

# **Stormwater: Frequently Asked Questions**

## **What is Chapter 26?**

Chapter 26 is Burlington's wastewater, stormwater, and pollution control ordinance. On December 15, 2008 the City Council adopted an extensively revised Chapter 26 that includes regulations pertaining to use of the city's sanitary, combined, and stormwater sewer systems. It also contains standards for construction site erosion control, post-construction stormwater management, and enforcement.

## **What is Stormwater?**

Stormwater is runoff from a rainstorm or melting snow. City landscapes - unlike forests, wetlands, and grasslands that trap water and allow it to filter slowly into the ground - contain great areas of impermeable surfaces like asphalt, concrete, and rooftops that prevent water from seeping into the ground. Because of this, large amounts of water accumulate above the surface. This water runs across these impervious surfaces before eventually entering Lake Champlain or other receiving waters.

## **Why is it important to manage stormwater?**

Burlington, like other communities, needs to manage stormwater to protect people's homes and properties, the environment, and water bodies including Lake Champlain. If stormwater is not managed properly, it will cause flooding, pooling, erosion and water pollution. Heavy rains that flood streets and yards can result in property damage. Stormwater runoff also picks up pollutants and debris from streets, parking lots, yards and carries them into nearby water bodies.

## **Why does Burlington have a stormwater program now?**

Prior to the City Council's December 2008 adoption of Chapter 26, the City's stormwater regulations were disjointed and located in a variety of different documents under different departments. They were not comprehensive and contained wide gaps, particularly with respect to post-construction stormwater management and enforcement. Most importantly, they did not pass muster with the city's present state and federal stormwater permit requirements. These permits are:

- The Combined System (CS) permit
- The Separate Storm System (MS4) permit

The MS4 permit, in particular, drives stormwater management in affected cities and regions, including Burlington. This permit articulates several mandatory minimum control measures to curb non-point source pollution generated by stormwater. This permit was first issued in 2003 and was renewed in 2008 with new, more stringent requirements that could not be met without a dedicated stormwater program.

## **When will the stormwater program be operational?**

The effective date of the revised Chapter 26 is April 1, 2009. That month, the stormwater program will begin operation. In May 2009, a new stormwater fee will be placed on all water bills in the City.

## **What is the stormwater fee on my water bill?**

The stormwater fee pays for the City's stormwater system and annual maintenance and capital improvement costs. This helps to prevent and correct stormwater runoff problems throughout Burlington. All properties within the city limits are charged a monthly stormwater fee. This fee is the exclusive source of funding for the City's stormwater system. Previously, monies had come from wastewater fees, street taxes, and the general fund.

Because the stormwater fee is a user fee and not a tax, all properties regardless of ownership are required to pay for the services provided by the Burlington stormwater management system. This includes non-profit entities such as churches, schools and institutions, as well as properties owned by the City of Burlington, the State of Vermont, as well as the federal government. Only impervious surfaces within the public right-of-way (i.e. streets and sidewalks) are exempt.

## **How is the stormwater fee calculated?**

The stormwater fee is based on impervious area and is charged on a per unit basis. Each ISU (**I**mpervious **S**urface **U**nit) is 1,000 square feet of impervious area on a property. The stormwater fee is assessed for every ISU on a given property. Note that all detached single family homes (not including mobile homes), duplexes, and triplexes pay a flat fee. The variability of impervious surface among these property types is slight enough to justify a flat fee.

**What is impervious surface:** Hard or disturbed surfaces that prevent or inhibit the natural entry of water into the soil.

Examples of impervious surfaces include, but are not limited to the following:

- Building footprints
- Driveways
- Parking lots
- Patios
- Decks
- Garages
- Sheds
- Brick pavers

- Asphalt
- Concrete
- Gravel
- Compacted dirt

It also includes all non-improved (vegetated or grass cover) areas that are used for parking storage or are driven upon. In an urban environment such as Burlington, a property's impervious area is the most significant factor affecting both stormwater quality and quantity.

### **Is there a way to reduce my stormwater fee?**

Yes. Stormwater fees can be reduced through Burlington's stormwater credits program. The credits program offers a reduction in fees to property owners who use approved methods to manage stormwater runoff on their property. Fees can also be reduced through the replacement of excess impervious area (such as unused parking lots) with landscaped green space. Fee credits are not available to properties paying a flat fee.

### **How does the City's stormwater credits program encourage helpful environmental practices?**

The stormwater fee incorporates opportunities for property owners to reduce their stormwater bill by taking environmentally friendly steps. Stormwater fee reductions, also called credits, are available to those who are using or installing stormwater management tools/practices on their properties. Low impact design including elements such as rain gardens, pervious pavers, and green roofs collect and treat stormwater, thereby lessening offsite environmental impacts associated with uncontrolled, untreated stormwater runoff.

### **How can I get a stormwater credit on my utility bill?**

Credit guidelines and application forms can be found on the on the City of Burlington's stormwater website ([www.ci.burlington.vt.us/stormwater/](http://www.ci.burlington.vt.us/stormwater/)) no later than April 1, 2009. If you need additional information, please contact the Department of Public Works at 802-863-9094.

### **Where does the money go?**

Monies collected by way of the stormwater fee are dedicated exclusively to the City's stormwater program. The money is directed to maintenance, capital replacement and improvement, equipment, engineering, and staffing thereof.

### **How does Chapter 26 affect new development and redevelopment in the City?**

Chapter 26 contains standards for construction site erosion control. The standards are basically split between large and small projects. Large projects include all "major

impact,” “subdivision,” and “planned unit developments” as defined in the City’s Comprehensive Development Ordinance. Small projects are all others with at least 400 square feet area of disturbed earth involved in the construction process.

Chapter 26 also contains standards for post-construction stormwater management plans. All projects that result in greater than or equal to ½ acre of clearing, grading, construction or land disturbance activity, and create greater than or equal to ½ acre of impervious surface are required to have a post-construction stormwater management plan.

### **What about wastewater permits?**

Chapter 26 includes provision for City administration of wastewater permits upon delegation by the State of Vermont. Previously, all wastewater permits were issued by the State of Vermont DEC Wastewater Division. City administration of wastewater permits will allow one stop shopping for applicants upon implementation.

### **Are government departments and properties subject to Chapter 26?**

Yes. The provisions of Chapter 26, including the stormwater fee, apply to all government departments and properties, including city, state, and federal.

### **Where can I find information about the City’s stormwater program?**

See the City of Burlington’s stormwater website ([www.ci.burlington.vt.us/stormwater/](http://www.ci.burlington.vt.us/stormwater/)). If you need additional information, please contact the Department of Public Works at 802-863-9094.