

ANNVILLE TOWNSHIP

MS4 FEE CREDIT MANUAL

Introduction

Credits for qualifying stormwater best management practices (BMPs) are a vital component of every stormwater fee structure. Annville Township (hereinafter "Township"), through the Annville Township Authority, shall consider and provide appropriate exemptions or credits for properties which have installed and are maintaining stormwater facilities that meet best management practices and are approved or inspected by the Township. Granting credits for the installation and maintenance of BMPs gives all property owners the incentive to install and maintain such BMPs on their own. These BMPs reduce pollutants and improve the health of local waterways. The construction of many new privately owned BMPs will be necessary in order to meet the stringent requirements for Pollutant Reduction Plans. Therefore, it is in the Township's best interest to incentivize the construction of privately owned BMPs by granting credits on the MS4 fee.

Owners of the existing BMPs are also eligible for credits if the BMPs continue to be maintained. Owners of the existing BMPs are permitted to apply the credits under this policy in the same manner as landowners that are planning future BMPs.

Disclaimer

By submitting an MS4 Fee Credit Application, the property owner acknowledges and agrees that he/she and his/her heirs, grantees, successors, and assigns shall be solely responsible and liable for the operation and maintenance of any and all BMPs constructed, installed or employed by the property owner. The Township shall not be responsible or liable for the operation and maintenance of any BMP, or any damages arising therefrom. The property owner and his/her heirs, grantees, successors, and assigns shall indemnify and hold harmless the Township, its officers, agents, and employees from any and all claims, actions, causes of action, judgment, damages, losses, cost, and expenses (including attorney's fees) arising out of or resulting from the construction, installation, employment, maintenance, or operation of the BMPs. The property owner will be required to record an operation and maintenance agreement in accordance with Appendix 23-A of Chapter 23 (Stormwater Management) of the Annville Township Code of Ordinances before credits are issued for any and all BMPs on the subject property.

Definitions

Best Management Practices (BMPs): Activities, facilities, measures, or procedures used to manage the volume, rate and water quality of Stormwater runoff from a Developed Parcel. For the purposes of this credit policy, BMPs eligible for credits are listed below.

Credit: An MS4 Fee reduction that a Property Owner receives for implementing and complying with the practices and policies adopted by Annville Township.

Design Standards: Specifications, requirements, construction sequences, and other standards that must be met for an implemented BMP to receive credit. Design Standards for implemented BMPs shall be in accordance with the latest edition of the Pennsylvania Stormwater BMP Manual.

Developed Parcel: A parcel altered from a natural state that contains any impervious surface. A parcel classified as "Vacant Land" (or some similar form thereof) per data from the Lebanon County Assessment Office shall be classified as a Developed Parcel if there is Impervious Surface on the parcel.

Equivalent Residential Unit (ERU): The measure of impervious ground cover for a typical residential property used in assessing fees for each parcel of property and which is determined to be 5,227 square feet.

Impervious Surface: A surface that prevents or significantly reduces the infiltration of water into the ground. Impervious surface includes all structures, buildings, parking areas, driveways, roads, sidewalks, and any areas of concrete, asphalt, stone, or gravel, in accordance with Sections 201, 301, and following of the Township's Stormwater Management Ordinance.

MS4 Fee: A fee to be collected from each Developed Parcel in Annville Township and used to cover the cost of the Township's Stormwater management program.

Non-Residential Parcel: Any Developed Parcel not fitting the definition of Residential Parcel, or not classified as having a property type of "Residential", "Residential-outbuildings only", "Mobile home w/ land", "Residential-converted to mult.", or "Residential - exempt" per data from the Lebanon County Assessment Office and for which no more than three residential rental licenses are issued. Non-Residential Parcels include, but are not limited to, apartments with four or more units, hotels and motels, churches, industrial properties, commercial properties, manufactured home or mobile home parks, commercial and office buildings, storage areas, parking lots and other impervious areas, parks, recreation properties, public and private schools and universities, hospitals and convalescent centers, nursing homes, senior retirement facilities, office buildings, public utilities, government properties not owned by Annville Township or one of its Authorities, and mixed-use properties including those with a classification of "Residential w/ some comm." per data from the Lebanon County Assessment Office. A Developed Parcel meeting the definition in the two previous sentences that is not listed on the tax rolls for Annville Township but has Impervious Surface in Annville Township will be considered a Non-Residential Parcel for its Impervious Surface in Annville Township. A parcel that is owned by a Non-Residential Owner but used for a residential purpose such as a church parsonage or a residential rental property for which no more than three residential rental licenses are issued will be considered a Residential Parcel until this residential purpose changes.

Owner: Any person, firm, corporation, individual, partnership, trust, company, association, government agency, public utility, society or group owning real property in Annville Township; also may be referred to as "property owner" or "land owner."

Residential Parcel: Developed parcel on the tax rolls of Annville Township containing Impervious Surface classified as having a property type of "Residential", "Residential-outbuildings only", "Mobile home w/ land", "Residential-converted to mult.", or "Residential - exempt" per data from the Lebanon County Assessment Office and for which no more than three residential rental licenses are issued. Residential Parcels include single-family houses, single-family units, duplexes, manufactured homes and mobile homes located on individual lots or parcels of lands, and parcels that are owned by a Non-Residential

Owner but used for a residential purpose such as a church parsonage or a residential rental property, provided that no more than three residential rental licenses are issued for the parcel.

Stormwater: Water from a rain or snowfall event that flows across the land and eventually into rivers, creeks, lakes, ditches and canals resulting in debris, sediment, pollutants, bacteria and nutrients from sidewalks, streets, parking lots, and other impervious surfaces washing into gutters, through storm drains, and eventually flowing into creeks and rivers.

Application Procedure

Before applying for credit, the account associated with the subject property must be current. The MS4 credit application form included in this credit manual must be submitted along with all required information and attachments to the Township in hardcopy. Township delegated agents will review the application to determine if it is administratively complete within 30 days of receipt and will notify the applicant if the application has administrative deficiencies. Within sixty (60) days of determining that the application is administratively complete, Township staff or delegated agents will review the application to determine if the criteria for credit are met, and will issue a recommendation for approval or denial to the Annville Township Authority. The Annville Township Authority will decide whether to approve or deny the credit at the next regularly scheduled meeting following the issuance of recommendation. The decision to approve or deny the credit will be transmitted to the applicant in writing. If the credit application is approved, the property owner will receive the credit starting with the next billing cycle, the full amount of which will be divided by four and assessed equally to future bills.

Design Standards

All credited BMPs shall comply with the design standards presented for that BMP in the Pennsylvania Stormwater Best Management Practices Manual in Chapter 23 (Stormwater Management) of the Annville Township Code of Ordinances. Credited BMPs must, at a minimum, be able to treat the volume of stormwater directed to the BMP during the two-year, 24-hour storm as calculated using the Soil Cover Complex Method and the specifications of Section 23-308 (Stormwater Management) of the Annville Township Code of Ordinances.

Best Management Practice Classifications

Best Management Practices (BMPs) are divided into two classifications, or tiers, in order to assess the BMP's pollution reduction capabilities. Tier I BMPs are those which provide minimal pollutant reductions and thus minimal benefits to the health of local streams. Two BMPs fall into this category: dry detention basins and filter strips¹ for stormwater treatment. Each of these shall have an efficiency coefficient of 0.10.

Tier II BMPs are those which provide greater pollutant reduction and thus greater benefits to the local stream health. These BMPs are generally more complex than those in Tier I. The Tier II BMPs are:

<u>BMP Type</u>	<u>Efficiency Coefficient (EC)</u>
• Wet Ponds and Wetlands	0.60
• Infiltration Practices	0.95
• Filtering Practices (Manmade Filter Structures) ²	0.10
• Bioretention / Rain Gardens	0.55

Fee credit shall be calculated as follows:

$$\text{Imp. Area Treated}/5227 * \text{EC} * \text{Fee per ERU } (\$10) = \text{Credit } (\$)$$

Where $\text{Imp. Area Treated}/(\text{Applic. \# ERUs} * 5227)$ shall not exceed 1.0.

- NOTES:
1. Filter Strips shall demonstrate meeting the requirements of the example provided at the end of this appendix. All other BMPs shall be designed in accordance with the PaDEP Stormwater Manual.
 2. Efficiency coefficients for manmade filters may be as high as 0.80 provided appropriate documentation is provided to and approved by the Township Engineer.