

Ordinance #24-0377
2024 Ordinance Book, Page 60

**ORDINANCE AMENDING CHAPTER 75, STORMWATER MANAGEMENT,
ARTICLE III**

BE IT ORDAINED, by the Mayor and City Council of the City of Winston-Salem as follows:

Section 1: Chapter 75, Article III, Section 75-44 through 75-45, is hereby amended to read as follows:

Sec. 75-44. Stormwater management system user fees.

- (a) The stormwater management system user fee charged to residential users shall be as follows:

Tier	Impervious Area (sq. ft.)		Scaling Factor	Annual Fee
I	1	2,000	0.95	\$51.00 <u>\$57.28</u>
II	2,001	4,000	1.00	\$54.00 <u>\$60.65</u>
III	4,001	6,000	1.50	\$81.00 <u>\$90.98</u>
IV	>6,000		2.00	\$108.00 <u>\$121.31</u>

- (b) The stormwater management system user fee charged to nonresidential users shall be ~~\$831.00~~ \$933.38 per impervious acre annually, but in no event no less than ~~\$55.00~~ \$61.78 annually.

Sec. 75-45. Billing of stormwater management system user fees.

- (a) Bills for stormwater service shall be sent at regular, periodic intervals. Stormwater service charges may be billed on a combined utility bill that also contains charges for water and/or sewer service.
- (b) The stormwater management system user fee charged to non-residential users shall be ~~\$831.00~~ \$933.38 per impervious acre annually, but in no event no less than ~~\$55.00~~ \$61.78 annually. Notwithstanding the foregoing, if a non-residential user, not already subject to the requirements of the post-construction ordinance of the city Code, has built and satisfactorily maintains a well-designed structural stormwater best management practice ("BMP") on non-residential property, and that BMP reduces the volume of stormwater run-off from the non-residential property, in accordance with requirements outlined in section 75-303 of the city Code, the non-residential user will be eligible for a credit of up to 25 percent of the stormwater management user fee chargeable to the property. Similarly, if a non-residential user, not already subject to the requirements of the post-construction ordinance of the city

Code, has built and satisfactorily maintains a well-designed structural stormwater best management practice ("BMP") on non-residential property, and that BMP enhances/improves the quality of the stormwater run-off from the non-residential property, in accordance with section 75-302(b) of the city Code, then, the non-residential user will be eligible for a credit of up to 25 percent of the stormwater management user fee chargeable to the property. The two fee credits are cumulative; a non-residential user may receive credit for both a reduction in the volume of stormwater run-off and an improvement in the quality of stormwater run-off. However, the fee credit will be applied on a per-acres basis. For example, if the pond or BMP reduces the impact of stormwater run-off from two acres of non-residential property, then, the non-residential user will be eligible for a credit on those two acres of property, only. The total fee credit for which a non-residential user may be eligible for both volume reduction and quality improvement will not exceed 50 percent of the total stormwater management user fee chargeable to the property. The city's assistant city manager for public works and the city's stormwater director shall have the authority to decide: (i) if the BMP has been sufficiently well designed, constructed, and maintained in accordance with sections 75-303 and 75-302(b) and other applicable provisions of the post-construction ordinance of the city Code, (ii) whether stormwater run-off volume is reduced or quality enhanced, thereby, and (iii) how much fee credit to apply to a given non-residential user's stormwater management user fee.

- (c) The property owner is ultimately responsible for payment of the stormwater service charge for property for which the party billed has not paid the service charge.
- (d) Owners and occupants of property may designate which party shall receive the stormwater service bill by completing and properly executing a form provided by the city. Such transfer does not relieve either the owner or occupant from liability for stormwater service charges if they are not paid by the party billed.
- (e) Townhouse and condominium developments and other similar properties containing impervious surface in common ownership shall be charged for the total impervious surface of all commonly-owned and individually-owned property within the development. The stormwater service bill shall be sent to the homeowners' association or, upon official request of the association reflecting a vote in accordance with the association's bylaws, shall be divided in equal shares amongst each unit within the development and sent to the owner or occupant of each unit. A request for per unit billing must contain all information required by the city and shall be binding for the period of time specified by the city.

Section 2: These changes shall be effective July 1, 2024.