

VILLAGE OF NORTHBROOKSTANDARD OPERATING PROCEDURES

TITLE: STORMWATER DRAINAGE REVIEW

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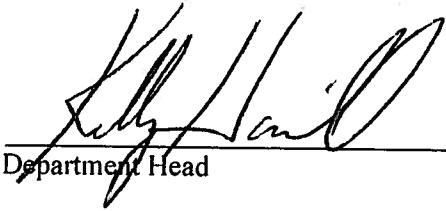
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APPROVAL  
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Amy AllynINDEX: **SOP – Stormwater Drainage System User Charge**

**BACKGROUND:** The Village of Northbrook maintains an integrated system of storm sewers, stormwater management facilities, ditches, structures, overland flood routes/paths and other flood control infrastructure for the purposes of managing stormwater runoff and reducing the impacts of flooding throughout the Village ("*Stormwater Drainage System*"). In the interest of expanding and improving the Stormwater Drainage System, the Village's Stormwater Management Commission, staff and Board of Trustees completed a new Master Stormwater Management Plan ("*MSMP*"). The MSMP includes a number of public infrastructure projects which are intended to reduce flooding impacts within the Village. The President and the Board of Trustees have determined that construction of the stormwater infrastructure projects included in the MSMP and the continued maintenance of the Stormwater Drainage System is essential to preserve the public's health, safety and welfare.

The Village previously funded improvements to the Stormwater Drainage System through general fund revenues and bond issues. Given the number and magnitude of the stormwater infrastructure projects planned in the MSMP, the Village has determined that this method of funding is insufficient for the needs of the community, and that a new fund be developed with a separate, dedicated revenue source in order to provide for the necessary additions to the Stormwater Drainage System. On April 10, 2012, the President and the Board of Trustees adopted Ordinance No. 12-24 amending Article III of Chapter 27 of the Northbrook Municipal Code (1988), as amended ("*Municipal Code*") to establish a user charge for the Village's Stormwater Drainage System.

The President and Board of Trustees determined that the cost of funding the construction, improvement, maintenance and operation of the Stormwater Drainage System should be borne and shared by all users of the Stormwater Drainage System and that a users' share of the system's cost is rebuttably presumed to be directly related and proportional to the user's metered water consumption. Ordinance 12-24 also established a procedure for a user to (i) request a review by the Village Engineer if the user believes that its property's impact on the Stormwater Drainage System is not related nor proportional to the user's metered water consumption; and (ii) be assessed an alternative stormwater drainage charge based on the amount of

impervious surface located on the user's property.

**POLICY:** Any user who desires to demonstrate to the Village that the user's metered water consumption is not directly related and proportional to the volume of stormwater runoff generated by the user's property can request that the Village Engineer review that property's impact on the stormwater drainage system and assess an alternative stormwater drainage charge for that property.

An application for a stormwater drainage review shall be prepared, submitted, accepted, reviewed and approved or rejected in accordance with this SOP.

Any user applying for a stormwater drainage review must provide the Village with clear and convincing evidence, including, without limitation, the materials and information described below, to rebut the determination that the volume of stormwater runoff generated by their property is not directly related and proportional to the user's metered water consumption. The Village Engineer or his designee shall have the right, but not the obligation, to inspect the user's property as part of a stormwater drainage review.

If, after conducting a review of the user's property, the Village Engineer finds, in his sole and absolute discretion, that the user's metered water consumption has little or no proportional impact on the volume of stormwater runoff generated by the property, the Village Engineer shall determine and assess an alternative stormwater drainage charge for the property based on the square footage of impervious surface contained on the user's property and calculated at an annual rate established in the annual fee ordinance. The user shall be responsible for providing any materials and information the Village Engineer requires to accurately determine the amount of impervious surface contained on the user's property.

**PURPOSE:** The purpose of this SOP is to establish procedures for the submission, review and determination of requests for the alternative stormwater drainage charge established by Section 27-171 of the Municipal Code.

**PROCEDURE:** The procedures for requesting, reviewing and determining if it is appropriate to charge a property the alternative stormwater drainage charge shall be as follows:

- The owner of the subject property or the person or entity named on the metered water bill for a subject property ("*Applicant*") must complete the Stormwater Drainage Review Application ("*Application*") (attached as Exhibit A to this SOP) in its entirety and provide a current Plat of Survey for the subject property that is at a standard scale (i.e. not reduced or enlarged) to the Public Works Department, attention Village Engineer. The Plat of Survey may not be more than one year old and must show all current and existing improvements to the property.
- The Village Engineer, and/or his designee, will review the Application to determine if the justification provided by the applicant as to why metered water consumption for the property is not related and proportionate to the volume of stormwater generated by the property is valid and warrants further consideration.

- As part of this review, the applicant will allow the Village Engineer and/or his designee to inspect the subject property, including all interior and exterior areas, as well as all plumbing, appliances, landscaping and drainage improvements, roof downspouts and all connections to the stormwater drainage or sanitary sewer systems. Failure to provide the requested access will result in the termination of the Village Engineer's review. The review will be completed within 45-days after receipt of a completed and acceptable application.
- If, after conducting a review of the subject property, the Village Engineer finds, in his sole and absolute discretion, that the Applicant's metered water consumption has little or no proportional impact on the volume of stormwater runoff generated by the subject property, the Village Engineer shall determine and assess an alternative stormwater drainage charge to the Applicant. This alternative stormwater drainage charge shall be based solely on the square footage of impervious surface contained on the subject property and calculated at an annual rate established in the annual fee ordinance. The Applicant shall be responsible for providing any information and materials the Village Engineer may require to accurately determine the amount of impervious surface contained on the subject property. The alternative stormwater drainage charge assessed for the subject property may be more or less than the minimum stormwater drainage system user charge established in Section 27-170(d). The alternate stormwater drainage charged assessed shall not be retroactive and will be applied to the next billing cycle after notification of acceptance.
- If the Village Engineer finds, in his sole and absolute discretion, that the Applicant's metered water consumption is directly related and proportional to the volume of stormwater runoff generated by the Applicant's property, the Applicant will continue to be charged the stormwater drainage system user charge established in Section 27-170.
- Any user aggrieved by the Village Engineer's denial of an application for a stormwater drainage review may appeal such denial in writing to the Director of Public Works, who shall render a decision no later than 30 days after receiving the written appeal. A decision by the Director of Public Works shall constitute a final determination and shall not be subject to further review.