

# Stormwater Utility Regulations

City of Ann Arbor, Michigan



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# City Of Ann Arbor, Michigan Stormwater Utility Regulations

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## Section 1 – Introduction and Authorization

The City of Ann Arbor established a Stormwater Management Utility on August 20, 1980. The utility provides the City with the authorization to establish and collect just and equitable rates, fees, and charges for the services and facilities provided by the utility system. The City is further authorized by the Michigan Statutes to construct, reconstruct, improve, and extend the Stormwater Management system.

The City's Stormwater Management Utility establishes a mechanism for billing the costs of operating and maintaining the City's stormwater management system and financing the necessary repairs, replacements, improvements, and extensions in a manner that protects the health, safety, and welfare of the citizens of the City of Ann Arbor. The City's ordinance, codified under Chapters 29 and 33 of the Code, City of Ann Arbor, Michigan, provides the mechanisms for billing and payment, accounting for capital contributions, and establishing the Stormwater Utility Fund.

Chapters 29 (section 2:69) and 33 (sections 2:213 and 2:217) of the City Code authorize the public services area administrator to adopt regulations implementing those chapters. These regulations were adopted in the manner provided in the city code and took effect July 18, 2007.

These Regulations outline the guidelines and framework under which the stormwater utility will operate, including procedures for credits, adjustments, and appeals to stormwater utility bills. It also establishes policies and procedures for the operation and maintenance of the City's stormwater utility system.

## Section 2 – Definitions

The following definitions shall apply in the use of these Regulations. Words used in the singular shall include the plural, and the plural, the singular; words used in the present tense shall include the future tense. The word "shall" is mandatory and not discretionary. The word "may" is permissive. Words not defined herein shall be construed to have the meaning given by common and ordinary use as defined in the latest edition of Webster's Dictionary.

**ADJUSTMENT.** The adjustment of the user charge assessed to a particular property based on the more detailed assessment of the impervious area on that property.

**ADMINISTRATOR** is the public services area administrator or such other person as the city administrator may designate.

**APPEAL.** The process of filing a dispute with the charge determination, charge adjustment or credit as recognized by the City.

**APPLICANT.** Any person, or a duly designated representative applying for a permit or other type of City, federal, or state regulatory approval to proceed with a project.

**CITY.** City of Ann Arbor, Michigan and its authorized agents.

**CLEARING.** The removal of trees, brush, and other ground cover from all or a part of a tract of land, but shall not include mowing.

**COUNCIL.** The City Council of City of Ann Arbor, Michigan.

**CUSTOMER.** The owner of any property that is receiving a stormwater utility service from City of Ann Arbor, Michigan.

**CUSTOMER CHARGE** shall mean a monthly or quarterly base charge that recovers costs for billing, collection, customer service, and public involvement and public education activities.

**DETENTION or TO DETAIN.** The prevention of, or to prevent, the discharge, directly or indirectly, of a given volume of stormwater runoff into the stormwater system by providing temporary on-site storage.

**DEVELOPMENT or DEVELOPMENT ACTIVITY.** The alteration, construction, installation, demolition or removal of a structure, impervious surface, pipe, conduit, cable or line, above or below ground, or the clearing, scraping, grubbing, killing or otherwise removing the vegetation from a site; or adding, removing, exposing, excavating, leveling, grading, digging, burrowing, dumping, piling, dredging or otherwise significantly disturbing the soil, mud, sand or rock of a site.

**DISCHARGE.** The flow of water from a project, site, aquifer, drainage basin, or other drainage facility.

**DWELLING UNIT.** Any building or portion thereof designed or used exclusively as the residence or sleeping place of one or more families, but not including a tent, cabin, trailer or trailer coach, boarding or rooming house, hotel, or mobile home.

**EASEMENT.** A grant by a property owner for a specified use of all or a specified portion of land to a person or the public at large.

**EROSION.** The wearing or washing away of soil by the action of water.

**FREEBOARD.** The space from the top of an embankment to the highest water elevation expected for the largest design storm stored. The space is often required as a safety margin in a pond or detention basin.

**FREQUENCY YEAR STORM.** A rainfall event expressed as an exceedence probability with a specified chance of being equaled or exceeded in any given year, as follows:

|                       |             |
|-----------------------|-------------|
| One Year.....         | 100 percent |
| Two Year.....         | 50 percent  |
| Ten Year.....         | 10 percent  |
| Twenty-Five Year..... | 4 percent   |
| Fifty Year.....       | 2 percent   |
| One-Hundred Year..... | 1 percent   |

**IMPERVIOUS SURFACE.** means a surface which is compacted or covered with material that is resistant to or impedes permeation by water, including but not limited to, most conventionally

surfaced streets, roofs, sidewalks, patios, driveways, parking lots, and any other oiled, graveled, graded, or compacted surfaces.

**NON-RESIDENTIAL DEVELOPED PROPERTY.** A developed property that is not utilized for dwelling units with the City.

**NON-STORMWATER** is all flows to the stormwater system not defined as stormwater, as determined by the administrator. This includes, but is not limited to, cooling water, process water, ground water from a purge well and non-residential swimming pool discharge.

**NON-STORMWATER DISCHARGE RATE** is the charge applicable to any non-stormwater use of the stormwater system, as defined by the Administrator.

**NOTICE.** A written or printed communication conveying information or warning.

**OPERATION AND MAINTENANCE** includes any component of a stormwater system requiring expenditure for materials, labor, utilities and other items for the management and uninterrupted operation of the stormwater system in a manner for which the stormwater system was designed and constructed.

**OPERATION AND MAINTENANCE COSTS** include all costs, direct and indirect, of operation and maintenance of a stormwater system.

**OWNER.** The person in whom the charge, ownership, dominion, or title of property (i.e., the proprietor) is vested. This term may also include a tenant, if chargeable under his lease for the maintenance of the property, and any agent of the owner or tenant including a developer.

**PARCEL or PARCEL OF LAND.** A tract, or contiguous tracts, of land in the possession of, owned by, or recorded as property of the same claimant person.

**PERMITTEE.** Any person who has been granted a permit to proceed with a project.

**PERSON.** Any individual, firm, association, public or private corporation or public agency or instrumentality.

**PRIVATE.** Property or facilities owned by individuals, firms, entities, corporations, and other organizations and not by local, state or federal governments.

**PROFESSIONAL ENGINEER.** A professional engineer licensed by the State of Michigan, skilled in the practice of civil engineering and the engineer of record for the project under consideration.

**PROPERTY** means any land within the boundary of the City of Ann Arbor, both publicly and privately owned, including public and private rights of way, but excluding the Huron River.

**PUBLIC.** Property or facilities owned by local, state or federal governments.

**RETENTION or TO RETAIN.** The prevention of, or to prevent, the discharge, directly or indirectly, of any stormwater volume into the stormwater system.

**SEDIMENT.** Solid material, whether mineral or organic, that is in suspension, is being transported, or has been moved from its place of origin by water.

**SITE.** Any tract, lot, or parcel of land or contiguous combination of tracts, lots, or parcels of land that is in one ownership, or contiguous and in diverse ownership, where development is to be performed as part of a unit, subdivision, or project.

**SITE STORMWATER MANAGEMENT PLAN.** Refers to the approved, detailed analysis, design, and drawings of the stormwater management system required for all construction.

**STORM EVENT.** A storm of a specific duration, intensity, and frequency.

**STORMWATER** means stormwater runoff, snowmelt runoff, footing drain discharges, surface runoff and drainage, and other discharges allowed by Administrative Regulations.

**STORMWATER DESIGN STANDARDS.** *Rules of the Washtenaw County Drain Commissioner, Procedures and Design Criteria for Storm Water Management Systems,* and such other standards that may be adopted by the City from time to time.

**STORMWATER DISCHARGE RATE** means the portion of the stormwater utility charge proportionate to the quantity and representative of the quality of stormwater being discharged from a property, calculated based upon the impervious area of the property.

**STORMWATER MANAGEMENT** means one or more of the following:

- The quantitative control achieved by the stormwater system of the increased volume and rate of surface runoff caused by alterations to the land;
- The qualitative control achieved by the stormwater system, pollution prevention activities, and ordinances to reduce, eliminate or treat pollutants that might otherwise be carried by stormwater; and
- Public education, information, and outreach programs designed to educate and inform the public on the potential impacts of stormwater.

**STORMWATER MANAGEMENT PROGRAM** means one or more aspects of stormwater management undertaken for the purpose of complying with applicable federal and state law and regulation or the protection of the public health, safety, and welfare related to stormwater runoff.

**STORMWATER MANAGEMENT PLAN.** The technical and policy manuals, plans, regulations and/or calculations, and any subsequent updates or amendments thereto, used by the City Engineer to administer the stormwater regulations.

**STORMWATER SYSTEM** means roads, streets, catch basins, curbs, gutters, ditches, storm sewers and appurtenant features, lakes, ponds, channels, swales, storm drains, canals, creeks, catch basins, streams, gulches, gullies, flumes, culverts, siphons, retention or detention basins, dams, floodwalls, levees, pumping stations, and other like facilities, and natural watercourses and features located within the geographic limits of the City which are designed or used for

collecting, storing, treating or conveying stormwater or through which stormwater is collected, stored, treated or conveyed, or any other physical means by which stormwater management is achieved.

**STORMWATER UTILITY CHARGE** means a charge to property pursuant to Chapters 29 and 33 of the Code: City of Ann Arbor, Michigan, intended to offset all or part of the cost incurred by City of preparing and conducting a stormwater management program, and operating and maintaining a stormwater system.

**STRUCTURE.** Anything constructed or installed with a fixed location on or in the ground.

**USER** is a firm, person or property which directly or indirectly contributes stormwater or non-stormwater to the stormwater system.

**UTILITY.** The stormwater management utility provided for in Chapter 33 of the Code, City of Ann Arbor.

**WATER QUALITY.** Those characteristics that relate to the physical, chemical, biological or radiological integrity of water.

**WATER QUANTITY.** Those characteristics that relate to the rate and volume of the stormwater runoff to downstream areas.

**WATERSHED.** Drainage area contributing stormwater runoff to a single point.

### **Section 3 – Stormwater Utility Charge Adjustments**

All customers shall report their changes in impervious area and submit these measurements to the City. The City also grants charge adjustments when customers identify incorrect information contained in the City’s billing database. Adjustments typically occur when the City has incorrectly delineated the impervious area within a nonresidential property, when residential customers are assigned the incorrect stormwater billing category, or when some or all of the stormwater discharge from the property does not enter the City’s stormwater system, either because it discharges directly to the Huron River, discharges across the City limit, or is completely retained on-site. Charge adjustment forms are available online at [www.a2gov.org/storm](http://www.a2gov.org/storm) or by calling 994-2666. The Administrator, or designee, will review adjustment requests within a 6-month period from the date of filing of the request.

The Administrator has authority to administer the procedures and standards, and review criteria for the adjustment of charges as established herein. All requests shall be judged on the basis of the amount of impervious area on the site, topography, and/or site drainage characteristics.

Any customer who has paid stormwater utility charges, and who believes the charge to be incorrect, may submit an adjustment request. Based on the information provided, the Administrator may grant an adjustment if one or more of the following situations exist:

- Owner demonstrates that the City has incorrectly interpreted and/or calculated the impervious area of the property.

- Owner demonstrates that some or all of the impervious area does not discharge into the City's stormwater system, including discharges directly to the Huron River as well as discharges to systems outside the City limits that do not subsequently re-enter the City limits.
- Owner demonstrates rainfall that occurs on property does not generate runoff as per WDCD code (has no outlet), is completely watertight, and has at least 18 inches of freeboard. This adjustment is for unusual structures, such as swimming pools, hazardous material storage areas, quarries, etc. For these specific cases, a customer's billable impervious area will be adjusted by removing the amount of impervious area that does not generate runoff.
- Owner demonstrates that on-site gravel is not compacted, not used for vehicular traffic, and not impervious. The City may grant adjustments for non-compacted gravel areas used for landscaping or other purposes. The City considers all compacted gravel areas (drives, storage areas, etc.) as impervious areas, and as such, no adjustment will be granted. The Administrator will make the decision regarding the intended purpose of gravel areas and the degree of imperviousness.

The City may request that the customer provide supplemental information to the Administrator including, but not limited to, survey data prepared by a registered Professional Land Surveyor (P.L.S.) that represents the amount of impervious area and compacted gravel area on a property and/or engineering reports prepared by a registered Professional Engineer (P.E.). Failure to provide such information may result in the denial of the adjustment request.

The Administrator shall respond in writing to all adjustment requests. The response shall provide an explanation of adjustment approval or denial. Adjustment denials may be appealed according to the process presented in Section 5.

## **Section 4 – Stormwater Utility Charge Credits**

Any customer may qualify for stormwater credits when they can demonstrate that their existing or proposed stormwater facilities and management practices provide the City with a quantifiable cost savings in managing their stormwater system. The reduction available for each type of credit will be established by City Council in Chapter 29 of the Code, City of Ann Arbor, Michigan, with the actual credit reduction for a specific property determined by the Administrator based on the characteristics of the actual facility or management practice employed by the customer.

Stormwater utility credits are associated with the construction, operation, and maintenance of privately owned stormwater facilities and/or actions by property owners that provide benefit to the City in the cost of providing stormwater services. Credit applications are available online at [www.a2gov.org/storm](http://www.a2gov.org/storm) or by calling 994-2666. The Administrator, or designee, will review credit requests within a 6-month period from the date of filing of the request.

### **4.1 Restrictions**

- No public or private property shall receive Credit to offset Charges for any condition or activity unrelated to the City's cost of providing stormwater management services.



- No Credit will be applied to any property that reduces the Charge to an amount less than zero.
- Credits will not apply to Stormwater Pollution Prevention Plan (SWP) Review and Inspection fees attributable to new development or redevelopment projects.
- Credit shall only be given to the property..

## **4.2 Credits for Single Family and Two-Family Residential Properties**

Credit may be issued to a single-family or two-family residential property where the property owner has implemented one or more of the following stormwater facilities or management practices. The application form will be posted online at [www.a2gov.org/storm](http://www.a2gov.org/storm) or may be obtained by calling 994-2666.

### **4.2.1 Credit for On-Site Stormwater Management Practices**

A single-family or two-family resident may receive a credit for physical stormwater management practices installed on their property. Credit will be granted to both the stormwater discharge rate (proportionate to the reduction in stormwater discharges achieved by these practices) and to the customer charge (proportionate to the public education benefits provided to the City by citizen involvement in such practices). The following types of practices are eligible to receive credits based upon a complete application to the City and subject to review and inspection by the Administrator. More detailed information on each of these practices is available online at [a2gov.org/storm](http://a2gov.org/storm) or by calling 994-2666.

- Install rainbarrel(s), totaling 35 gallons or more, onto the downspouts from structures on the property. Between storm events, owner shall direct discharges from rainbarrels either directly or indirectly to pervious areas of the property.
- Install one or more cisterns or dry wells able to capture a total stormwater volume of at least 500 gallons or 66 cubic feet and drain the captured volume to soil in less than 24 hours. Facilities designed according to these criteria should accept runoff from at least 50 percent of the roof area of the property. In no event may the discharge from the facility cause an increase in the runoff to an adjoining property.
- Install one or more rain gardens at least 130 square feet in area, and at least 3 to 6 inches deep. The rain garden should be able to drain the captured volume to soil in less than 24 hours, and should accept runoff from at least 50 percent of the roof area of the property. In no event may the discharge from the facility cause an increase in the runoff to an adjoining property.

### **4.2.2 Credits for Off-Site Stormwater Management Practices**

Most properties within the City developed since 1978 are served by stormwater detention facilities built as a condition of development. Design criteria for these facilities have evolved since then:

- **1978:** Detention of the 100-year storm event for new impervious surfaces exceeding 15,000 square feet. Outlet rate restricted to 0.2 cfs/acre (also referred to as the agricultural runoff rate for the 10 year storm event)
- **1994:** Washtenaw County Drain Commissioner adopts new design standards requiring control of the First Flush, Bankfull, and 100-year storm events. City staff requests voluntary compliance with WCDC design standards as developments are proposed.
- **2000:** WCDC revises design rules. Lowers outlet restriction rate to 0.15 cfs. City adopts new stormwater management requirements. Eliminates the "grandfather clause". Requires compliance with the rules of the WCDC.
- **2002:** City makes minor revisions to it's stormwater management standards to provide an exception of minor projects that do not increase impervious area.

Generally, these facilities are owned and maintained by a homeowners association or similar organizations. The City maintains records of these facilities, their design criteria, and the properties served by these facilities. The City also periodically inspects these facilities to determine if they are properly maintained and operating as designed.

Single-family and two-family residential properties that completely drain into one or more stormwater management facilities designed according to criteria in Chapter 63 of the Code, City of Ann Arbor in effect at the time the facility was constructed are eligible for a credit to their stormwater discharge rate. To receive this credit, the facility must be fully maintained to preserve the intended functionality of the facility. . Credits will be granted based upon the design criteria of the facility, which determines the amount of stormwater discharged into the City's stormwater system. Credits will be granted to qualifying property owners based upon information available to the City. No application is required.

#### **4.2.3 Credits for RiverSafe Home Participants**

In 2007, the Washtenaw County Drain Commissioner initiated the RiverSafe Home program, which provides recognition to home owners or occupants who employ best stormwater management practices in the maintenance of their property. Information about this program and an on-line survey to determine if property owners are eligible can be found at the Drain Commissioner's web site:

[http://www.ewashtenaw.org/government/drain\\_commissioner/dcRiverSafeHomes2](http://www.ewashtenaw.org/government/drain_commissioner/dcRiverSafeHomes2)

The City is supporting this program by providing customer credits as additional recognition to participating property owners and tenants who are in full compliance with the most current criteria of the RiverSafe Home program published by the Washtenaw County Drain Commissioner. Ann Arbor Stormwater Utility Customers must apply directly to the City for this credit by filling out the credit application online at [a2gov.org/storm](http://a2gov.org/storm) or by calling 994-2666. The City will periodically verify that the properties receiving this credit are in good standing with the WCDC's RiverSafe Home program.

### **4.3 Credits for Other Residential and Non-Residential Properties**

Property owners or eligible tenants can apply for these credits, and may be required to submit supporting documentation with their credit application to allow the Administrator to properly determine the value of the credit to be granted. The following credits 4.3.1 through 4.3.4 are included as part of the program. The Application Form for other residential and non-residential properties can be found online at [www.a2gov.org/storm](http://www.a2gov.org/storm) or by calling 994-2666.

#### **4.3.1 School-Based Education Credit**

Those schools, public or private, that perform public education and outreach practices in full compliance with an NPDES stormwater discharge permit issued by the Michigan Department of Environmental Quality (MDEQ) may receive a Credit for educating students and employees in the area of water quality awareness and protection. To be considered for this credit, the school must submit a copy of the NPDES permit, with the permit number, the latest stormwater management plan and annual report prepared under this permit, and the estimated number of residents of the City of Ann Arbor who received or participated in each educational practice.

The Administrator will review the application, and determine a credit amount based on the estimated cost-reduction in the City's public education programs provided by the school-based educational activities.

#### **4.3.2 Credits for Stormwater Management Practices Required under Chapter 63**

Most properties within the City developed since 1978 are served by stormwater detention facilities built as a condition of development. Design criteria for these facilities have evolved since then:

- **1978:** Detention of the 100-year storm event for new impervious surfaces exceeding 15,000 square feet. Outlet rate restricted to 0.2 cfs/acre (also referred to as the agricultural runoff rate for the 10 year storm event)
- **1994:** Washtenaw County Drain Commissioner adopts new design standards requiring control of the First Flush, Bankfull, and 100-year storm events. City staff requests voluntary compliance with WCDC design standards as developments are proposed.
- **2000:** WCDC revises design rules. Lowers outlet restriction rate to 0.15 cfs. City adopts new stormwater management requirements. Eliminates the "grandfather clause". Requires compliance with the rules of the WCDC.
- **2002:** City makes minor revisions to its stormwater management standards to provide an exception of minor projects that do not increase impervious area.

The City maintains records of these facilities, their design criteria, and the properties served by these facilities. The City also periodically inspects these facilities to determine if they are properly maintained and operating as designed.

Other residential or non-residential properties that completely drain into one or more stormwater management facilities designed according to criteria in Chapter 63 of the Code, City

of Ann Arbor in effect at the time the facility was constructed are eligible for a credit to their stormwater discharge rate. To receive this credit, the facility must be fully maintained according to criteria established by the Administrator. Credits will be granted based upon the design criteria of the facility, which determines the amount of stormwater discharged into the City's stormwater system. Properly designed and maintained facilities that receive stormwater from off-site sources may be eligible for an additional credit, subject to Administrator review. Credits will be granted to qualifying property owners based upon information available to the City. No application is required for facilities that were approved by the City prior to their construction.

#### **4.3.3 Stormwater Quality Control Structural BMP Credit**

Stormwater quality control structures that do not fully satisfy the criteria of Chapter 63 of the Code, City of Ann Arbor may be eligible for a credit. In order to qualify for this credit, one or more facilities must be able to capture runoff from the first one-half inch of rain and at least 50 percent of the impervious area of the property, release the captured volume to the City drainage system in no less than 24 hours, and otherwise be designed and maintained according to criteria in the Stormwater Design Standards, low impact design fact sheets available from the Washtenaw County Drain Commissioner, or generally accepted engineering practice. The City will determine whether to provide this Credit based upon a complete application including necessary hydrologic data, water quality data, design specifications, and other pertinent data supplied by qualified, licensed professionals on behalf of property owners. Structural stormwater quality management facilities that are eligible for credits include, but are not limited to the following:

- Vegetated Swales and Filter Strips,
- Infiltration and Percolation Basins,
- Percolation Trenches,
- Buffer Strips and Swales,
- Porous Pavement,
- Extended (Dry) Detention Basins,
- Retention (Wet) Ponds,
- Constructed Wetlands
- Media Filtration, and
- Other Stormwater Treatment System.

Credits for on-site stormwater facilities shall be generally proportional to the benefit that such systems have on complementing or enhancing the water quality benefit to the City's stormwater management system. Property access, adequate and routine facility maintenance, and self-reporting must be provided by the property owner to the City to verify that the facility is providing its intended benefit. Properly designed and maintained facilities that receive stormwater from off-site sources may be eligible for an additional credit, subject to Administrator review. In all cases, the facility must be designed to fully meet criteria in the Stormwater Design Standards based upon the total drainage area of the facility.

#### **4.3.4 Credits for Community Partners for Clean Streams Participants**

The Washtenaw County Drain Commissioner administers the Community Partners for Clean Streams program, which provides recognition to businesses that employ best stormwater

management practices in the maintenance of their property. Information about this program can be found at the Drain Commissioner's web site:

[http://www.ewashtenaw.org/government/drain\\_commissioner/dc\\_cpcs.html](http://www.ewashtenaw.org/government/drain_commissioner/dc_cpcs.html)

The City is supporting this program by providing customer credits as additional recognition to participating businesses that are in full compliance with the latest criteria of the Community Partners for Clean Streams program published by the Washtenaw County Drain Commissioner. Ann Arbor Stormwater Utility Customers must apply directly to the City for this credit by filling out the credit application and attaching a copy of the letter of recognition provided by the Drain Commissioner. The City will periodically verify that the properties receiving this credit are in good standing with the WCDC's Community Partners for Clean Streams program.

#### **4.4 Credits for Stormwater Systems within Public Rights of Way**

Most of the City's drainage system lies within public rights of way, sharing that property with public roads and other public and private utility systems. Public roads and other impervious surfaces within these rights of way discharge stormwater to the stormwater system and are subject to stormwater utility charges like every other property within the City. However, the public ROW also provides service to the stormwater utility (and all of its other customers) by serving as a conduit for stormwater drainage that augments the utility's other assets – and that the Utility would have to construct independently but for the existence of the public ROW.

In this light, the Administrator shall periodically determine the value of the services provided by the public ROW to the stormwater utility compared with the stormwater utility charge for runoff from impervious areas within the public ROW.

#### **4.5 Application Procedures**

A property owner seeking a Stormwater Credit must comply with the procedures outlined in these Regulations and must submit the appropriate credit application. All information necessary for the Administrator to make a determination must be supplied as outlined in these Regulations and the Credit application. Failure to comply with the procedures outlined in these Regulations will result in a denial of the Credit application.

In cases requiring a hydrologic analysis, a qualified professional engineer registered in the State of Michigan must prepare and certify the documentation provided to verify the hydrologic benefit.

#### **4.6 Enforcement Policy**

The Administrator reserves the right to review a credit application for accuracy and/or inspect and review documentation confirming the provision of the stormwater facility or management practice at any time. If, after its review or inspection, the Administrator finds the application to be inaccurate or the projected level of service is not being provided or continued, the customer will be notified in writing and given 45 days to correct the deficiency. The property owner must provide written documentation to the Administrator within 45 days of the original notice by the Administrator that the stormwater facility or management practice is being provided or

continued as agreed in addition to such evidence as the Administrator reasonably requires showing that the deficiency has been corrected. If, in the opinion of the Administrator, the deficiency is not satisfactorily corrected, the Credit attributable to the deficiency will be terminated on the following billing cycle and will remain in effect for a minimum of 12 months. Reapplication for Credit will not be reviewed until the delinquent stormwater facility or management practice has been adequately reinstated for three continuous months and evidence of the corrections has been provided with the reapplication.

Once the Credit reduction has been canceled, a customer may not reapply for that particular Credit for a period of 12 months and then only if the deficiency has been corrected, as determined by the City inspection. It will be the responsibility of the customer to prove the stormwater management goals are met prior to the Credit being reissued.

All structural water quality control systems that are not listed in the Stormwater Design Standards may require, at the request of the City and at no cost to the City, periodic certified laboratory water quality sampling and reporting to insure that the water quality standards are being met.

## **Section 5 – Appeals**

Any person disagreeing with the interpretation or application of a provision of Chapters 33, 29 (as related to Stormwater), or the regulations in these Regulations may appeal in writing by using Stormwater Utility Petition to Appeal found online at [www.a2gov.org/storm](http://www.a2gov.org/storm) or by calling 995-2666.

All appeals will be processed first through the Administrator, for a recommendation, and then to the City of Ann Arbor, City Administrator for final decision. Any person still aggrieved may appeal the City Administrator’s decision to a court of competent jurisdiction.

