

Gwinnett County
Department of Water Resources
Stormwater Management Division
Appeals Procedure

Appeals should first be reviewed administratively to determine if the issue can be resolved on the basis that the utility used incorrect data to make the decision or if an error was made in interpreting the data that the utility did have. All costs associated with filing an appeal are the responsibility of the person filing the appeal. Gwinnett County will not compensate persons for any expenses associated with filing appeals, regardless of the outcome of the appeal.

If the appeal results in a reduction or increase of the service fee, the records should be corrected prior to bill being sent if possible. If the adjustment occurs after the bill was sent or correcting the bill is not possible, the customer should be advised to pay the bill in full since partial payment of the bill will be reflected as partial payment of property taxes. If the customer is due less than \$10, then the amount will be reflected as a credit on their bill the following year. If the amount due to the customer is \$10.00 or more, then a refund will be processed to send the customer a check in the mail once the bill is paid in full.

Staff Review:

- 1) Requests for staff review may be received in person, by phone, email or mail. See page 3 for the Staff Review application form.
- 2) Staff decisions must be documented in a database that tracks appeals and their outcome. The initial contact by the customer does not have to include an appeals form filled out by the customer.
- 3) If staff determines that an error has been made based on incorrect data or in interpreting the data and requirements, staff shall correct the master account file and document the correction in an appeals database.
- 4) Utility staff shall conduct a technical review of the conditions on the parcel and respond to the staff review request in writing within fifteen (15) calendar days from receipt of notice by the customer. See page 5 for the standard notification form.
- 5) In response to a staff review request, Utility staff may grant the request, adjust the stormwater service fee applicable to a parcel in conformance with the general purpose and intent of the Utility policies or deny the request.
- 6) Staff review requests are free of charge.

Administrative Appeals:

- 1) Within thirty (30) calendar days of the staff review decision or any other decision made by the Utility staff, the customer may appeal the decision in writing on a form provided by the Utility. See page 4 for the Appeal Application Form. The decision the customer is appealing must be clearly stated on the form. An appeal can be made without first requesting a staff review adjustment.
- 2) In the case of service fee appeals, the appeal shall include a survey prepared and sealed by a land surveyor or professional engineer currently registered in the State of Georgia containing information on the total parcel area, the impervious surface

area, and any other features or conditions which influence the hydrologic response of the parcel to rainfall events and form the basis of the appeal.

- 3) The County Administrator or designee shall conduct a technical review of the conditions on the parcel and respond to the appeal in writing within thirty (30) calendar days of receipt. See page 5 for the standard notification form
- 4) In response to an appeal, the County Administrator or designee may approve the request, adjust the stormwater service fee applicable to a parcel in conformance with the general purpose and intent of the Utility policies, or deny the appeal.
- 5) The County Administrator or designee may refer an appeal to the Stormwater Advisory Council for review and recommendation.
- 6) Administrative appeals are free of charge.

Judicial Appeals:

- 1) The appeal process above shall be a condition precedent to an aggrieved customer seeking judicial relief.
- 2) Any decision of the County Administrator or designee may be appealed by application for writ of certiorari in the Superior Court of Gwinnett County, filed within thirty (30) calendar days of the date of receipt of service of the decision of the County Administrator or designee.

GWINNETT COUNTY STORMWATER MANAGEMENT DIVISION

STAFF REVIEW REQUEST

Applicant's Name: _____

Property Address _____

Contact Individual: _____

Phone Number: _____ Fax Number: _____

E-mail: _____

Mailing Address: _____
(if different)

Utility Account No./ _____
Parcel ID No. _____

Description of Staff Review Request –

Applicant's Signature (Not Required)

Date

Please return completed Form to:

Gwinnett County Stormwater Management Division
Department of Water Resources
684 Winder Highway
Lawrenceville, GA 30045-5012

Email: Swservice@gwinnettcounty.com

GWINNETT COUNTY STORMWATER MANAGEMENT DIVISION

ADMINISTRATIVE APPEAL APPLICATION

Applicant's Name: _____

Property Address _____

Contact Individual: _____

Phone Number: _____ Fax Number: _____

E-mail: _____

Mailing Address: _____
(if different)

Utility Account No./ _____
Parcel ID No. _____

Description of Appeal – Please attach a copy of the written decision provided by Division Staff and explain why you feel the decision they made was not correct.

Applicant's Signature

Date

Please return completed Form to:

Gwinnett County Stormwater Management Division
Department of Water Resources
684 Winder Highway
Lawrenceville, GA 30045-5012

Email: Swservice@gwinnettcounty.com

GWINNETT COUNTY STORMWATER MANAGEMENT DIVISION

REVIEW/ APPEAL DECISION

Applicant's Name: _____

Property Address _____

Utility Account No./
Parcel ID No. _____

Type of Appeal:

- Staff Review
- Administrative Appeal

Decision:

Division Signature

Date

Division Name (Print or Type)