Control Measure to determine what Stormwater Fee Credit is available. The Village determines the final amount of Stormwater Fee Credit based on the policies of this manual.

4.7.2 Perform Hydrologic Analysis and Design Control Measure

If a Customer decides to install a Stormwater Control Measure, a Professional Engineer licensed in the State of Florida must perform a hydrologic/hydraulic analysis and design a Stormwater Control Measure that will achieve the level of Stormwater Fee Credit desired by the Customer.

4.7.3 Complete Application

Once an engineering analysis has been completed, the Customer should follow the instructions to fill out an application. This application along with an engineering report will be submitted to the Department for final Stormwater Fee Credit determination. If approved by the Department, any Stormwater Fee Credit awarded will appear on the billing cycle within 90 days or less from when the New Stormwater Control Measure was fully constructed and approved by the Department.

Stormwater Fee Credits will be retroactive to the date the Stormwater Control Measure was approved by the Department.

4.7.4 Construction of a New Stormwater Control Measure

If an application is successful, the Customer must construct the New Stormwater Control Measure before the Stormwater Fee Credit takes effect. The Customer must also provide an “as-built” certification to the Department which must be signed and sealed by a Professional Engineer licensed in the State of Florida for all New Stormwater Control Measures that meet the Stormwater Management Design Standards.

4.7.5 Inspection of a New or Existing Stormwater Control Measure

The completed New Stormwater Control Measure or an Existing Stormwater Control Measure may be subject to inspection by the Department to ensure that it was constructed as permitted and that it will perform as credited.

4.8 Credit Application for Existing Stormwater Control Measures

Stormwater Fee Credit application procedures for Existing Stormwater Control Measures are similar to those for New Stormwater Control Measures. Consultation with the Department may still be useful for the Owner of an Existing Stormwater Control Measure that is determining what Stormwater Fee Credit may be available to them. An engineering analysis as detailed above must be performed for an Existing Stormwater Control Measure to confirm that it exceeds current Village Stormwater Management Design Standards and qualifies for Stormwater Fee Credit.

Customers submitting Stormwater Fee Credit applications for an Existing Stormwater Control Measure may be eligible to receive Stormwater Fee Credit retroactive to Monthly Service Charge inception or up to one (1) year prior to approval of the application, whichever is shorter. Stormwater Fee Credit will not be awarded for applications for an Existing Stormwater Control Measure for any time period preceding fee inception. However, Customers must be able to prove the Existing Stormwater Control Measure complies with Florida safety standards and other applicable State laws, and has satisfied relevant Stormwater Fee Credit requirements for the time period(s) in question, and has been maintained throughout that time period in order to receive the retroactive Stormwater Fee Credit.

4.9 Credit Renewal

Stormwater Fee Credits granted to a Customer for an Existing or New Stormwater Control Measure will be in effect for three (3) years. In order to continue receiving the Stormwater Fee Credit in future years, a Customer must renew their application prior to the end of the three year Stormwater Fee Credit period. In addition, an inspection of the Stormwater Control Measure by a licensed Professional Engineer must be performed in accordance with the Village code prior to renewing a Stormwater Fee Credit. If the documentation or inspection proves a Stormwater Control Measure is not in compliance with Village requirements, the Stormwater Fee Credit will be subject to termination and credit received during any period of non-compliance must be repaid to the Village.

4.10 Implementation of the Credit

Depending on when an application for a Stormwater Fee Credit is submitted, whether a Stormwater Control Measure is new or existing and/or when a New Stormwater Control Measure is fully constructed and approved by the Department, implementation may be handled differently as described in this memorandum. Generally, it is estimated that applications will take ninety (90) days to process.

Stormwater Fee Credit, which is intended to reduce a Monthly Service Charge by a percentage reflecting the benefit provided to the Village's efforts to operate and maintain the Stormwater Management System by Customer-implemented stormwater management practices. Stormwater Fee Adjustment opportunities are detailed below. The reader should not view this document as a sole source but as a guide to assist in interpreting policies set forth in the Stormwater Utility Ordinance. Customers must be subject to a Monthly Stormwater Charge for Stormwater Management Services provided by the Village to be eligible for a Stormwater Fee Adjustment.

APPENDIX A

Forms and Instructions for Adjustments

Appendix A

Forms and Instructions for Adjustments

A.1 Stormwater Fee Credit Application Instructions

Applicants applying for a Stormwater Fee Credit for the first time must fill out the Credit Application included in this Appendix and submit the items listed in the Stormwater Fee Credit Application Checklist. Please note also that the Department reserves the right to request additional information if necessary to determine the Stormwater Fee Credit. Applicants or a Professional Engineer hired by the Applicant should fill out the entire form as completely as possible. The following directions apply to each section of the form.

Section A

Please submit the information requested by the Application including Customer Name, Physical Address, Contact Information and a copy of the most recent Monthly Service Fee received from Palm Beach County Utilities for Village Stormwater Management Services. Also, please indicate if this application is for an initial Stormwater Fee Credit or for the renewal of a previously approved Stormwater Fee Credit.

Section B

Please submit the information requested concerning the Applicant's Engineer including the Name, Physical Address, and Contact Information.

Section C

Please submit the information requested concerning the Applicant's Property for which Stormwater Fee Credit will be applied. If the property address is different from the Customer's address in Section A, please include in Section C.

Section D

Please include documentation regarding the number of acres of onsite and upstream tributary drainage area (if applicable) controlled by the Applicant's Stormwater Control Measure. The Applicant shall receive this information from the Professional Engineer that was hired to design the new Stormwater Control Measure or who has performed the study of an existing Stormwater Control Measure. The applicant shall submit to the Department a detailed topographic map outlining the drainage areas. In addition, the engineer should signify the appropriate design storm events controlled by the Stormwater Control Measure.

Section E

Please signify with a YES or NO in the appropriate box whether an NPDES Industrial or MS4 stormwater discharge permit has been obtained for this property. If so, please describe the elements of the program that help the Village comply with the specific requirements included in its NPDES MS4 Phase I Permit in the given box and include a copy of your NPDES Permit and Application with your request for Stormwater Fee Credit to the Department. In addition, please supply the Department with any additional information needed to evaluate your program. This information may include

documentation of the activities that you perform to stay in compliance with the permit, such as maintenance logs, monitoring information, etc. The negotiated Stormwater Fee Credit for the Customer's additional efforts will be based on the relative benefits offered to the Village, based on population served, protection provided, contributing drainage area, or other appropriate metrics.

Section F

A checklist for completion of the application is included in Section F. Please check the boxes next to each item to signify that you have completed the entire form. If the form is not complete, the Department may request that you re-submit the form before making a determination on the adjustment.

Section G

Please place your initials in the appropriate spaces to signify that you will comply with the statements in this section. For facilities with multiple owners or customers, the owner having primary responsibility for the management of the Stormwater Control Measure should sign this section. A Professional Engineer registered in the State of Florida is also required to sign this section. This section must be complete in order for your application to be processed.

Section H

Please sign and date that you have completed the application for a Stormwater Fee Credit. If multiple customers exist for the property, all customers must sign this form in order to grant the Stormwater Fee Credit. For development with common area Stormwater Control Measures such as condominiums, townhomes or cluster unit developments, where fees are pro-rated to the lot owners, the Association may sign and complete the application on behalf of its members.

Section I

Section I is for office use only by the Department.

A.2 Appeal for Adjustment Form Instructions

Applicants must fill out the Appeal for Adjustment Form contained in Appendix A.1 and submit the items listed in the Checklist. Please note that the Department reserves the right to request additional information if necessary to determine the adjustment. Applicants should fill out the entire form as completely as possible. The following directions apply to each section of the form.

Section A

Please submit the information requested by the Application including Property Owner, Physical Address, Contact Information, Customer Account Information, and a copy of the most recent Monthly Service Charge shown on the utility bill received from Palm Beach County Utilities.

Section B

Please submit the information requested concerning the Applicant's Engineer or Surveyor (if applicable) including the Name, Physical Address, and Contact Information.

Section C

Please submit the information requested concerning the Applicant's Property. If the property address is different from the Customer address in Section A, please include in Section C.

Section D

Please check the box next to the type of adjustment for which you are applying and list your requested change of impervious area in the appropriate spaces. In addition, please attach all documentation needed to justify your claim for an adjustment. Additional information may include:

- A map of the property
- Property measurements
- Topographic data
- A complete site survey by a registered surveyor or engineer

Section E

A checklist for completion of the application is included in Section E. Please check the boxes next to each item to signify that you have completed the entire form. If the form is not complete, the Department may request that you re-submit the form before making a determination on the adjustment.

Section F

Please place your initials in the appropriate spaces to signify that you will comply with the statements in this section. This section must be complete in order for your application to be processed.

Section G

Please sign and date that you have completed the application for an adjustment. If multiple owners exist for the property, all owners must sign this form in order to grant the adjustment.

Section H

Section H is for office use only by Village the Department.

Appendix A-1

Credit Application Forms

Village of Royal Palm Beach (Village)

Public Works

10996 Okeechobee Boulevard
Royal Palm beach, FL 33411
Telephone: (561) 790-5122

Stormwater Fee Credit Application

Section A.

APPLICANT INFORMATION

Customer:

Primary Location/Street Address:

Telephone:

Fax:

E-mail Address:

Stormwater Fee Application Type (initial or renewal):

Section B.

APPLICANT'S ENGINEER

Name:

Address:

Telephone:

Fax:

E-mail Address:

Section C.

PROPERTY INFORMATION TO WHICH CREDIT WILL BE APPLIED (attach a copy of your latest utility bill)

Name of Property (e.g. Complex or Development):

Palm Beach County Utility Account No.

Parcel Identification Number (PIN):

Property Address:

Section D.

STORMWATER CONTROL MEASURE CREDIT INFORMATION AND ELIGIBILITY

Reduction Request

10%

20%

Check All that Apply to the Property

1. Onsite Attenuation Exceeding Current Village Code
2. Offsite Attenuation
3. Onsite Stormwater Treatment Exceeding Current Village Code
4. Offsite Stormwater Treatment
5. NPDES Industrial Permit w/Village Supporting Activities
6. NPDES MS4 Permit w/Village Supporting Activities

NPDES MS4 Support Description:

Total Requested Credit:

--

Note: If applicable, either 5 or 6 can be checked, not both.

Maximum is 100% Credit

Section E.

STORMWATER NPDES INDUSTRIAL AND MS4 CREDIT INFORMATION AND ELIGIBILITY

Do you have an NPDES Industrial or MS4 Stormwater Discharge Permit? (YES or NO)

--

If YES, please include a copy of your NPDES permit and application with this Credit application.

If you answered YES to the previous question, please list briefly the activities performed by your program. Attach additional sheets as necessary. Also, please include with your application any information the City would need to evaluate your program:

Section F.

APPLICATION CHECKLIST

PLEASE INCLUDE ALL OF THE FOLLOWING (CHECK OFF): If any information is missing from the request package, you will be asked to complete the request and re-submit. Please note that the Village reserves the right to request additional information if necessary.

- ☐ A copy of your most recent Village Stormwater Utility Fee.
- ☐ Site plan as-built construction drawings (signed and sealed by a licensed surveyor or engineer) at an appropriate scale, showing the site, topographic details, overland flow paths, all stormwater facilities, and surrounding area.
- ☐ Detailed hydrologic and hydraulic calculations using the most current available information and methodology approved by the Village that accurately describes the runoff through the site. For facilities located in Village drainage basin study areas, the hydrologic and hydraulic models (i.e. HEC-1 and HEC-RAS) used in the Village's drainage basin studies should be used.
- ☐ Current Village topographic map outlining the on-site drainage area, the drainage area upstream and the location of the credited Stormwater Facility.
- ☐ A detailed report that clearly describes how the stormwater facility functions for storm events the facility is designed to control for Credit.
- ☐ A proposed maintenance schedule submitted by the owner of the Stormwater Facility that describes in detail the maintenance activities for the Stormwater Facility.

Section G.

CERTIFICATION STATEMENTS

PLEASE INITIAL THE FOLLOWING STATEMENTS CERTIFYING THAT YOU HAVE READ AND UNDERSTAND EACH ONE:

- _____ I hereby certify that the information in this application is truthful and accurate.
- _____ I hereby certify that I will Maintain the Stormwater Facility referenced in this application, and I will adhere to the approved maintenance schedule attached to this application.
- _____ I hereby certify that the credited Stormwater Facility will continuously meet all Village Standards.
- _____ I hereby grant Village staff access to the property referenced in this document to inspect the facility or facilities proposed for a stormwater fee credit.
- _____ I hereby certify that I will notify the Village should any destruction or damage occur to the facility referenced in this credit application that prevents it from performing as credited.

Owner's Signature

Date

(for multiple owners, representative responsible for management shall sign)

- _____ I hereby certify that the credited Stormwater Facility or Facilities meet all Village Standards.

Engineer's Signature

Date

Affix Seal Here

Section H.
SIGNATURE(S)

Signed this ____ day of _____, 20____, by the owners of the property.

OWNER'S SIGNATURE(S) - If multiple owners, all must sign.

PRINT OWNER NAME(S), ADDRESS(ES), PHONE NUMBER(S):

Section I.
OFFICE USE ONLY

Received by Village of Royal Palm Beach, Florida, this ____ day of _____, 20____.

Application reviewed on this ____ day of _____, 20____.

Application reviewed by: _____

Credit amount awarded to customer:

Onsite Drainage Area Credit (%): _____

Upstream Tributary Area Credit (%): _____

NPDES Permit Credit (%): _____

TOTAL STORMWATER FEE CREDIT: _____

Appendix A-2

Adjustment Application Forms

**Village of Royal Palm Beach (Village)
Public Works**

10996 Okeechobee Boulevard
Royal Palm beach, FL 33411
Telephone: (561) 790-5122

Stormwater Fee Appeal for Adjustment Application

Section A.

APPLICANT INFORMATION

Customer:

Primary Location/Street Address:

Telephone:

Fax:

E-mail Address:

Section B.

APPLICANT'S ENGINEER or SURVEYOR (if applicable)

Name:

Address:

Telephone:

Fax:

E-mail Address:

Section C.

PROPERTY INFORMATION (attach a copy of your latest utility bill)

Name of Property (e.g. Development or Subdivision):

Palm Beach County Utility Account No.

Parcel Identification Number (PIN):

Property Address:

Section D.

DETAILS OF THE APPEAL FOR ADJUSTMENT

Type of Property (circle): single-family, multi-family, other residential, non-residential

Currently Billed Impervious Area: square feet

Proposed Impervious Area: square feet

Please include a detailed description of the reason for the adjustment as an attachment to this application. Also, please provide the Village with any property maps or measurements that may be needed to determine your adjustment. A detailed topographic survey may be required in some cases at the expense of the Customer.

Section E.

APPLICATION CHECKLIST

PLEASE INCLUDE ALL OF THE FOLLOWING (CHECK OFF): If any information is missing from the request package, you will be asked to complete the request and re-submit. Please note that the Village reserves the right to request additional information if necessary.

- ☐ A copy of your most recent Village Stormwater Utility Fee
- ☐ Complete application form requesting an appeal for Adjustment
- ☐ Evidence supporting the basis for the adjustments including the opinion of a certified professional engineer or surveyor where applicable
- ☐ Current Village topographic map outlining the property and disputed impervious areas, where applicable
- ☐ Correct parcel identification number (PIN) - see Section F for instructions on obtaining the PIN for your property

Section F.

CERTIFICATION STATEMENTS

PLEASE INITIAL THE FOLLOWING STATEMENTS CERTIFYING THAT YOU HAVE READ AND UNDERSTAND EACH ONE:

- ☐ I hereby certify that the information in this application is truthful and accurate.
 - ☐ I hereby grant the Village of Royal Palm Beach access to the property referenced in this document to confirm any of the information stated in this application to determine my adjustment.
-

Section G.
SIGNATURE(S)

Signed this _____ day of _____, 20__, by the owners of the property.

CUSTOMER'S SIGNATURE(S) - If multiple all must sign.

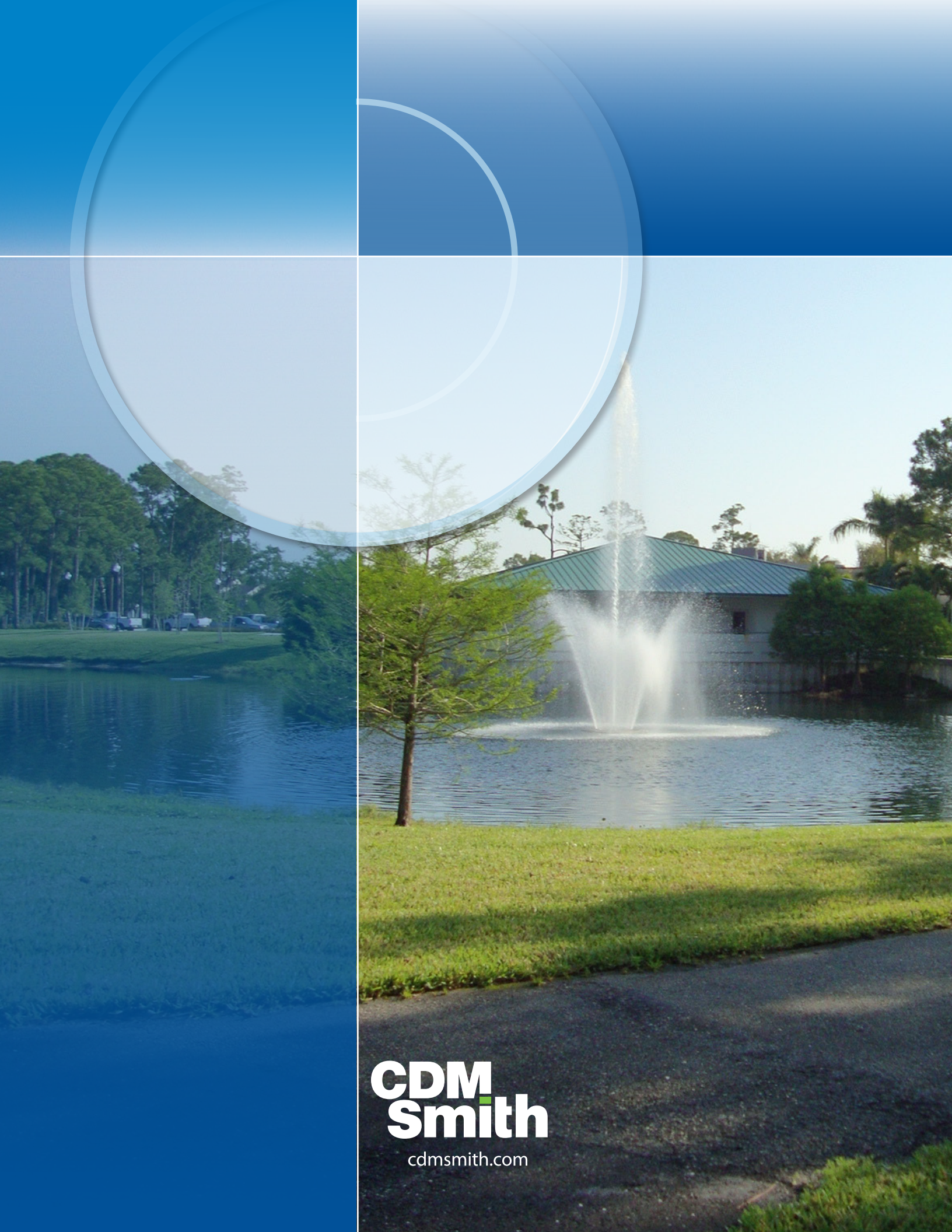
1	
2	
3	
4	
5	
6	
7	
8	
9	
10	

PRINT CUSTOMER NAME(S), ADDRESS(ES), PHONE NUMBERS(S):

1	
2	
4	
5	
6	
7	
8	
9	
10	

Section H.
OFFICE USE ONLY

Received by the Village of Royal Palm Beach, Florida, this		day of	, 20	.
Application reviewed on this		day of	, 20	.
Application reviewed by:				
Determination of Adjustment:	Currently Billed Impervious Area:	square feet		
	Revised Impervious Area:	square feet		
Retroactive Adjustment Required? (Y or N)	If yes, then record Retroactive Date:	day of	, 20	.



**CDM
Smith**
cdmsmith.com