



STORMWATER CREDIT MANUAL

Village of Libertyville, Illinois

July 15, 2020

1. Introduction

The intent of this manual is to outline the Village's Stormwater Utility Fee Credit Program and the procedure by which the Program is to be administered. In addition to describing those activities which may be used to qualify for a credit, the manual outlines the administrative and technical basis for determining the extent of the credit and the conditions required to remain eligible for a stormwater fee credit.

2. Definitions

The following definitions are applicable throughout the credit manual and shall have the meanings provided below. If not defined, the terms utilized in this manual shall have the meaning associated with current Village standards for stormwater management and design unless the context clearly indicates otherwise. In all other cases, the terms utilized in the manual shall have the meaning given by common and ordinary use as defined in the latest edition of Webster's Dictionary.

Applicant – An applicant is the person or entity financially responsible for the stormwater utility fee associated with a given account and the stormwater facility or property to be credited.

Credit – A credit shall mean on-going reductions in the stormwater utility fee applicable to a given property in recognition of proof of direct discharge outside the Village's system and/or discharge to waterways which are not sampled by the Village. Credits shall be conditioned on standards adopted by the Village Board upon which the credits are granted and may be revised or rescinded.

Credit Application – A credit application is an application submitted in accordance with the Village's Stormwater Utility Fee Credit Program for a qualifying credit.

Design Storm – A design storm refers to a rainfall event of a certain size or intensity, duration, and return frequency that is used to calculate the peak stormwater discharge. For example, a 100-year storm refers to a rainfall event expected to occur an average of once every 100 years, or an event which has a 1% chance of occurrence within any given year.

Developed Land – Developed land shall mean property altered from a natural state that contains impervious or partially impervious cover, including buildings, pavement, gravel roads, recreation areas (e.g. tennis courts), etc.

Equivalent Residential Unit (ERU) – An ERU shall mean three thousand six hundred (3,600) square feet of impervious surface or any fraction thereof. Three thousand six hundred (3,600) square feet is the average for impervious surface area on a residential property in the Village of Libertyville, and the basis upon which the Village will use to calculate the impervious area for the stormwater utility fee.

Stormwater – Stormwater shall mean the run-off from precipitation that travels over natural or developed lands to the nearest stream, other conduit, or impoundment and appears in lakes, rivers, ponds, or other bodies of water.

Stormwater Utility Fee – The stormwater utility fee for a property is the charge established by the Village to cover the cost of operating, maintaining, and/or improving the Village’s Stormwater System. The charge is based on the impervious surface area associated with the property measured in ERUs.

Stormwater System – The Village stormwater system consists of all of the physical components and attributes of the drainage system within the Village that manages and conveys stormwater including but not limited to drains, inlets, culverts, basins, ditches, creeks, public streets, and rights-of-way.

Village – The Village of Libertyville.

Receiving Waters – The waterways that must be sampled by the Village in compliance with EPA reporting requirements.

Village Standards – Village Standards include those standards established by the Village for the design, construction, and maintenance of stormwater facilities. These standards include the Village Code and the Lake County Stormwater Management Commission’s Watershed Development Ordinance (WDO), and all other applicable Village policies. These standards are the minimum requirements for Stormwater Control and may be altered or augmented at the discretion of the Village Engineer or Director of Public Works due to unique site conditions and/or preexisting drainage problems within the area.

3. Stormwater Fee Credits

The utility fee credits recognize those applicants that completely discharge outside the Village’s stormwater system and/or to applicants that discharge outside the receiving waters sampled by the Village.

While it is the intent of the Village to maintain a program to extend stormwater utility fee credits to applicants subject to the provisions included in this manual, should stormwater regulations change such that the conditions of the Stormwater Credit Program are no longer valid or significantly altered, the Village reserves the right to reduce or eliminate the credits available.

3.1 Eligibility

An applicant is eligible to receive a stormwater utility fee credit if that applicant receives a bill for Stormwater Service provided by the Village. The credit must apply to developed land discharging outside the Village stormwater system and/or receiving waters. Properties that drain to offsite detention facilities are not eligible for credits. Accounts with past-due balances are not eligible to apply for stormwater fee credits.

3.2 Right-of-Entry

As a condition of receiving a stormwater fee credit, an applicant must agree to allow the Village unrestricted access to inspect the property associated with the stormwater utility fee credit. The

intent of the inspections will be to verify that the conditions on the ground are consistent with the documentation provided in credit application.

3.3 Term

Stormwater utility fee credits are provided for a period of five years. In order to continue to receive the credit in future years, the recipient is required to renew the credit application every five years. It is the responsibility of the recipient to submit the credit renewal stormwater application to the Village and to do so in a manner that ensures that the credit remains continuous.

3.4 Stormwater Credit Application

To receive the stormwater utility fee credit, the applicant must submit a Stormwater Credit Application which demonstrates the compliance with the criteria detailed in Sections 3.6 and 3.7 of this manual.

3.5 Application of Credits

For those stormwater credit applications received (and subsequently approved), the credits will be applied to the applicant's account within the billing period in which the application is submitted.

3.6 Qualifying Individual Credits

The options eligible for receipt of an individual stormwater utility fee credit are as follows, and are not mutually exclusive, i.e. a customer may qualify for one or both credits:

3.6.1 Discharge Credit

A credit of 50% will be available to applicants who can demonstrate that their properties discharge all stormwater runoff outside the Village stormwater utility system. Partial discharge of stormwater outside the Village will not be considered.

3.6.2 Sampling Credit

A credit of 50% will be available to applicants who can demonstrate that their properties discharge all stormwater runoff outside the receiving waters sampled by the Village in accordance with IEPA requirements. Partial discharge of stormwater outside the receiving waters will not be considered.

3.7 Application Requirements

The following process should be followed to submit an application for a stormwater utility fee credit:

- a) Download current credit application forms from the Village website or obtain the form from Village Hall or Public Works Department.
- b) Prepare the credit application form.
- c) Prepare or locate required site drainage plan showing topography, drainage patterns and contributing area to drainage outside the Village.
- d) Prepare technical calculations required to determine applicability of credit.
- e) Obtain appropriate signatures where applicable.
- f) Submit form and required attachments to the address on the Application Form.

3.8 Annual Documentation

Annual documentation must be submitted to the Village to continue receiving a credit. The annual documentation must be submitted during the month of April. The required documentation consists of recently dated photographs showing the conditions on the ground of the property have not changed nor impervious area has been added to the parcel that would result in stormwater runoff being contributed to the Village's system or its receiving waters.

3.9 Inspections

The Village reserves the right to inspect parcels receiving a credit at any time. If the field inspection proves that any of the annual documentation submitted for continuation of the credit is not accurate then the 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 parcel was out of compliance. Inspections will be performed at the discretion of the Village.

3.10 Enforcement

Inspections are the primary methods employed to monitor credits. Failure to maintain parcels receiving credit in strict compliance with Village standards will result in the loss of the credit and possible surcharge to recapture improper credits.