

Lorain County, Ohio
Storm Water District Program
Customer Service Frequently Asked Questions

Lorain County Storm Water District

Lorain County, Ohio



Prepared by:

KEM / ERC



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Lorain County Storm Water District Frequently Asked Questions

General Questions/Inquiries & Caller Qualifications

Q: Do you live in a Township?

A: Only residents and business who are located in the unincorporated areas of the County (in the Townships) and not in any city or village corporate boundaries will be assessed a storm water service charge set by the District. The District does collect Storm Water Fees for the City of Oberlin and the Village of South Amherst and distributes the fees back to the community per agreement.

Q: Do you own your home / business or do you rent / lease?

A: Only residents and business who own property located in the unincorporated areas of the County (in the Townships) and not in any city or village corporate boundaries will be assessed a storm water service charge. No tenant will be pay this fee.

Q: Are you calling regarding your residence or your business?

A: Residential, Duplexes, Condominiums and Agriculture will be assigned 1 ERU and be billed \$3.28 per month. If your residential property is situated on more than 1 parcel according to the County Auditor property records, your property will only be charged 1 ERU. Your residential property will not receive more than 1 ERU charge.

A. The impervious areas for all non-residential properties (all properties except single-family duplex, condominium and agricultural properties) were measured using aerial photography through use of a computer mapping software program.

Q: What is impervious area?

A: Impervious area is any hard surface including gravel that does not allow storm water to be absorbed into the ground. Impervious areas include rooftops, parking lots, driveways and sidewalks and gravel surfaces.

Q: How was the impervious area for Residential properties calculated?

A: The impervious areas for all residential properties that include single-family, duplex, condominium and agricultural properties, are based on measuring a sample size of approximately 400 residential properties for the impervious areas. The average measurement of impervious area for these 400 properties was determined to be 6,000 square feet known as an ERU (Equivalent Residential Unit). This was developed using aerial photography through use of a computer mapping software program. Each residential property will be assigned a flat rate and 1 ERU. The City of Oberlin uses a separate ERU based upon their community average. <https://www.cityofoberlin.com/wp-content/uploads/2018/05/Storm-Water-Utility-Fact-Sheet.pdf>

Q: How was the impervious area for Non-Residential properties calculated?

A: The impervious areas for all non-residential properties (all properties except single-family duplex, condominium and agricultural properties) were measured using aerial photography through use of a computer mapping software program.

Q: What can I do to estimate or measure the impervious area myself?

A: Again, remember the residential properties are based on an average calculated amount of impervious area and all residential are assigned a flat rate. So no calculation is required to determine your fee. The flat fee is \$3.28 per month.

A: The easiest and most cost effective method to measure your non-residential / business parcel would be to first determine the total square footage of your property using the property dimensions. Then, estimate the amount of impervious area on the property (¼, ½ etc.). Multiply your estimate by the total square footage to arrive at an estimated measurement.

or

A: Calculate the footprint of your office building, your garage, and additional out buildings sheds etc, driveways and sidewalks in square feet and divide by 6,000. Multiply your estimate by \$3.28. This will be your estimated monthly charge times 6 will appear on your property tax bill every January and July.

Q: I am not satisfied with the impervious area measurement for my property. What can I do?

A: A County GIS technician can verify the accuracy of the measurement for your property. This may take a few days to complete, and someone can call you back once the technician completes the verification.

Q: What is a storm water district / storm water utility?

A: Just as residents and businesses currently pay a fee for the amount of water they use (water bill), and the amount of wastewater they discharge (sanitary sewer bill based on how much water you use), property owners in some parts of Lorain County (unincorporated area) are being charged a **user fee** based on the amount of contribution to runoff all properties make to the storm water system. That funding will be used for the maintenance, repair and upgrade of Lorain County's storm water system, and for complying with an **unfunded mandate** required by US and Ohio EPA (Environmental Protection Agency) referred to as the NPDES (National Pollutant Discharge Elimination System) Phase II water quality permit requirements which are based on the 1972 Federal Clean Water Act passed by the US Congress.

Q: Why does Lorain County need a storm water district/utility?

A: Much of the original infrastructure is either breaking down, too small, or just simply no longer effective. Lorain County currently has no dedicated funding source for storm water construction, maintenance and repair. The current budget only allows for emergency repairs. It does not provide funds for preventative maintenance, major improvements or for enforcement of the unfunded mandate from EPA referred to as the NPDES Phase II storm water regulations, which are part of the Federal Clean Water Act passed by the US Congress in 1972.

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A comprehensive program is needed to:

- Improve the water quality of local rivers and streams
- Reduce flooding
- Improve storm water drainage
- Address the inflow and infiltration problems
- **Ensure that the county is in compliance with tough, new unfunded mandates and regulations required by the Ohio and U.S. EPA to begin cleaning all of the rivers and streams in the County**

Q: Why does the county need more money to fix the storm water system?

A: Lorain County currently does not have a source of dedicated funding for storm water construction, maintenance and repair. The current budget only allows for emergency repairs. It does not provide funds for preventative maintenance, major improvements or for enforcement of the unfunded mandate from EPA referred to as the NPDES Phase II storm water regulations, which are part of the Federal Clean Water Act passed by the US Congress in 1972.

Q: Isn't flooding in Lorain County just a problem in certain areas of the county?

A: No. Storm water-related flooding of basements and streets occurs throughout all parts of the county.

Q: When will we begin paying?

A: The charges will first appear on your January 2011 property tax bill, and then will appear there every six months on your July and January tax bills.

Q: Will I get a separate bill for storm water?

A: No. The storm water district user fee will appear on your property tax bill beginning in January 2011, and every six months thereafter. If you are not a property owner in the unincorporated area of the county, you will not be charged this fee.

Q: Will tax-exempt, non-profit organizations like schools, churches and hospitals be charged for storm water?

A: Yes. Much like these organizations now pay for water and sanitary sewer services, they will pay a user fee based on their contribution to the storm water system.

Q: Why can't we just use existing sewer money to cover storm water costs?

A: The money currently collected for providing sanitary sewer service is needed to meet those service needs. In addition, under state law, money collected for sanitary sewer service can only be used for maintenance, repair and replacement of the sanitary sewer system.

Q: I read in the newspaper that the consultant assisting the County is from Kentucky. Is this true?

A: Yes. However, there are 2 companies assisting Lorain County with this project that specialize in creating storm water district / utility programs. KEM is an engineering consulting firm located in Elyria Ohio and Mansfield Ohio that specializes in water

quality and water quantity engineering services. ERC has an Ohio office located near Cincinnati and the corporate office is located in northern Kentucky near Cincinnati. ERC is a national financial consulting firm that specializes in assisting communities with creating storm water district/utility program dedicated funding sources. ERC has been involved in assisting over 50 communities throughout the United States and in the State of Ohio.

Residential (Single-Family, Duplexes, Agricultural & Condominiums)

Q: How much will it cost?

A: All residential property owners will be charged a monthly rate of \$3.28 ERU per month, or \$39.34 per year. One half of the annual charge of \$19.67 will appear on your property tax bill every six months.. These rates are based upon an average amount of “hard surface areas” such as driveways and roofs, found on residential properties in Lorain County. The average residential property in Lorain County has 6,000 square feet of hard or “impervious” surface area based on the average of measuring approximately 400 randomly generated residential parcels.

This approach has been upheld in state supreme courts throughout the Country.

Q: I live in an apartment. Will I have to pay?

A: No. The owner of the apartment building or complex will receive the storm water bill for their entire property. The property-owner could however pass part of that cost along to you depending on the terms of your rental or lease agreement.

Q: When will rates go up?

A: The current rate is approved by the Board of County Commissioners. Rate increases are scheduled in the amount of 3% per a year.

Non-Residential (All other properties not included in residential including not for profits / tax exempt parcels)

Q: How much will business property owners pay? How will their rate be determined?

A: Non-residential property owners will pay based on the amount of hard surface or impervious area on their properties. The impervious area for all non-residential properties in the unincorporated areas of the county was measured using aerial photography and a computer mapping software program.

The residential rate will be used in the calculation for non-residential properties. In the calculation, the flat residential rate equals one “equivalent residential unit” or ERU. One ERU=6,000 sq. feet of hard surface (impervious) area.

Example of the impervious area measurement for a residential parcel:



Non-residential property owners will be charged based on the number of ERUs of hard surface on their property. For example, if a commercial property has three times as much hard surface area as the average residence (18,000 sq. feet or 3 ERUs) its storm water charge would be three times the residential rate per month. The rate per ERU that has been approved by the Board of County Commissioners is: \$3.28 per month per ERU.

Example of the impervious area measurement for a non-residential parcel:



Q: Why is the amount of hard surface area used to calculate the rates?

A: Hard surface areas are used because they prevent water from being absorbed into the ground. Hard surfaces create more runoff and increase the rate at which storm water drains from an area.

Q: Is there anything that non-residential property owners can do to reduce their bill?

A: The County is developing a credits program for non-residential property owners that independently implement measures that decrease storm water runoff or that has a positive affect on water quality. Application packages will be available from the County Drainage Engineer's Department (329-5586), on the County's website or I can email the packaged to you when it's completed.

Q: How do I apply for credits?

When available, a customer may apply for credits using the credits application package. Application packages will be available from the County Drainage Engineer's Department (329-5586), on the County's website or I can email the packaged to you when it's completed.

Q: What if I don't agree with the County's calculation of the amount of hard surface area I have on my property?

A: You can contact the Drainage Engineer's Department (329-5586) and request that staff review the measurement for your property. You may request a meeting with a GIS technician to review your measurement information if you desire.

Q: When will rates go up?

A: Rate increases must be approved by the Board of County Commissioners. The current rate has been approved with scheduled increases of 3% per a year.

Government Distrust

Q: Isn't this just another tax?

A: No, it is a user fee based on the amount of storm water runoff a property contributes to the system.

Q: I don't remember voting on this tax. How can the county do this without a vote?

A: This is not a tax. This is a user fee just like your water and sewer user fee. Under State Law, counties are allowed to set up a user fee for water, sanitary sewer and/or storm water by a vote of the Board of County Commissioners. A referendum or vote of the people is not required under this law.

Q: How can we be sure that the money raised will be used for storm water improvements and not diverted to other projects by the county?

A: All of the funds raised by the utility will go into a storm water "Enterprise Fund." Under state law, money in enterprise funds can only be used for their intended purposes. The County currently has an enterprise fund for its sanitary sewer utility.

Q: Won't this district/utility create a whole new government bureaucracy?

A: The storm water district will be operated within the County's current Departments. There **will not** be any new buildings or infrastructure. Only a small portion of the funds will be used for administration.

Use of Funds & Results

Q: How much money does the county expect the storm water district/utility to collect?

A: The district/utility will generate approximately \$1.6 million per year.

Q: How will the money collected for the storm water utility be used?

A: Over half of the funds will be used to comply with the new unfunded Federal and Ohio EPA water quality regulations. The remaining funds will be available for operations and maintenance and capital improvement projects – the actual construction of storm water infrastructure.

Q: What issues will be addressed first when the storm water district/utility is implemented?

A: The County will first work to ensure that it is in compliance with the new, strict Federal and Ohio EPA unfunded mandate regulations. Crews will then begin tackling the backlog of maintenance needs on the system. Finally, system improvements will begin.

Q: How soon can we expect to see results like reduced flooding?

A: Faced with an aging storm water system, the storm water district/utility is clearly not a quick fix. It is, however, a first step in solving a long-neglected problem. Residents will see gradual improvements over time.

Environmental

Q: How does storm water affect the environment?

A: One of the reasons the county is implementing the storm water district/utility is to meet tough, new U.S. EPA regulations. In addition to flooding, poor storm drainage also causes water pollution. Uncontrolled run-off contributes to erosion, which causes sediment build-up in our streams and rivers.

Storm water also picks up a lot of things on its way to area streams and rivers – litter, road salt, lawn and garden chemicals and more. Backyard mechanics that drain oil, antifreeze or gas into the storm sewer pose a threat to the environment.

Q: How will the new district/utility help the environment?

A: The storm water district/utility will provide funding for public education to inform the citizens that will help reduce pollution in the County. The new district/utility will also fund testing and strict enforcement of current regulations on erosion and pollution control measures.

Q: What happens if the County fails to meet the new Federal and Ohio EPA requirements and regulations?

A: The county could face fines of up to \$25,000 per day per for each violation.