

Gwinnett County Stormwater FAQs

New Stormwater Utility Fees

Gwinnett County adopted a Stormwater Utility in November of 2005 to improve their level of stormwater services for activities such as fixing drainage problems, fulfilling regulatory requirements, and reducing pollution carried by stormwater to our waterways.

1. *What is stormwater and why should we care?*

Like sanitary sewer services, the county operates and maintains a system of pipes and channels that drain stormwater and protect our homes and businesses from flooding. This system is costly to operate and maintain, and is facing increasing regulatory requirements from the Environmental Protection Agency.

Stormwater is water from rain. As rain falls to earth in agricultural and undeveloped areas, it is either absorbed or it slowly runs off and dissipates. Rooftops and paved areas not only prevent the water from being absorbed, but cause it to run off at a much faster rate. As a result, stormwater can accumulate, causing nuisance flooding and possible threats to public health and safety. Furthermore, our current infrastructure system of pipes needs repair and replacement due to age. A proactive replacement program is needed to keep the system functioning correctly.

Fixing drainage problems is only a part of the problem. As the rain falls onto our streets and runs off, it carries pollutants such as gasoline, oil, and heavy metals. Pesticides, herbicides, and fertilizers are washed from lawns and other green spaces. With the passage of time, these pollutants build up in our waterways and underground drainage systems, damaging our streams, rivers and lakes.

2. *What is a stormwater utility user fee?*

A user fee is a mechanism for the county to recover costs for services it must provide to meet public demands and stormwater regulations. The stormwater user fee is structured to recover costs fairly and equitably.

3. *Are we the only community with a stormwater user fee?*

No. Stormwater user fees are being used in many cities in the United States and several in Georgia. Nearby communities that have a stormwater user fee include DeKalb and Rockdale County and the cities of Lawrenceville, Conyers, Griffin, and Decatur.

4. *Why do we need a stormwater user fee?*

Unlike water and sewer services, prior to the adoption of the utility, there was no dedicated funding for the stormwater system and Gwinnett County used general funds from taxes to maintain the system. However, with the county facing increasing costs it was decided that a more fair and equitable way to fund the stormwater program needed to be explored. A stormwater user fee provides revenue to maintain and improve existing stormwater infrastructure in Gwinnett County as well as to implement the comprehensive stormwater quality management plan required by the United States Environmental Protection Agency.

We recognized the need to increase the scope of stormwater services provided by the County for three primary reasons.

Our stormwater program focuses on:

- Replacing old pipe systems
- Reducing pollution carried off by rainwater
- Fulfilling EPA requirements
- Educating and involving the public on stormwater
- Storm construction and development practices
- Fund stormwater activities in a fair and equitable way



Courtesy USEPA

Our natural resources are what makes Gwinnett County unique. These efforts will help protect them for future generations.

Stormwater Utility User Fee FAQs

For more information, contact
the Stormwater
Utility Staff at:
678-376-7193
E-mail:
smervice@gwinnettcountry.com

First is our responsibility to maintain the existing public infrastructure, much of which is underground. But just because it is underground does not mean it should be out of mind. For example, failing drain pipes have caused streets to cave in all around the County. Prior to the adoption of the utility our responses consisted of mainly spot repairs and filling in sinkholes with dirt and rock, i.e., treating the symptom instead of the cause. This historical level of response was analogous to just fixing potholes in residential streets but never repaving. We needed a more proactive maintenance effort for our 4,000 miles of storm drain system.

Secondly, we needed to protect our environment and we have new regulatory requirements for environmental protection and stream habitat improvement. The Georgia Environmental Protection Division has placed conditions in our wastewater permits that require us to bring all of the County's streams into compliance with new water quality and habitat standards.

The third reason was the need to improve customer services and responses. We had people with drainage problems that had been on a waiting list for over three years.

A stormwater service fee based on impervious surfaces was determined to be the most fair and equitable method of distributing the costs of maintaining and operating the stormwater system.

5. **What was the process for establishing the stormwater user fee?**

The decision to create a stormwater user fee was not made lightly. Several years ago, staff recognized the growing needs and the limited funding sources. A Stormwater Advisory Committee, made up of County personnel, was established to review and advise the County on stormwater issues. In June of 2003, staff asked and received permission to hire a consultant to analyze the situation and determine what the best course of action would be. The Stormwater Advisory Committee discussed stormwater management issues, organizational issues, and funding. Various funding solutions were discussed and compared for cost of administration, equity, and ease of development. The general consensus determined that raising taxes was not the most equitable method and that establishing a user fee was the most favorable solution to the funding problem.



We examined alternative sources of revenue to meet these needs in a study that lasted two years.

You may note that the County's millage rate has either gone down or remained flat from year to year, each and every year, since the early 1990s. This would suggest that raising property taxes would be a viable alternative. However, increasing the County's property tax was not the best choice because a good rational relationship does not exist between property value and the amount of runoff generated by a particular parcel of land. It is true however, that the more runoff there is, the greater the use of the system, and the greater the cost in maintaining the system. Additionally, raising the revenue through property taxes would omit many parcels that generate runoff, but enjoy tax exemptions. This would shift the burden and result in a higher bill to homes and businesses that may or may not generate large amounts of runoff, but that do not qualify for property tax exemptions.

A second alternative examined was to increase water and sewer bills. Similar to property taxes, there is not a strong rational relationship between the amount of water that might flow through the water meter and the extent of impervious surface on a parcel. Additionally, many water and sewer bills do not go to the property owner.

A third alternative examined was stormwater impact fees, but State law expressly prohibits the use of impact fee revenue for repair and replacement of existing infrastructure. Much of the stormwater utility revenue goes towards maintenance and replacement of pipes, collection



structures, and detention facilities.

A stormwater utility is run as a government-owned enterprise, whereby all revenues are segregated and dedicated to stormwater programs. The revenues will not be redirected to other purposes, as might be the case with an increase in general property taxes. Stormwater fees will be used to address stormwater problems.

Some people note that they will pay a stormwater fee at their home, their church, their school, where they work, and where they shop. That is the nature of a utility, such as electricity or water, whereby costs are allocated according to impact. The same holds true for other utility bills; for example, governments and churches also pay water bills.

With this knowledge, the Stormwater Advisory Committee strongly recommended the utility and the service fee

6. What is the basis for the user fee?

The stormwater utility user fee will be based on the amount of impervious surface area to estimate stormwater runoff from properties.

7. What is impervious surface?

Impervious surfaces are hardened surface areas that either prevent or limit the natural entry of water into the soil. Rooftops, buildings, streets, parking lots, sidewalks, asphalt, concrete, other paving, driveways, decks, patios, and artificial turf are all examples of impervious surfaces. These improvements reduce natural infiltration into the soil, which increases runoff.

8. Are gravel driveways/roads being charged?

No, the area of gravel surfaces do not contribute to that area used to determine the user service fee. If a gravel area has been included in the impervious area identified on a parcel please contact the customer service staff at SWservice@gwinnettcounty.com.

9. How are fees determined?

The County decided to follow the national model of measuring impervious surface area on individual properties. The user fee is determined based on the total square footage of impervious area broken down into 100 square foot units times the rate per 100 square feet. Established rates are as follows:

<u>Year</u>	<u>Annual Stormwater Service Fee</u> (\$/100 square feet of impervious surface)
2006	0.77
2007	1.41
2008	2.01
2009	2.46
2010	2.46
2011	2.46

The stormwater fee will be a line item on the annual property tax bill. The program will continue beyond 2011 and the rate for subsequent years will be revaluated in the future.

10. How is the impervious surface measured?

In order to determine how much impervious surface is on a piece of developed property, the County is using a mapping database called a Geographical Information System (GIS) that includes digitized aerial photographs which are used to measure the total square footage of the impervious surface on a piece of property. The county is flown each year around February when the leaves are still off the trees. The aerial photography that was used to calculate the 2008 bill was flown in February 2007. Anything that was built at that time will be billed. If a property was under construction during

A stormwater utility user fee will allow Gwinnett County to meet the stormwater needs of the community in a fair and equitable way.

February 2007, only the area that was captured by the photography will be billed. For example if only the foundation of the house was finished at that time it would have been captured, but if the driveway was not finished, it will not be billed until the following year.



11. Who has to pay?

Everyone. All developed properties within Gwinnett County will pay the stormwater user fee. These properties include houses, businesses, industries, schools, public facilities, and churches. The County made a special effort to ensure fairness and equity. This has led to a policy that everybody pays, even government buildings. Everyone contributes to and benefits from the stormwater sewer system, which is separate from the sanitary sewer system. Therefore, even people with septic tanks are included.

12. Why are churches and schools being billed?

Because this is a user fee and not a tax.

The user fee, just like electric, drinking water, and sanitary sewer fees, is based upon the cost of services provided. Because this is not a tax, it is collected from all customers who receive service. Churches and schools, like other properties, contribute runoff to the County. Because of the size and amount of parking lots and roofs on these properties, the runoff from these properties may be significant. Exempting properties that potentially generate large amounts of runoff would shift the burden of financing the operation and maintenance of the stormwater system to homes and businesses that do not qualify for property exemptions and unfairly result in a higher bill for the non-exempt properties. For this reason, they will be treated like all other customers under the user fee rate structure.

13. What will the money be used for?



Some of the other major components of this program include:

- Meeting the requirements of the County's stormwater permit
- Improving maintenance and repair of the county's stormwater system
- Developing stormwater design standards and regulations and ensuring they are met
- Construction of long overdue flood protection and water quality management projects
- Stormwater infrastructure replacement including culverts, dams, curb inlets, head walls and conveyance systems.

14. Why should I have to pay? I live on a hill and don't have a drainage problem.

You may not have a problem, but the runoff generated from your property is contributing to problems downstream. The approach being taken through this program recognizes that everyone contributes to the runoff and pollution and everyone will share in the results—improved water quality, reduced flooding, unimpaired access to roads, etc.

15. Is there a way for me to reduce my bill?

Since the stormwater bills are based on the amount of impervious surface area, the primary way to reduce your fee would be to reduce the amount of these surfaces. Gwinnett County has developed a Credits Program that allows customers to reduce their stormwater bills in exchange for contributions made that offset the costs of the stormwater program. For non-residential customers, examples of credits could include providing natural buffers along stream corridors, maintaining and operating detention or retention basins, and other similar items. Details of the credits program are available within the credits manual. A copy is available on line at www.gwinnettstormwater.com. The credits program was developed during 2006 by the Credits Stakeholder Committee which was formed for that purpose.

16. I live on a farm on a huge lot and the water never runs off my site. How can you justify billing me?

The Credits Stakeholder Committee mentioned above in, "15. Is there a way to reduce my bill?" developed a credit called "Low Impact Parcel" that might apply to this situation and reduce your bill. However, the Utility is responsible for cleaning and repairing the entire storm drainage system in the roads that citizens drive on every day and for protecting and improving the water quality, habitat and biology of our streams. While flows may be diminished from properties with small impervious surfaces compared to the total property, in large storms everyone contributes flow to the streams so everyone with impervious

surfaces will pay some fee. While runoff from the property may not flow into a street, it does flow into a stream and that stream flows through culverts under roads in the County that the Utility must maintain. The utility is responsible for protecting the health of the streams which is part of the quality of life that all citizens of Gwinnett County get to enjoy. The utility also maintains the drainage system in roads that all citizens travel on everyday which also contributes to the economic wellbeing and quality of life in Gwinnett. A stormwater service fee based on impervious surfaces has been found to be the most fair and equitable method of distributing the costs of maintaining and operating stormwater systems.

17. *It hasn't rained in a while. Do I still have to pay the stormwater fee?*

The storm drainage infrastructure including pipes, catch basins, etc. must be maintained no matter how much flow is running through it at any given moment. These drains must be kept maintained so that the next storm does not result in flooding and damage to roads and other infrastructure. In addition, the fee supports ongoing costs associated with investigation of illegal dumping into storm drains during dry weather and towards the repair of streams and watercourses damaged by previous storms.

18. *Why don't cities have to pay?*

All cities in Gwinnett County, except Lilburn, have their own stormwater programs which are currently funded by those cities. Since the county does not maintain any stormwater structures inside these cities, the county does not charge them a service fee. The City of Lilburn has joined Gwinnett County's Stormwater Utility and as of 2007, property owners in Lilburn will be billed and receive similar services to those provided to residents located in unincorporated Gwinnett. The City of Lawrenceville has established its own stormwater utility fee and the City of Snellville is currently considering the creation of such a fee. Other cities fund the management of their storm drainage system through other means.

Billing Information

20. *As an individual property owner, how do I find out how much I am going to pay?*

You are able to preview your bill on the Gwinnett County web site using the GIS Data Browser. Instructions can be found in the document titled "Find Stormwater Billing Information on the Web" on the Utility web page. You can also email us at swservice@gwinnettcountry.com or call us at 678-376-7193. If no impervious area shows up on your property it is likely that you are inside a municipal boundary and will not pay a stormwater fee this year. Please turn on the City Limits layer to determine whether the property is a city or the county.

21. *If I disagree with the amount being charged, what can I do?*

Whenever a system like this is developed there will be questions. We will work hard to address your questions as quickly as we can. An appeals process has been set up and instructions can be found in the document titled, "Appeals Procedure" on the Utility web page. You can email us at swservice@gwinnettcountry.com or call us at 678-376-7193. If you would like to see the area that was used to determine the charge, the customer service group can mail you an 8 1/2 x11 map of the property.

22. *When will I receive my bill and when is it due?*

The stormwater service fee will appear as a service fee line item on your property tax bill along with other service fees that may apply such as street lights. Property tax bills are typically mailed in July with the first installment due in mid September and the second payment due in mid November. Please check with the Office of the Tax Commissioner for exact dates.

23. *What if I was overcharged?*

The amount will be credited on the next year's bill. If the overcharge is more than \$10 then a refund check can be sent. Refund checks will be sent after the bill has been paid in full. If paid by check there will be a waiting period to verify that the check clears. It is anticipated that refund checks will be sent out quarterly.

24. *What if I choose not to pay the stormwater fee?*

All unpaid stormwater service fees shall be collected from the owner of the parcel, regardless of whom the bill was originally directed to, by using all methods allowed under Georgia law. Failure to receive a bill is not justification for nonpayment. Delinquent stormwater service fees will incur a 1% per month late penalty assessed against the owner of the unpaid balance.

25. *I am renting an apartment or house. Do I have to pay this charge?*

Under the billing process, stormwater utility bills will be sent to the property owner. It will be up to the property owner to decide how to handle it.

26. *Do the elderly or disabled get a break?*

Since this is a user fee and not a tax, everyone has to pay. All developed properties within Gwinnett County will pay the stormwater user fee. These properties include houses, businesses, industries, schools, public facilities, and churches. The County made a special effort to ensure fairness and equity. This has led to a policy that everybody pays, even churches and other tax exempt entities.

27. *What if my property tax bill is paid by my mortgage company through an escrow account, will my mortgage payment go up?*

The mortgage company will pay the tax bill as usual. You will need to contact them to find out if, when or how they will adjust your escrow payments.

28. *I live in a condo/townhome community. How was my bill determined?*

The impervious area for the community was totaled and divided by the number of property owners so everyone will be billed the same amount. This was determined as the fairest way to divide all of the common areas. Also, it is difficult to determine exactly how much impervious area each unit has since they are attached.

29. *I live in a subdivision that has a community center/pool/private streets. Will my HOA dues increase?*

The bills will be sent to the owner of the property. If the parcel is in the HOAs name then it will receive the bill. It will be up to the HOA to determine how to cover this cost.

Credit Information

30. How long will credits be valid?

Most credits will be valid for a period of one (1) year and can be renewed on an annual basis. A few credits will be valid for more than one year, and this information can be found in the Credits Manual.

31. When will credits be effective?

As long as customers submit the proper documentation on an annual basis by December 31, credits will continue to be in force as long as the property and the action which justified the credit remain essentially the same.

32. Who will evaluate the credits?

The Gwinnett County Department of Water Resources' Stormwater Management Division will be responsible for evaluating credit applications.

33. Will there be a fee associated with filing for credits?

No.

34. Why are some practices only given partial credit?

The Gwinnett County Department of Water Resources has evaluated the effectiveness of the various methods that are considered when allowing credits. Rather than take an "all or nothing" approach, the Department will approve partial credits for those practices that are less effective than others, but still provide a benefit to the community.