

# Lenoir City Stormwater Utility Fee

## **What is a stormwater utility fee?**

A stormwater utility fee is similar to a water or sewer utility fee. In essence, customers pay a fee to convey stormwater from their properties. The City of Lenoir City's stormwater user fee is the result of an unfunded mandate from the United States Environmental Protection Agency (US EPA) and the Tennessee Department of Environment and Conservation (TDEC) on stormwater discharges. This fee is used to finance annual compliance with this mandate.

## **Is the stormwater utility fee legal?**

Stormwater utility fees are legal. Stormwater fees are necessary to maintain the public stormwater system and represent an equitable way for the community to share the cost of a public service. Stormwater utility fees are becoming more and more common throughout the country and are legislated by Congress, mandated by the EPA, authorized by TCA 68-221-1112 and enforced by the EPA and the Tennessee Department of Environment and Conservation (TDEC) Division of Water Pollution Control (WPC) through the National Pollution Discharge Elimination System (NPDES).

## **Why is a stormwater utility fee being implemented?**

Federal and state regulations require the City of Lenoir City to address the amount and pollution carried by the runoff that is deposited into the local creeks and streams. This runoff is untreated and water quality management programs the City has in place are responses to regulations from the US EPA and TDEC that are directly connected to the Clean Water Act. These regulations require the city to obtain a permit under the National Pollution Discharge Elimination System (NPDES) and to create a comprehensive program to seek out and eliminate, to the maximum extent practical, pollutants carried by stormwater runoff.

## **Who pays the stormwater utility fee?**

Property parcels within the corporate City limits will pay the stormwater utility fee. Public streets are excluded.

## **How does the City currently pay for its stormwater services?**

The money currently comes from the City's general fund budget. The general fund budget is made up of revenues derived from property and sales taxes that are collected by the City. Stormwater competes for general fund revenue alongside police, fire, streets, parks, etc. Stormwater must develop a dedicated revenue stream and the stormwater user fee provides a reliable and fair method for collecting monies in order to allow the City to provide increased and improved stormwater management services.

**What is watershed?**

A watershed is a geographical area which drains to a specified point on a water course, usually a confluence of streams or rivers (also known as a drainage area or river basin).

**Why is it important to protect a watershed?**

Protecting watersheds can prevent water quality problems such as pesticides found in local wells, fish population decline, polluted streams, creeks and rivers, no swimming signs on creeks and rivers, etc.

**What is the stormwater drainage system?**

The stormwater drainage system is the system that collects, conveys, stores or otherwise affects stormwater or surface water. It can include a network of underground pipes, drainage ditches, culverts, and open channels designed for flood or drainage control which discharge to a receiving water body. The runoff contained within this system is not treated, so anything it picks up goes directly into the stream.

**What are things that should never enter a storm drain? Examples include but are not limited to:**

- Oil, anti-freeze, paint, cleaning fluids
- Wash water from a car wash or personal vehicle
- Industrial discharges
- Contaminated foundation drains
- Wash waters from commercial/industrial activities
- Sanitary sewer discharges
- Washing machine discharges
- Chlorinated backwash and draining associated with swimming pools

**What things can enter a storm drain?**

- Discharges from emergency fire-fighting vehicles
- Rising ground waters
- Uncontaminated groundwater
- Drinking water line flushing
- Uncontaminated landscaping irrigation/irrigation water/lawn watering
- Uncontaminated springs
  
- Uncontaminated footing drains and pumps
- Flows from riparian habitats and wetlands
- Street wash waters resulting from normal street cleaning operations
- Discharges within the constraints of (and allowed from) a NPDES permit from TDEC

Unlike wastewater, which is treated before it is released back into the environment, stormwater goes directly into a community's streams and lakes. Because stormwater comes in large amounts at unpredictable times, treating it as wastewater would be very expensive. However, there are Best management Practices (BMP) which can reduce the impact of stormwater.

**If I disagree with the amount I am being charged, what do I do?**

the City. All property owners receive indirect benefits from a properly maintained and operated stormwater management system for the entire City.

Stormwater management activities with broad benefits include keeping public streets drained and cleared, making necessary stormwater infrastructure upgrades, reducing erosion and other pollutants that enter streams and lakes, protecting and restoring streams and other aquatic habitat areas and collecting and conveying stormwater safely through all parts of town. A portion of the fees also provide for compliance with Federal, State, and local regulations for water quality improvements; administration of the City's stormwater management ordinance; public involvement and educational programs; responding to public health and safety issues that benefit all property owners.

**I have a septic tank. Why should I pay this fee?**

Septic tanks do not process or handle stormwater. The stormwater utility fee is used specifically to address City wide stormwater issues. A septic tank is used to treat wastewater at a specific location. Having a septic tank does not address the necessity of stormwater management.

**Why should I pay for rain falling on my property?**

Property and/or business owners are being charged a utility service fee for the cost and privilege of discharging stormwater into the public stormwater system which the City is obligated under law to maintain. With a stormwater rate, users are charged a fee for runoff discharged from their property to the City's stormwater management system not by the amount of rain falling onto your property. Property owners control the level of development on their properties, which directly impacts the runoff characteristics of the parcel.

**I have a detention pond on my property. Will the utility be responsible for the maintenance of the pond?**

No. The maintenance of a retention or detention pond remains the responsibility of the property owner.

**Will the creation of a stormwater utility result in a reduction of my property taxes?**

No. Historically, only a small amount of general fund revenues have been allocated to stormwater management activities. These limited dollars will simply be absorbed into other expanding programs such as Parks, Fire and Police Departments.

**Why is this a stormwater fee and not a property tax increase?**

Property taxes are based only on the assessed market value of a property without taking into consideration the contribution of stormwater runoff from a property. Charges derived from property values are not fairly and equitably allocated to stormwater services. A stormwater user fee is charged based upon the contribution of stormwater runoff to the City's stormwater management system. This is fairer and more equitable approach than charges based on overall property value.