

Staff Responses to Council Questions

December 13, 2016

Consent Agenda Item G (Nelson Meadow) Removed from Consent Agenda - At the request of Commissioner Earl, Consent Agenda Item *G. Resolution: Authorize a First Amendment to the Nelson Meadow Subdivision Improvement Agreement* has been removed from the Consent Agenda for individual consideration at tonight's meeting.

First Reading Item D Removed First Reading Agenda - First Reading Agenda Item *D. Ordinance: Amend Citation Provisions for Ordinance Violations* has been removed from the First Reading Agenda and will be placed on a future Village Council meeting agenda.

7. First Reading

A. Ordinance: Designate the Property at 3300 Finley Road as Planned Unit Development #57 to Allow Additional Signage

But for the signage, would we be going through this process?

No.

How does this affect the current signage arrangements and is there any advantage to XSport Fitness signage?

The Planned Unit Development designation will permit Fry's to install signs that exceed the 300 square foot maximum. If approved, Fry's would have a total sign area of 915 square feet. Fry's also is proposing a 216 square foot tollway monument sign.

The XSport Fitness Planned Unit Development was approved in July 2006. Fry's and Xsport Fitness share a 57 square foot monument sign that is part of the XSport PUD. The monument sign is not part of this petition and no changes to this sign are proposed.

C. Ordinance: Amend Stormwater Utility Fees

How many non-501(c) (3) s are not included in the Utility Fee? What are they and their potential contribution? Ie Tollway.

At the November 4, 2014 Council Meeting, the attached agenda item ordinance regarding Exempting Property Tax-Exempt Parcels from the Stormwater Utility was discussed.

F. Ordinance: Amend Mobile Food Vehicle Vendor Provisions

Is Staff not recommending a change in the fee at this time because it is about the cost to the Village to process such checks?

The current application fee of \$250 is intended to cover the cost of administering the license. Since only one license has been issued to date, there is not enough data to determine the average actual cost of administering the program. Based on the information available at this time and the Council discussion at last week's meeting, staff is not recommending any changes to the fee.

Are there any current background checks in the licensing or hiring of cab drivers by the State or other municipalities that we could recognize in a mutual agreement ?

Yes, if so directed by the Village Council.

Couldn't Food Truck employee background checks of other entities be recognized as valid so as to waive fees?

Yes, if so directed by the Village Council.

Question For the Police Department, who is more likely to be a danger to the public with their driving, traffic violations, or likely to engage children or others in illicit activities, employees or owners on the Food Trucks or owners located in an office somewhere?

Staff was unable to find data comparing criminal activity of food truck operators to employees of stationary businesses.

If an employee of a Food Truck indulges in criminal activity, will the owner/applicant be punished (go to jail) or the individual committing the crime?

If an employee engages in criminal activity, appropriate action will be taken against the employee. A business owner cannot be held accountable for the criminal actions of an employee unless the owner was part of the illicit activity.

What will it take to reclassify ice cream vendors as Food Trucks so they will have to go through background checks?

Council approval of an amendment to the Municipal Code would be required.

If the object is to make the streets safer, why is Staff recommending background checks of owner/applicants and not those on the trucks having public contact?

The staff recommendation is based on Council discussion at last week's meeting and to be consistent with Chapter 22, Taxis, which places the burden for compliance with the ordinance on the owner/applicant.

G. Motion: Authorize a Contract Not to Exceed \$70,000.00 with Kane McKenna and Associates, Inc., for TIF Consulting Services

How many other consultants bid? Why were they turned down?

Three proposals were submitted (SBFriedman and Ehlers) The following criteria, which was detailed in the Request for Proposal document, was applied in evaluating the three proposals, resulting in the selection of Kane McKenna as the preferred firm:

- Overall content and responsiveness
- Qualifications and relevant experience of the firm
- Qualifications and relevant experience of the personnel assigned to the project
- Prior experience on projects of similar type, size, scope and complexity
- Demonstrated ability to work with municipal agencies

All responding firms were deemed qualified to complete the work. SBFriedman was not recommended due to their proposed price (approximately \$90,000). Ehlers was not recommended because their services do not include preparation of documents necessary for the creation of a TIF district.

How many TIF studies have they completed in Illinois?

Kane McKenna has completed work on approximately 290 to 300 TIF designations in Illinois.

How does this contract compare with previous TIF studies done for the Downtown and Ogden Ave TIFs (in cost and scope)?.

The consulting work involved in creation of the downtown TIF included a contract adopted in 1997 with a not to exceed amount of \$40,000. The Ogden Avenue TIF consulting work involved a contract with an original not-to-exceed amount of \$50,000 adopted in June 2000, which was amended in February 2001, bringing the total not-to-exceed amount to \$76,000.

The scope of the previous contracts were limited to the creation of TIF Districts only. The proposed contract also includes the review of developer proposals.

ATTACHMENTS

November 2, 2014 Council Meeting agenda item

There are no rEmarks this week.

VILLAGE OF DOWNERS GROVE
REPORT FOR THE VILLAGE COUNCIL MEETING
NOVEMBER 4, 2014 AGENDA

SUBJECT:	TYPE:	SUBMITTED BY:
Ordinance Exempting Property-Tax-Exempt Parcels from the Stormwater Utility	Resolution ✓ Ordinance Motion Discussion Only	David Fieldman Village Manager

SYNOPSIS

At the October 7, 2014 Village Council meeting, the Council directed staff to prepare an ordinance for consideration that would exempt parcels that are not subject to property tax from the stormwater utility. The Council also requested information related to a discussion to change the funding model for stormwater from the utility to the property tax, including an analysis of the impact of the potential income tax deduction.

STRATEGIC PLAN ALIGNMENT

The goals for 2011-2018 include *Steward of Financial and Environmental Responsibility*.

FISCAL IMPACT

Exempting property tax exempt parcels (PTEs) from paying stormwater fees would reduce stormwater fee revenue by about \$218,000 to \$3.43 million in FY15.

RECOMMENDATION

Action at the discretion of the Village Council.

BACKGROUND

The Village's stormwater utility charges a monthly fee to all property owners based on the impervious area on their property. The stormwater utility revenues are used to fund operations, maintenance and capital infrastructure projects related to the stormwater system, including debt service payments for 2008 bond issuance. The stormwater utility fees are budgeted to generate \$3.62 million in FY15. The FY15 proposed budget includes approximately \$7.6 million in expenses. Budgeted expenses exceed revenues in FY15 because the Village is using fund balance and grant funding for capital projects and land acquisition.

At the October 7 Village Council meeting, the Council directed staff to prepare an ordinance for consideration that would exempt PTEs from the stormwater utility fee. The annual impact of this change would be a \$218,000 reduction in revenues, or approximately 8% of the total revenues. Additionally, the Council discussed a potential change to the funding model for the stormwater system that would eliminate the fee model and reinstate the property tax funding source.

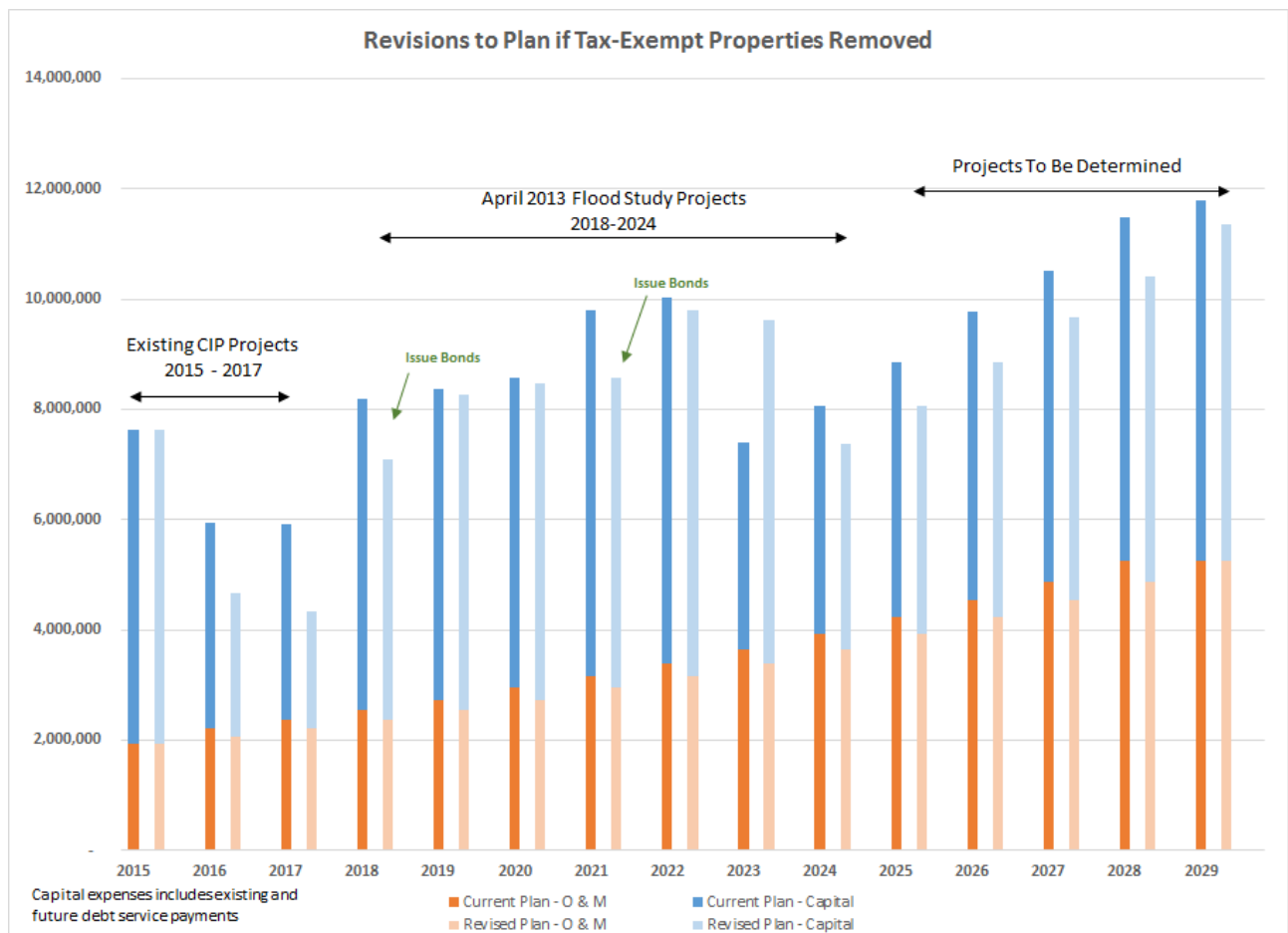
Impact of Removing Tax-Exempt Properties from Utility on the Proposed Plan

During the Long-Range Plan process, the Village established a revenue and expense plan for the stormwater system that calls for the Village to invest \$4.0 to \$6.1 million in capital projects each year. Capital projects identified after the April 2013 flood would be constructed from 2017 to 2023 and funded by two \$10 million bond issuances in 2017 and 2020. Under the plan, the Village would also increase annual operations and maintenance activities from approximately \$1.9 million in FY15 to \$5.2 million in FY28.

There are many options for revising the revenue and expense plan if revenues are reduced. Staff reviewed the options and proposes a revision to the plan that reduces planned annual maintenance activities beginning in FY16. Annual maintenance spending would be reduced by \$160,000 annually, as compared to the plan, and bond issuances for capital projects would be delayed, resulting in a drop in capital spending in 2016 and 2017. The maintenance reduction would be on-going; the impact on capital spending would last until 2019.

The plan would be revised as follows:

- Reduce annual planned maintenance spending by \$160,000 starting in 2016, approximately equivalent to 40,000 lineal feet in televising and storm sewer cleaning
- Reduce capital spending in 2016 (planned for \$2.8 million in one year, reduce to \$2.6 million over two years)
- Delay or reduce capital projects planned for 2016:
 - St. Joseph Creek South Streambank Improvements
 - Downtown Business District Water Quality Improvements
 - Drain Tile Investigation
 - Engineering and Land Acquisition for Future Drainage and Floodplain Improvements
- Delay bond issuances planned for 2017 and 2020 until 2018 and 2021. Finish April 2013 flood-related projects in 2024.



Classification of Property Tax Exempt Parcels

Based on Council direction, staff researched options for exempting only religious-based organizations. The Illinois Property Tax Code (“the Code”) defines properties eligible for property tax exemptions based on their purpose. The Code sets forth approximately 30 different categories eligible for exempt status. Some examples are:

- Schools
- Government entities
- Libraries
- Cemeteries
- Religious purposes
- Charitable organizations (501(c)(3))

The Illinois Property Tax Code language on exemptions is available here in Article 15 - Exemptions: <http://www.ilga.gov/legislation/ilcs/ilcs3.asp?ChapterID=8&ActID=596>

State law requires property owners requesting tax-exempt status for their property to submit an application (a State of Illinois form) to the County citing the applicable section of the Code and describing the use of the property. The County Board of Review makes a recommendation on whether to grant the exemption, but the ultimate decision is made by the Illinois Department of Revenue. If the IDOR grants the exemption, it will notify the County Assessor’s Office so they remove the property from the tax rolls.

The Village currently uses the County data for billing purposes. This data identifies all PTEs, but does not identify the basis (section of the Code) under which the exemption was granted (i.e. it does not specify if it is a religious purpose or other 501(c)(3) charitable organization).

The Village could exempt all PTEs or only those with a religious purpose using the Code’s definition of religious purpose. If the Village chose to exempt all PTEs, then the County’s data could simply be used. This process for identifying PTEs is transparent and has a low administrative burden. On the other hand, if the Village chose to exempt only those parcels with a religious purpose, that would require the Village to establish a separate application and appeals process.

Burden of Stormwater Expenses

When the Village shifted to the stormwater utility model, it reduced the burden of maintaining the stormwater system on residents, as a greater proportion of revenues are paid by commercial, industrial and property tax exempt property owners. Residential properties previously contributed 76% of all revenues; now, these properties generate 47% of revenues.

The table below shows the proportion of burden on each type of parcel. If PTEs are removed, residential parcels will account for 52% of revenues.

Percentage of Total Share of Stormwater Utility Revenues by Land Use Category

Land Use Category	Property Tax Model	Utility Model	Utility Model, Exempt PTEs
Residential	76%	47%	52%
Commercial	21%	36%	39%
Industrial	3%	8%	9%
Property Tax Exempt	--	9%	--
Total	100%	100%	100%

Potential Change in the Funding Model for Stormwater

When the Village implemented the stormwater utility in 2013, it reduced the property tax levy by \$1.98 million. In 2013, the Village collected approximately \$3.27 million in net revenues; following a 6% fee increase, the Village will collect \$3.36 million in FY14.

The plan for FY15 and going forward calls for an 8.7% increase in stormwater utility fees. The table below shows the impact to the typical house if the Village changes the funding model and seeks to generate the same amount of revenue (\$3.65 million) via the property tax. The typical house would pay an additional \$180.98 in property taxes; in contrast, the typical house would pay \$116.64 in stormwater utility fees. Therefore, the property tax model would cost a typical house an additional \$64 per year.

2015 Analysis	Utility Model	Property Tax Model	Difference
Revenue Available for Stormwater Fund	\$3,652,290	\$3,652,290	\$0
VoDG Tax Levy	11,410,293	15,062,583	3,652,290
Annual SW Fee for Typical House	116.64	0.00	(116.64)
Annual VoDG Property Tax for Typical	565.40	746.38	180.98
Total Paid by Typical House	682.04	746.38	64.34

Value of Federal Income Tax Deduction

For property owners that itemize their income tax deduction, property tax is an eligible deduction for federal taxes. For most homeowners, this would not fully offset the increase in property taxes that they would see if the Village shifted the costs of stormwater back to the property tax levy. The table below shows the value of deducting \$180.98 from federal income taxes and also shows how this offsets the increase.

Tax Bracket	Value of Deducting \$180.98 from Federal Income Tax	Net Cost (Benefit) After Income Tax Deduction
10%	18.10	46.24
15%	27.15	37.19
25%	45.24	19.09
28%	50.67	13.66
33%	59.72	4.61
35%	63.34	1.00
39.60%	71.67	(7.33)

Long-Term Comparison of Cost to Residents of Stormwater Fee Model and Property Tax Model
Over time, residents would pay more in property taxes than on the stormwater fee, even with the federal income tax deduction. This assumes the Village continues to increase the fee per plan (8.7%) until 2028.

The table below shows how much more a resident in the typical home would pay annually, after the offsetting income tax deduction. This is based on the 25% tax bracket.

Year	SWU Model	Property Tax Model	Difference	Increase in Property Tax Paid	Value of 25% Deduction	Net Difference After Deduction (25% Bracket)
2015	682.04	746.38	64.34	180.98	45.24	19.09
2016	692.19	762.12	69.93	196.72	49.18	20.75
2017	703.22	779.24	76.02	213.84	53.46	22.56
2018	715.21	797.84	82.63	232.44	58.11	24.52
2019	728.24	818.06	89.82	252.66	63.17	26.66
2020	742.41	840.05	97.64	274.65	68.66	28.97
2021	757.81	863.94	106.13	298.54	74.63	31.50
2022	774.55	889.91	115.36	324.51	81.13	34.24
2023	792.74	918.14	125.40	352.74	88.19	37.21
2024	812.52	948.83	136.31	383.43	95.86	40.45
2025	834.02	982.19	148.17	416.79	104.20	43.97
2026	857.39	1,018.45	161.06	453.05	113.26	47.80
2027	882.80	1,057.87	175.07	492.47	123.12	51.96
2028	910.41	1,100.71	190.30	535.31	133.83	56.48

ATTACHMENTS

Ordinance

Revised Credit and Incentive Manual

SW Fee Exemptions

ORDINANCE NO. _____

**AN ORDINANCE EXEMPTING CERTAIN PROPERTY
FROM STORMWATER UTILITY FEES**

BE IT ORDAINED by the Village Council of the Village of Downers Grove in DuPage County, Illinois, as follows: (Additions are indicated by **shading**/underline; deletions by ~~strikeout~~):

Section 1. That Section 25.60. is hereby amended to read as follows:

25.60. Stormwater Utility Fee Established.

A stormwater utility fee is hereby established and shall be imposed on each parcel of property in the Village, whether publicly or privately owned, ~~or whether subject to or exempt from real property taxation,~~ at the rate set forth in Section 25.66 as adopted by the Village Council and adjusted from time to time. ~~Public rights-of-way shall not be subject to the stormwater utility fee.~~

Section 2. That Section 25.66. is hereby amended to read as follows:

25.66. Stormwater Utility Fee Rates.

(a) Authority of Village to set rates.

The Village Council shall retain at all times the power and authority to set stormwater utility fee rates. The Village shall review the adequacy of the stormwater utility fee rate annually in conjunction with the budget process. The rate shall be revised periodically to reflect any change in local capital costs, operation, or maintenance, plus replacement costs.

(b) Rates.

(1) Effective January 1, 2014 the stormwater utility fee rate per Equivalent Runoff Unit (ERU) per month shall be \$8.94.

(2) Single Family Residential. Each parcel within the single family residential classification shall be assessed the following stormwater utility fee based on a four tier structure which is tied to the amount of impervious area located on each parcel.

	Parcel Description	Number of ERUs per parcel
Tier 1	parcels with 1 to 2,500 square feet of impervious area	0.75 ERU
Tier 2	parcels with 2,501 to 4,000 square feet of impervious area	1.0 ERU
Tier 3	parcels with 4,001 to 7,000 square feet of impervious area	1.5 ERUs
Tier 4	parcels with more than 7,000 square feet of impervious area	The actual number of ERUs rounded to the next whole ERU multiplied by the rate per ERU as set forth in Section b(1) above.

(3) Non-Single Family Residential. All non-single family residential parcels in the Village shall be assessed a stormwater utility fee based on the measured number of ERUs on the parcel multiplied by the rate per ERU as set forth in Section b(1) above. All fractional ERUs will be rounded up to the next whole ERU.

SW Fee Exemptions

(4) Vacant Parcels. The Village shall assess vacant parcels a stormwater utility fee that is equivalent to 0.3 ERU.

(5) Exemptions. The following property shall be exempt from paying the stormwater utility fee:

(a) Parcels that have been granted a property tax exemption in accordance with the provisions of Article 15 of the Illinois Property Tax Code (35ILCS 200/15 et seq.).

(b) Public rights-of-way.

Section 3. That all ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

Section 4. That this ordinance shall be in full force and effect from and after its passage and publication in the manner provided by law.

Mayor

Passed:

Published:

Attest: _____

Village Clerk



Village of Downers Grove

Administrative Regulation Issued by Village Manager

Description:	STORMWATER CREDIT & INCENTIVE MANUAL		
Manager's Name:	David B. Fieldman, Village Manager	Effective Date:	1/1/15
Category:	Engineering and Public Works		
	<input type="checkbox"/>	New Administrative Regulation	
	<input checked="" type="checkbox"/>	Amends Previous Regulation Dated:	5/1/14; 2/1/14; 8/21/12
	Description of Previous Regulation (if different from above):		
	<u>Removes Grant Program and tax exempt properties from SW Utility Requirements</u>		

STORMWATER CREDIT & INCENTIVE MANUAL

PURPOSE

The Village of Downers Grove recognizes the need for the management of a Village-wide stormwater system; and recognizes the benefits when property owners proactively manage stormwater on their property. Therefore, the Downers Grove Stormwater Credit & Incentive Manual is implemented as follows:

1.0 Introduction

It is the intent of the Village of Downers Grove to encourage property owners to proactively manage stormwater on their property by incorporating sustainable stormwater management practices that reduce the negative impact of development on the drainage system. To acknowledge the impact that on-site stormwater management can have on the Village's stormwater management program costs, this credit and incentive manual for the stormwater utility fee has been developed.

Credit programs are a process through which stormwater utility fees can be reduced on a recurring basis, while incentives are a one-time reduction of the fee. Applications for the credits and incentives are available on the [Village website](#), the Public Works facility, and Village Hall.

In addition to describing those activities which may qualify for a credit or incentive, this manual outlines the basis for determining the extent of the credit or incentive and the conditions required to remain eligible for a stormwater utility fee credit or incentive.

2.0 Credits

2.1 Eligibility for Credit

In order for an applicant to be eligible to receive a stormwater utility fee credit, an applicant must receive a Stormwater Utility bill from the Village. The credit may be given for each hydrologically contiguous parcel under common ownership which is served by the same stormwater facility.

2.2 Stormwater Utility Fee Credits

There are six types of credits available:

1. Site Runoff Rate Reduction (detention basin)
2. Volume Reduction (retention basin, permeable pavement, cisterns, etc.)
3. Water Quality (Best Management Practices – BMPs)
4. Direct Discharge (outside & downstream of the Village's stormwater system)
5. Education
6. Partnership (provide land/facilities to Village to manage stormwater)

2.2.1 Site Runoff Rate Reduction Credit

A credit may be available for applicants who discharge stormwater from all or a portion of their impervious area to a detention basin owned and maintained by the applicant. The detention basin must be designed and comply with all standards and requirements as set forth in Chapter 26 of the [Downers Grove Municipal Code](#).

2.2.2 Volume Reduction Credit

A credit may be available for applicants who own and maintain qualifying stormwater management facilities that reduce the volume of stormwater leaving the property. The stormwater management facility must be designed and comply with all standards and requirements as set forth in Chapter 26 of the [Downers Grove Municipal Code](#). Some volume reduction facilities and activities may also improve the quality of stormwater runoff and as a result an applicant qualifying for a volume reduction credit may also qualify for a water quality credit.

2.2.3 Water Quality Credit

A credit may be available for applicants who own and maintain qualifying stormwater management facilities and activities that improve the quality of stormwater runoff through best management practices (BMPs). The water quality credit may be granted if it is demonstrated that the installed BMPs are designed to remove a minimum of 75% of total suspended solids as measured on an annual basis. The suspended solid removal shall be based on the DuPage County Water Quality Best Management Practices Technical Guidance Manual, latest edition. The credit will be calculated based on the portion of impervious area draining to the BMP in the same manner as the site runoff rate reduction credit.

2.2.4 Direct Discharge Credit

A credit may be available to applicants who can demonstrate that all or a portion of their impervious area discharges outside and downstream of the Village's stormwater system. Applicants are required to submit site plans demonstrating the portion of the impervious areas discharging outside the Village stormwater system.

2.2.5 Education Credit

For private schools that are not tax-exempt that develop a lesson plan(s) and teach their students about stormwater management issues, the Village may provide an annual credit (per-student instructed) to schools that comply with the requirements.

The allowable education credit will be \$3.00 per student taught per year. To remain eligible for this credit, the applicant shall, on an annual basis, provide a copy of the lesson plan(s), demonstrate that the lesson plan(s) is (are) consistent with the educational content deemed appropriate by the U.S. EPA for stormwater education, and provide documentation of the number of students taught that year. This credit is limited to the number of students enrolled in the applicant's school at the time of the application. In no case will the credit exceed 100% of the total Stormwater Utility fee. The applicant will be required to submit documents outlined on the Education Credit Application Form, as may be amended from time to time, and any additional information deemed necessary by the Stormwater Administrator.

2.2.6 Partnership Credit

A credit may be offered to applicants that operate in partnership with the Village to improve the overall stormwater system. These partnerships would include applicants who provide land and/or facilities for use by the Village to facilitate the management of stormwater. Applicants who form these partnerships may be eligible for up to 100% stormwater utility fee credit. The applicant will be required to submit documents outlined on the Partnership Credit Application Form, as may be amended from time to time, and any additional information deemed necessary by the Stormwater Administrator.

2.3 Maximum Credit Amounts

Table 1 presents the maximum credit available for each individual stormwater management activity.

Table 1 - Stormwater Utility Fee Credits

Control Activity	Stormwater Utility Fee Credit
Site Runoff Rate Reduction	Up to 20%
Volume Reduction	Up to 20%
Water Quality	Up to 10%
Direct Discharge	Up to 50%
Education	Up to 100%
Partnership	Up to 100%

Except for Partnerships and Education credits, the maximum aggregate stormwater utility fee credit for any individual parcel is 50% of the gross billing amount regardless of how many individual credits for which the parcel qualifies. **A maximum credit of 100% of the stormwater utility fee is allowed** for Educational institutions and Partnerships.

The assessment for the control activities and credits must include an evaluation of the portion of the impervious area on the property that drains to the control facility.

An example is provided for clarification:

If 100% of impervious area drains to onsite detention basin(s) then the credit is 20%. Alternatively, if 80% of the impervious area drains to onsite detention, then 80% times 20% results in a 16% credit of the stormwater utility fee.

It is possible to have stormwater facilities that provide site runoff rate reduction, volume reduction, and water quality control thereby reaching a cumulative 50% credit.

2.4 Stormwater Facility Maintenance

The following stormwater facility maintenance activities are required for an applicant to be eligible for a stormwater utility fee credit. These activities are required to ensure that the facility performs as credited, complies with Village standards and State law, meets safety standards, and is not a public nuisance. Maintenance activities are required on all drainage structures related to the facility, including inlets, headwalls, velocity dissipaters, spillways, pipes, feeder channels, discharge channels, vegetation, etc. The party applying for or receiving a stormwater utility fee credit must demonstrate compliance with all applicable maintenance practices below that are relevant to the stormwater facility.

- * Debris and Litter Removal – Debris and litter removal shall be performed after storm events totaling approximately two inches over a 24-hour period or as needed in order to prevent the structure from clogging and failing and to prevent a public nuisance.
- * Erosion and Structural Repair – Side slopes, emergency spillways, and embankments shall be regraded, revegetated, compacted and/or installed or replenished with rip-rap to correct slumping or erosion problems that develop.
- * Mowing – Side slopes, embankments, emergency spillways, and other grassed areas of stormwater facilities shall be periodically mowed to prohibit woody growth. Native grasses, which are water-tolerant, pest-tolerant, and slow growing, are recommended.
- * No Blockages – Removal of any blockage from pipes, channels, spillways, inlets, and outlets shall be performed as needed to keep the facility in proper working condition.
- * Outlet Control – Maintain outlet control devised to ensure proper functioning in the control of stormwater velocities at the outlet of the stormwater facility. Revegetating and/or replenishing or reinstalling rip-rap may be required to correct erosion problems at the outlet of stormwater facility pipes.
- * Removal of Log Jams and Debris – All streams and ditches within the private stormwater facility shall be inspected periodically for blockages. If identified, the blockages and debris shall be removed as quickly as practicable.
- * Sediment Removal – Removal of sediment shall be performed as needed (or as required by the Village) to ensure proper working order of the facility and its related stormwater facility features (channels, pipes, etc.).
- * Structural Repairs and Replacement – Eventually, stormwater control structures will deteriorate and must be replaced. Structural damage to outlet structures (i.e. cracks, leaks, or failure) shall be repaired as soon as possible.

2.5 Annual Documentation Submittal for Credits

Between April 1st and April 30th of each year documentation must be submitted to the Village to continue receiving a credit. The required documentation consists of the following:

- * Recently dated photographs showing the condition (including any known damage or disrepair) of a stormwater facility. For basins, these photos should include views where applicable of the outlet structure, all side slopes, vegetated shoreline zones, emergency spillway, overflow routes, and areas designed to catch sediment.
- * Records demonstrating that required maintenance activities and/or repairs have been completed.

Failure to submit the required documentation will result in the credit being forfeited. Reinstatement of a credit will require a full application submittal and fee.

2.6 Credit Renewal

Stormwater utility fee credits are provided for up to a maximum period of five years, subject to the requirements previously identified in this Manual. In order to continue to receive the credit in future years, *the applicant is required to submit a new stormwater credit application by October 1st of the fifth year.* It is the responsibility of the recipient to submit a new stormwater application along with the required documentation and fee to the Village and to do so in a manner that insures that the credit remains continuous. If the new application is not submitted, the credits will cease on October 1st of the fifth year and not be reinstated until the new application, required documentation and associated fee is submitted and approved.

3.0 Incentives

3.1 Eligibility for Incentives

A one-time incentive may be available for the purchase, construction, and installation of qualifying stormwater management facilities. In order for an applicant to be eligible to receive a stormwater utility fee incentive, an applicant must receive a Stormwater Utility bill from the Village. Incentives are offered on a first-come, first-served basis dependent upon available funds allocated by the Village Council. The applicant will be required to submit documents outlined on the appropriate Stormwater Utility Fee Incentive Application Form and any additional information deemed necessary by the Stormwater Administrator.

3.2 Stormwater Facility Incentives

The following stormwater management facilities may be eligible for stormwater incentive funding:

3.2.1 Rain Barrels

Rain barrels are structures designed to intercept and store runoff from rooftops and thereby reduce peak stormwater discharge rates from properties. Stored water can be used to water gardens or lawns. A minimum rain barrel volume of 45 gallons is required and the maximum incentive per property is \$25.

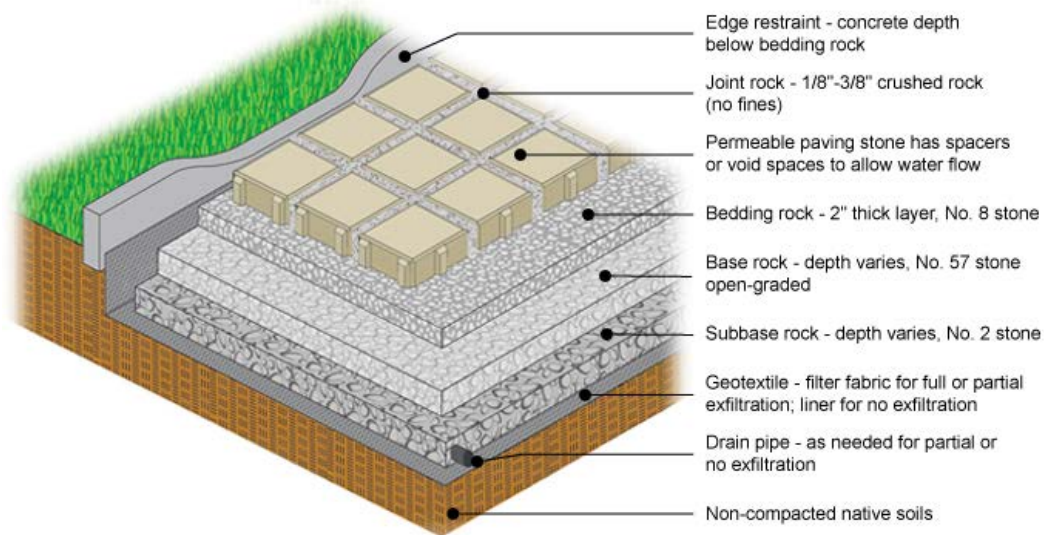
3.2.2 Rain Gardens

A rain garden is a shallow depression that is planted with deep-rooted native plants and grasses. Rain gardens are positioned near a stormwater source such as a roof drain, driveway, or sump pump location. Rain gardens reduce the peak stormwater discharge rates, the overall stormwater volume and improve stormwater quality by settling out suspended solids. Applicants who install rain gardens may be eligible for an incentive of \$300 per property. In order to qualify for the incentive, the rain garden must be a minimum of 100 square feet in size. Information on rain garden design and construction is available on the [Village's website](#).



3.2.3 Permeable Pavement

Permeable pavement is another tool to reduce stormwater runoff, and it can reduce flooding, increase water infiltration, recharge groundwater and improve water quality. The key to achieving the infiltration is to make sure the subbase aggregate thickness is designed to accommodate the subsoil conditions and anticipated loads. Applicants who install permeable pavement may be eligible for an incentive of \$300 per property. In order to qualify for the incentive, the permeable pavement must be a minimum of 100 square feet in size and installed on a subbase designed in accordance with the manufacturer's recommendations. The following is an example for illustrative purposes:



3.2.4 Other Facilities

Applicants who install other pre-approved stormwater facilities that reduce the total volume of stormwater, reduce the peak volume of stormwater and / or improve the quality of stormwater leaving the property may be eligible for an incentive for the costs of materials and construction of the stormwater facility up to a maximum of \$250 per property. Examples of such stormwater facilities include green roofs, cisterns, dry wells and other Best Management Practices.

4.0 This Section Left Intentionally Blank

5.0 Administration

5.1 Right-of-Entry and Facility Inspections

As a condition of receiving a stormwater utility fee credit or incentive, the owner of the parcel that contains the stormwater facility must agree to allow the Village unrestricted access to inspect the facility associated with the stormwater utility fee credit or incentive. Each applicant that has received a credit for a stormwater facility has the responsibility to inspect and repair their facility to ensure that it is functioning as credited. In addition, the Village reserves the right to inspect stormwater facilities receiving a credit or incentive at any time in order to verify that the facility is being maintained in accordance with Village Code standards, and that the condition of the stormwater facility is consistent with the documentation submitted by the stormwater utility fee creditor incentive recipient, and that the facility is operating as intended. If the field inspection proves that any of the annual documentation submitted for continuation of the credit is not accurate, or the facility is not maintained, or the facility is not operating as credited, then the credit will be forfeited. The party receiving the credit may be billed by the Village for credits improperly received.

5.2 Application Procedure for Credit or Incentive

An applicant will be required to submit documents outlined on the appropriate Stormwater Utility Fee Credit or Incentive Application Form, as may be amended from time to time and any additional information deemed necessary by the Stormwater Administrator. A \$300 non-refundable application fee must also be submitted with a Credit Application (not applicable for an Incentive Application).

The Stormwater Administrator will review the application for a credit or incentive, and will either grant or deny the requested credit or incentive within forty-five (45) days of receipt of a completed application and payment of any applicable fees.

An awarded credit or incentive will be applied to the applicant's next regularly generated bill after approval of the credit or incentive. If the application is denied, a letter explaining reasons for the denial will be provided to the applicant. The applicant has the right to appeal this decision in accordance with the procedures outlined in Chapter 25 of the [Downers Grove Municipal Code](#).

Applicants with past-due balances owed to the Village shall not be eligible to receive a stormwater utility fee credit or incentive.

5.3 Indemnification

In consideration for permission to construct, maintain, or install a stormwater facility, and by nature of applying for a stormwater utility fee credit or incentive, the applicant is hereby legally acknowledging and agreeing to the following:

After completion of the construction, maintenance, or installation by the applicant and approval by the Village, the construction, maintenance, or installation of a stormwater facility shall remain privately owned and maintained. It shall not be accepted by the Village, and shall not become a part of the maintenance program of the Village of Downers Grove Stormwater Utility. All maintenance responsibility and liability shall be and remain with the applicant, his personal representatives, heirs, grantees, successors and assigns.

Applicant, his personal representatives, heirs, grantees, successors and assigns shall indemnify and hold harmless the Village of Downers Grove, its officers, agents, and employees from any and all claims, actions, causes of action, judgments, damages, losses, costs, and expenses (including attorney's fees) arising out of or resulting from the construction, maintenance, installation, or operation of the stormwater facility .

This indemnification provision shall run with the real estate upon which the stormwater facility has been constructed or installed and shall be binding upon the applicant , his personal representatives, heirs, grantees, successors and assigns so long as the stormwater facility or any part of it shall be used by them. This provision shall be disclosed upon transfer of real estate. At such time as the stormwater facility shall cease to be so used, this provision shall immediately terminate.

5.4 Appeals

A parcel owner who is aggrieved by the classification of the parcel, the amount of impervious area, the calculation of the stormwater utility fee, or by the denial of a credit or incentive application may appeal the classification, calculation or denial in accordance with the provisions set forth in Section 25.69 of the Downers Grove Municipal Code.

5.5 Questions

For questions regarding the Credit or Incentive Applications, Contact:

Karen Daulton Lange, PE, CFM
Village Engineer/Stormwater Administrator Phone: 630-434-5489
Public Works Department Email: KDLange@Downers.us
5101 Walnut Avenue
Downers Grove, IL 60515-4074



Village of Downers Grove
Department of Public Works
5101 Walnut Avenue
Downers Grove, IL 60515
KDLange@Downers.us
630-434-5489

Stormwater Utility Fee Incentive Application Form

Stormwater Utility users may be eligible for a one-time incentive for the purchase and construction/installation of qualifying stormwater facilities. This form and all requested information shall be submitted to the Department of Public Works in order to initiate an incentive disbursement.

INCENTIVE TYPE		
Incentive applied for: (check all that apply)	Rain Barrel [<input type="checkbox"/>]	Rain Garden [<input type="checkbox"/>]
	Permeable Pavement [<input type="checkbox"/>]	Other [<input type="checkbox"/>] _____

PROPERTY INFORMATION
Name: _____
Address: _____
Phone: _____
Email: _____
Parcel No. of Site: _____ - _____ - _____ - _____

APPLICATION REQUIREMENTS
<p>Please supply the requested information for the applicable incentives. Additional documentation may be required at the discretion of the Downers Grove Stormwater Administrator:</p> <p><u>Rain Barrel</u></p> <ul style="list-style-type: none"><input type="checkbox"/> Rain Barrel size in gallons (min. 45) _____<input type="checkbox"/> Photo of rain barrel installed at property <p><u>Rain Garden</u></p> <ul style="list-style-type: none"><input type="checkbox"/> Sketch showing location & dimensions of rain garden (min. 100 SF)<input type="checkbox"/> Photo of rain garden installed at property <p><u>Permeable Pavement</u></p> <ul style="list-style-type: none"><input type="checkbox"/> Sketch showing location & dimensions of permeable pavement<input type="checkbox"/> Photo of permeable pavement installed at property<input type="checkbox"/> Proof of payment <p><u>Other</u></p> <ul style="list-style-type: none"><input type="checkbox"/> Description, photos, catalog cuts, proof of payment, and any other applicable information on installed stormwater facility that reduces the total volume of stormwater, reduces the peak volume of stormwater and/or improves the quality of stormwater leaving the property

Continued – Stormwater Utility Fee Incentive Application form

Site Address

Signature of Property Owner

Date

I hereby state that the above information is true to the best of my knowledge and acknowledge that any attempt to purposely supply incorrect information may result in denial of the incentive application, elimination of any incentive granted, and restitution of previous incentives. I further understand and agree to the provisions in the Stormwater Credit and Incentive Manual, including but not limited to Section 5.3 regarding indemnification of the Village.

FOR STAFF USE ONLY

SUMMARY INCENTIVE INFORMATION

Rain barrel \$25 incentive per property \$_____

Rain garden \$300 incentive per property \$_____

Permeable Pavement* \$300 incentive per property \$_____

Other maximum \$250 incentive per property \$_____

TOTAL INCENTIVE: \$_____

*Permeable pavement must include an engineered sub-base designed to accommodate the subsoil conditions and anticipated loads per the manufacturer's specifications



Village of Downers Grove
 Department of Public Works
 5101 Walnut Avenue
 Downers Grove, IL 60515
 KDlange@Downers.us
 630-434-5489

Stormwater Utility Fee
Stormwater Facility - Credit Application Form

Stormwater Utility users may be eligible for an ongoing credit for the construction, operation, and maintenance of approved stormwater facilities. This form and all requested information shall be submitted to the Department of Public Works in order to initiate a Credit review.

CREDIT TYPE		
Credit applied for: (check all that apply)	Site Runoff Rate Reduction [<input type="checkbox"/>] Water Quality [<input type="checkbox"/>]	Volume Reduction [<input type="checkbox"/>] Direct Discharge [<input type="checkbox"/>]

PROPERTY INFORMATION	
<u>Property Owner Information</u>	<u>Applicant Information (if different from owner)</u>
Name: _____	_____
Address: _____	_____
Phone: _____	_____
Email: _____	_____
Site Address (if different from above): _____	
Subdivision (if applicable): _____	
Parcel Number(s) requesting credit: _____ - _____ - _____	
(attach any additional Parcel Numbers to this application)	
Description of stormwater facility for which applicant is seeking credit: _____ _____	

APPLICATION REQUIREMENTS
<p>The following information is required for the above credit applications – additional documentation may be required at the discretion of the Downers Grove Stormwater Administrator:</p> <ul style="list-style-type: none"> * \$300.00 non-refundable application fee * A scaled engineering site plan including, but not limited to, the following: * Survey with 1 foot contour elevations (completed within 2 years of the date of credit application), including property lines * Identification of all pervious and impervious areas, site & impervious area draining to pond/offsite * Special Management Area Limits (Floodway, Floodplain, Wetland, Wetland Buffer, LPDA) * A signed Operation and Maintenance Plan to ensure the ongoing functionality of the Stormwater Facility (including name, phone number, and email address for those responsible for continued O&M) * A statement from a Professional Engineer (registered in the State of Illinois) indicating that the Stormwater Facility meets one or more of the requirements for Stormwater Utility Fee Credits as outlined in the Stormwater Credit and Incentive Manual * The statement shall identify each category for which the applicant is seeking credit and provide a brief description - include supporting calculations for requested credits



Continued – Stormwater Facility Credit Application Form

Site Address

Signature of Applicant Date

Signature of Property Owner Date

I hereby state that the above information is true to the best of my knowledge and acknowledge that any attempt to purposely supply incorrect information may result in denial of the credit application, elimination of any credits currently in effect, and forfeiture of all credit application fees. I further understand and agree to the provisions of the Stormwater Credit and Incentive Manual, including but not limited to Section 5.3 regarding indemnification of the Village.

FOR STAFF USE ONLY

FUTURE KEY DATES

Between April 1st and April 30th of each year documentation must be submitted to the Village to continue receiving a credit.

YEAR 1 Annual Documentation Submittal Due between April 1-30, 20_____

YEAR 2 Annual Documentation Submittal Due between April 1-30, 20_____

YEAR 3 Annual Documentation Submittal Due between April 1-30, 20_____

YEAR 4 Annual Documentation Submittal Due between April 1-30, 20_____

YEAR 5 Annual Documentation Submittal Due between April 1-30, 20_____

In order to continue to receive the credit in future years, the applicant is required to submit a new stormwater credit application by October 1st of the fifth year.

NEXT APPLICATION DUE: OCTOBER 1, 20 _____

Stormwater Utility Fee
Education Credit Application Form

Stormwater Utility users may be eligible for an ongoing credit for the education of students in the field of stormwater. This form and all requested information shall be submitted to the Department of Public Works in order to initiate a Credit review.

GENERAL INSTRUCTIONS

This credit is only available to public and private schools providing a curriculum that includes education on stormwater quality & pollution prevention. The credit represents a once-per-year credit, and must be applied for on an annual basis. The Applicant must include the minimum following materials with this application:

- Copy of lesson plan(s) used to educate students on stormwater quality & pollution prevention
- \$300 non-refundable application fee

PROPERTY INFORMATION

Name of school or school district: _____

Address: _____

Key Contact Person for storm water quality curriculum: _____

Contact Phone: _____

Contact Email: _____

Total number of students currently enrolled: _____

SUMMARY CREDIT INFORMATION

Number of students who will receive approved lessons: _____ [1]

Annual per-student education credit: ___ \$3.00 ___ [2]

Total Credit Requested (multiply [1] x [2]) \$ _____ (annual credit)*

***In no case will the credit exceed 100% of the annual Stormwater Utility fee**

Printed Name & Title of Authorized Agent

Signature of Authorized Agent

Date

I hereby state that the above information is true to the best of my knowledge and acknowledge that any attempt to purposely supply incorrect information may result in denial of the credit application, elimination of any credits currently in effect, and forfeiture of all credit application fees. I further understand and agree to the provisions of the Stormwater Credit and Incentive Manual, including but not limited to Section 5.3 regarding indemnification of the Village.



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**Stormwater Utility Fee
Partnership Credit Application Form**

Partnerships include applicants who provide land and/or facilities for use by the Village to facilitate the management of stormwater. Applicants who form these partnerships may be eligible for up to 100% stormwater utility fee credit. This form and all requested information shall be submitted to the Department of Public Works in order to initiate a Credit review.

GENERAL INSTRUCTIONS

The Applicant must include the minimum following materials with this application:

- Detailed description of land and/or facilities that are owned and maintained by Applicant for use by the Village for stormwater management, copy of applicable agreements. Additional information deemed necessary by the Stormwater Administrator may be requested.
- \$300 non-refundable application fee

PROPERTY INFORMATION

Parcel Owner's Name: _____

Parcel Address: _____

Key Contact Name: _____

Key Contact Phone: _____

Key Contact Email: _____

Site Address (if different from above): _____

Parcel Number(s) requesting credit: _____ - _____ - _____

(attach any additional Parcel Numbers to this application)

Description of stormwater facility for which applicant is seeking credit:

Printed Name & Title of Authorized Agent

Signature of Authorized Agent

Date

I hereby state that the above information is true to the best of my knowledge and acknowledge that any attempt to purposely supply incorrect information may result in denial of the credit application, elimination of any credits currently in effect, and forfeiture of all credit application fees. I further understand and agree to the provisions of the Stormwater Credit and Incentive Manual, including but not limited to Section 5.3 regarding indemnification of the Village.