



CITY OF BETHLEHEM

Stormwater Management Program

Frequently Asked Questions



Your questions about the stormwater fee - answered

City of Bethlehem

Department of Public Works

Stormwater Engineering

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Managing stormwater runoff is a core function of the City of Bethlehem service to the community. By caring for water quality and managing the risk of floods, the City works to protect the health, safety, and welfare of its residents. This Frequently Asked Questions document provides background on Bethlehem's current stormwater program, including how it is funded and how it is adapting to achieve the City's goals for water quality, neighborhoods, and infrastructure.

1) What is stormwater runoff?

Stormwater runoff is the rainwater and snowmelt that flows off the land through pipes and swales and then into local streams and rivers. Some rainfall is absorbed into the ground, and some evaporates, but much of it runs off the surface. As it flows across homes, parking lots, lawns, schools, and factories, it picks up pollutants and carries them to the Lehigh River, either directly or first through Monocacy Creek, Nancy Run, or Saucon Creek.

2) What is an impervious surface?

Impervious surfaces are hard surfaces that do not allow rain or snow to soak into the soil. These surfaces include rooftops, driveways, patios, sidewalks, and crushed stone parking lots.

3) Why do we need to manage stormwater?

As the City continues to redevelop, landowners add more impervious surfaces. This changes the characteristics of the stormwater runoff. Hard surfaces prevent stormwater from soaking into the ground. The more hard surfaces we create, the more stormwater flows into our streets, through our pipes, and into our streams and rivers. Fast-moving runoff from impervious surfaces may back up in pipes and cause flooding of streets and basements. As more water runs off and does not soak into the ground, more oil, grease, sediment, and other pollutants enter our local water bodies.

Bethlehem's stormwater drainage network was originally developed to move water out of the City as quickly as possible. Today, the City requires the management of runoff from new development and redevelopment by controlling the amount, quality, and speed of runoff. In addition, the City must make sure that stormwater pipes are maintained and function properly to reduce flooding and the threat of pollution to the local streams.

4) Is stormwater a problem in Bethlehem?

Yes. Drainage pipes that carry runoff are aging and require repairs to keep streets safe. Stormwater runoff carries pollutants to our streams and rivers.

Over the years, the City developed or inherited a network of curbs, gutters, inlets, swales, and pipes to carry runoff to the Lehigh River. With time, the drainage system requires increased maintenance to address issues such as pipes collapsing, swales growing thick with weeds, and catch basins crumbling. Fast-moving water through the system picks up litter, sediment, and debris, depositing it into local streams and rivers. City crews perform regular inspections and know the location of many of the problem areas that need regular cleaning and frequent repair. However, funding is limited, and the City may only be able to make the most critical repairs. When maintenance is not performed and repairs are not made, pipes degrade or can become blocked, causing streets to flood, property to erode, and increases in the discharge of pollution.

5) Who decides the City's stormwater management priorities?

The Mayor and City Council do. The Public Works Department keeps a list of the most important stormwater projects requiring attention. Every year, the Public Works Director considers these priorities when creating an annual budget request. The elected officials make decisions on purchasing new equipment, funding large pipe/culvert replacement projects, and directing the Public Works Department to perform services.

6) What services does the City of Bethlehem provide?

To meet its responsibility to protect public health, safety, and welfare, the City provides stormwater services in the five keys areas shown below. The estimated cost of providing these basic services during a typical year exceeds \$1.65M. This includes materials, staff time, equipment maintenance, and engineering services.

- **Administration** - The Public Works Director coordinates with engineering staff to direct stormwater management services. This includes land development inspections, response to property owner complaints, scheduling leaf collection and street sweeping, public education on stormwater topics, and annual budget development.
- **Infrastructure Operations and Maintenance** - The Streets Bureau and the Traffic Maintenance Bureau within the Public Works Department provide inspection of the stormwater conveyance network; cleaning and repairing pipes, inlets, and outfalls; and picking up material before it enters the storm sewer as part of a comprehensive street sweeping and leaf collection program.
- **Watershed Planning** - City engineering staff and planning staff maintain the mapping of storm sewers. Staff guide the land development plan review process, including the review of proposed stormwater management system designs and the evaluation of the ability of downstream drainage infrastructure to accept changes in flows.
- **Regulation and Enforcement** - To comply with the City's Municipal Separate Storm Sewer System (MS4) permit from Pennsylvania Department of Environmental Protection (PADEP), City engineering staff perform investigations to identify prohibited dumping and unauthorized connections to the drainage system. Staff also lead stormwater outreach and education activities and cooperate with the County Conservation District to inspect active construction projects to prevent sediment discharge from those sites. The City engineer communicates with contractors across the City about the proper disposal of concrete waste and washwater.
- **Capital Improvements and Equipment** - Public Works crews replace small sections of failing storm sewer. However, some culverts and pipe segments need replacement requiring contracted construction services. The City tracks these large replacement projects and upcoming equipment purchases and funds them as resources are available.

7) How do federal and state water quality permits apply to Bethlehem?

The Pennsylvania Department of Environmental Protection (PADEP) administers the National Pollutant Discharge Elimination System (NPDES) program in Pennsylvania, a federal water quality measure within the Clean Water Act. One aspect of the NPDES program is the municipal separate storm sewer system (MS4) permit to municipalities in urbanized areas. To comply with this permit, the City tracks water quality, repairs and builds storm sewer systems, educates the public about stormwater management, inspects the storm sewer for illegal connections and dumping, and enforces ordinances requiring proper stormwater management best practices as part of the development process.

Beginning in 2020, new Pollutant Reduction Plan permit requirements have the City reducing the amount of sediment discharging from the MS4 into local water bodies. Solutions selected by the City may include Green Stormwater Infrastructure such as rain gardens, an expanded street tree network, or stormwater filters on inlets.

8) Who benefits from stormwater services?

Everyone benefits. The City's goals for managing stormwater include keeping roads clear of water and debris, reducing the risk of flooding, protecting public culverts and bridges from damaging floodwaters, and reducing the amount of pollutants entering local water bodies.

9) How did we pay for these services prior to the implementation of the stormwater fee?

The City paid for the stormwater management program through resources appropriated from the City's General Fund. Stormwater management activities shared this funding source with many other City activities. The result is that funding for stormwater management was unstable from year to year as it competed with other City priorities. Therefore, opportunities to plan for projects several years away were limited.

Funding was generally unable to keep pace with the growing stormwater needs. The General Fund revenue is predominantly from real estate taxes and earned income tax. Increasing funding for the stormwater program would mean cuts to other City services, or increases in the General Fund sources such as a property tax increase.

10) What other sources of revenue fund stormwater management?

The City charges fees for review of permits and land development proposals. These fees pay a portion of the cost for reviewing plans for new development and redevelopment. However, these fees do not fix existing infrastructure problems. Grant funding from the State for stormwater projects is limited and highly competitive, and therefore cannot be depended upon for long-term financing of infrastructure improvements.

11) How is a stormwater user fee different from a tax?

Real estate taxes are collected from parcel owners, based on the assessed value of the property. These taxes are managed within the General Fund to cover costs for a variety of general government services. Real estate taxes do not apply to tax-exempt parcels that also place demand on the stormwater system with runoff from buildings and parking areas.

In contrast, a user fee is charged to support a specific service, such as gas, electric, or drinking water. The stormwater user fee distributes the cost of the stormwater management program to every parcel owner.

12) Who pays the stormwater fee?

Every property in Bethlehem with impervious surface of at least 500 square feet is charged a stormwater user fee. Homeowners, commercial property owners, nonprofit entities, tax-exempt properties, and public facilities, including municipal government and the school district, pay a fee.

13) Do public properties pay the fee as well?

Yes. The only exceptions to the fee are City, County, or State-owned roads that lie outside parcel boundaries, which will **not** be charged because the curb and gutter systems, inlets, road-side swales, etc. are an integral part of the City's stormwater conveyance system.

14) Will tax-exempt property owners be charged this fee?

Yes, the stormwater fee is not a tax; it is a user fee (or service charge). All owners of developed properties in the City contribute stormwater to the system, benefit from the improvements to the stormwater system, and receive stormwater-related services under the City's stormwater program. Therefore, the City decided that this fee is the appropriate method to fund repairs and improvements and will be paid by owners of all developed property.

15) When does the user fee go into effect?

The fee went into effect January 1, 2021, and is included on utility bills starting March 1, 2021.

16) Can the fee be waived?

No. All properties that contribute to the stormwater system and/or benefit from the City's stormwater services share the costs. There are opportunities to obtain credits if you are the owner of a non-single-family residential parcel. Single-family residences **cannot** apply for a fee reduction. These credits will be based on the criteria listed in the *Appeal and Credit Manual for Stormwater Fees*, once the manual passes City Council. Requests are evaluated by the City on a case by case basis.

17) What activities will be funded by a dedicated stormwater fee?

The revenue provided by the stormwater user fee will support an increase in maintenance on the system; fund drainage network stabilization projects; and water quality improvement projects. The City will track all revenue and expenses associated with stormwater management activities. The funds can only be used to support stormwater management programs within the City and cannot be used for other City services. Activities include:

- Compliance with MS4 permit water quality regulations;
- Operation and maintenance of conveyance structures; and
- Rehabilitation and repair of storm sewer inlets, pipes, culverts, and outfalls.

18) I'm a Single-Family Residential (SFR) parcel owner. How much is my fee?

The rate structure assigns each single-family residential property (SFR)—detached houses, twins, and townhomes—with a single billing unit. Beginning in 2021, all SFR parcels are billed one billing unit (ERU) at a rate of \$60 per year, or \$5 per month, or \$15 per quarter.

19) How will the stormwater fee be calculated for non-residential properties?

Your bill is based on the amount of impervious surface you have on site. Since the typical single-family residential parcel includes approximately 2,100 square feet of impervious surface (based on aerial photography), all non-single-family residential (NSFR) properties (such as commercial properties, institutions, and apartment buildings) will be billed per 2,100 square feet of impervious surface on their parcel. An example calculation follows.

SAMPLE STORMWATER USER FEE CALCULATION FOR NSFR PROPERTY

A non-single-family-residential property contains the following impervious features

	<u>Square feet</u>
Building Footprint:	12,000
Parking Areas:	20,000
Sidewalks and other paved areas:	1,200

To calculate the monthly stormwater fee:

Step 1: Compute the total hard (impervious) area:

Property Impervious Surface Area = Building Footprint + Parking + Sidewalk and other
Property Impervious Surface Area = 12,000 sq. ft. + 20,000 sq. ft. + 1,200 sq. ft.
Total Property Impervious Surface Area = 33,200 sq. ft.

Step 2: Calculate the number of billing units:

Number of billing units = $\frac{\text{Total Property Impervious Surface Area}}{2,100 \text{ sq. ft.}}$

Number of billing units = $\frac{33,200 \text{ sq. ft.}}{2,100 \text{ sq. ft.}} = 15.81$

For billing purposes, billing units are rounded to the nearest whole number.
Therefore, 15.81 will be rounded to 16 billing units.

Step 3: Calculate the annual Stormwater Fee.

Each billing unit is \$60 per year.

Stormwater Fee = Number of billing units X billing units Rate

Stormwater Fee = 16 billing units X \$60 per billing units

Stormwater Fee = \$960 per year

20) I am the co-owner of shared facilities and private streets. Who pays the stormwater fee?

All owners within the parcel boundary that share ownership will be billed, with the exception of a parcel when the owner is a condominium association. The total number of billing units associated with a condo/multi-owner property is calculated based upon the total impervious surface on the parcel, including impervious surface from both individual units and common areas.

21) Why base a fee on impervious surface?

In general, the more impervious surface a property has, the more runoff flows from the property, placing a demand on the City to provide a publicly-operated storm sewer system along with the programs that address runoff management. Billing based on impervious surface establishes the rational link between the need for a public drainage system and the services required to maintain it and the cost of those services.

22) How many times a year do I pay the fee?

The stormwater fee is billed on a monthly or quarterly basis with your utility bill that, for some properties, also carries service fees for recycling, water, and/or sewer.

23) When is the fee due?

The user fee is due immediately upon receipt of the bill. A late payment will be assessed if bills are not paid in full within 20 days of the billing date. The same late fee policy from water/sewer and recycling applies to the stormwater bill.

24) How will billing be handled for business owners who lease space?

Fees are typically charged to the owner of the utility accounts.

25) Will the fee change in the future?

According to the proposed ordinance, the City's elected officials can adjust the rate in the future based on needed expenditures to manage the stormwater system and programs. The stormwater program will be evaluated on an annual basis.

26) My property has stormwater management structures already. Will the fee still apply?

Yes, all properties are included. If your stormwater management structure qualifies for fee reductions, you may apply for a credit to reduce your bill, once the fee reduction passes City Council.

27) What happens if I don't pay my bill?

The approved City ordinance includes a provision that if a landowner fails to pay on time, the City can take action to collect the fee. A late fee will be assessed after 20 days of non-payment. The City of Bethlehem is authorized under the ordinance to use a collection agency to collect payment. The collection fees and other legal costs may be added to the total owed on the delinquent account.

28) What if my property is classified incorrectly or I think my impervious surface measurement is wrong? How can I appeal my bill?

An appeals process handles any potential errors in the billing. Property owners can submit an appeals application with a written statement regarding the nature of the appeal and the information that supports a correction for errors or inaccuracies. Appeals related to the amount of impervious surface or billing unit calculation must include a plot plan, map, aerial image, or similar information detailing actual impervious surfaces currently on-site.

29) Is there any way to lower my bill?

Residential properties (with the exception of low-income properties) **cannot** lower their bill. For non-residential properties, the most straightforward method of lowering your property's stormwater bill is to reduce the amount of impervious surface that exists. Once this reduction is recorded, the number of billing units associated with the property will be re-calculated, which could reduce the stormwater fee for the following year.

Credits will be available for non-residential property owners that perform certain tasks that are eligible. Credits will be granted for one of three credits described in the *Appeal and Credit Manual for Stormwater Fees*, which will be found on the city's website, once it passes City Council.

Since all parcels which are classified as single-family residential pay the same amount, there is no mechanism to lower the bill for single-family residential property owners, unless the property qualifies as low-income. Those qualifications will be found in the *Appeal and Credit Manual for Stormwater Fees* on the city's website, once it passes City Council. All properties benefit from the City's maintenance of the stormwater system and compliance with water quality permit requirements.

30) How long is the credit good for? Do credits expire?

At the discretion of the City, credit will continue to renew on an annual basis provided that the owner complies with all requirements of the maintenance agreement. The City reserves the right to change the criteria for receiving credit or require additional information for the operator of the structure to continue receiving credit.

The City will periodically inspect properties to verify functionality of the structures or best practices. If the inspection results in a determination of non-compliance or performance with the terms of the credit, the property owner will be provided time to make corrections/improvements. If such deficiencies are not corrected, the credit will be revoked.

31) How do I know if my credit was approved? How will I receive the credit?

A Credit Application Form must be submitted to the City by the operator of the structure, or his/her legal agent, and approved by the City's Department of Public Works to receive credit no later than September 1 for the following fiscal year user fees. Separate forms may be needed when there are multiple structures that are eligible for different credit levels. Once an application is approved, it will be applied to the next full billing period. Credits will be retroactively applied to previous billing periods for 2021 only.

The City will issue final credit decisions and inform each applicant of the value of their final credit within 30 days of the date of application.

32) If I have a question about stormwater management in the City, who should I contact?

You can contact the City of Bethlehem Stormwater Program by either emailing or mailing your questions to:

Department of Public Works
City of Bethlehem
10 E. Church Street
Bethlehem, PA 18018

Or:

Stormwaterfee@bethlehem-pa.gov

Or call:

610-865-7063