

**RATES, RULES, AND REGULATIONS
FOR THE
STORMWATER MANAGEMENT PROGRAM
OF THE
DERRY TOWNSHIP MUNICIPAL AUTHORITY**



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ARTICLE I DEFINITIONS

- 1.1 Terms and phrases used and not specifically defined herein shall be defined as set forth in the applicable statutes of the Commonwealth of Pennsylvania, resolutions of the Derry Township Municipal Authority (the “Authority”), if any, or shall otherwise be given their ordinary and common meanings.
- 1.2 Unless the context specifically and clearly indicates otherwise, the meaning of terms and phrases used in these Rates, Rules, and Regulations for the Authority relating to stormwater management shall be as follows:
 - 1.2.1 Best Management Practices (“BMPs”) – The methods, procedures, and analyses specified in the Pennsylvania Stormwater Best Management Practices Manual to reduce flooding potential and control the volume, flow rate, and water quality of stormwater
 - 1.2.2 Credit - A Stormwater Management Program Fee reduction that a property owner receives for implementing and complying with the practices and policies contained in these Rates, Rules and Regulations, and any related Credit Policy. The Credit Policy is included as Article XIV herein.
 - 1.2.3 Credit Application – The DTMA Stormwater Management Program Fee Credit Application that is attached hereto as Appendix C, and must be used to obtain the Credit(s) described in these Rates, Rules, and Regulations.
 - 1.2.4 Developed Parcel – A parcel that contains impervious area equal to or greater than 500 square feet.
 - 1.2.5 Derry Township Municipal Authority (“DTMA” or “Authority”) – The Derry Township Municipal Authority, a Pennsylvania municipal authority organized and existing under the Pennsylvania Municipality Authorities Act, or its designee.
 - 1.2.6 Equivalent Residential Unit (“ERU”) – The basic unit for the computation of Stormwater Program Fees. An ERU is based on the statistically estimated impervious area found on the average single-family residential parcel and has been established in the duly adopted Rate Schedule attached hereto as Appendix A, subject to such modifications as DTMA may deem necessary from time-to-time in its discretion. The ERU is used to assess the Stormwater Program Fees for each parcel of developed property within the Township.

- 1.2.7 Impervious Surface – An area that does not allow or allows only with great difficulty the movement of water into the ground. (“Impervious area(s)” or “IA”) include, but are not limited to: roofs, additional outdoor living spaces, patios, garages, storage sheds and similar structures, parking or driveway areas, and any private streets and sidewalks. Any travel areas initially proposed to be gravel or crushed stone shall be assumed to be impervious areas.
- 1.2.8 MS4 – Municipal Separate Storm Sewer System.
- 1.2.9 National Pollutant Discharge Elimination System (“NPDES”) – The federal government’s and Commonwealth of Pennsylvania’s system for issuance of discharge permits under the federal Clean Water Act (“CWA”), the Pennsylvania Clean Streams Law and Storm Water Management Act. The Pennsylvania Department of Environmental Protection (“PADEP”) has been delegated the responsibility to implement the federal CWA NPDES program in Pennsylvania.
- 1.2.10 Non-Single-Family Residential (“NSFR” or “NR”) - Any developed parcel not fitting the definition of single-family residential. NSFR shall include, but not be limited to, apartments, boarding houses, hotels and motels, churches, industrial properties, commercial and retail properties, manufactured home or mobile home parks, commercial and office buildings, storage areas, parking lots and other impervious areas, parks, recreation properties, public and private schools and universities, hospitals and convalescent centers, office buildings, government properties, and mixed-use properties.
- 1.2.11 Operation and Maintenance – The associated costs of equipment and facilities, energy, manpower, materials, transportation, and services required to collect, convey, detain, pump and transport stormwater, keep equipment, infrastructure, and facilities functioning satisfactorily and economically, administer the Stormwater Management Program and shall include sums paid to defray costs of the Authority’s improvements to the Stormwater Management System.
- 1.2.12 Operation and Maintenance Agreement – An agreement as described in the Township’s Stormwater Management Ordinance pertaining to the operation and maintenance of existing stormwater management BMPs.

- 1.2.13 Owner – Any person, firm, corporation, individual, partnership, trust, company, association, government agency, society or group owning real property in Derry Township.
- 1.2.14 PADEP – Pennsylvania Department of Environmental Protection.
- 1.2.15 Pennsylvania Stormwater Best Management Practices Manual – The most recent version of the Pennsylvania Stormwater Best Management Practices Manual.
- 1.2.16 Property – Each lot, parcel, building or portion thereof, separately established by folio number on the tax rolls of Derry Township or Dauphin County.
- 1.2.17 Replacement – The associated costs of obtaining and installing equipment, infrastructure, accessories, or appurtenances which are necessary during the service life of the Stormwater Management System so as to maintain the capacity and performance for which said system was designed and constructed; shall include costs associated with improvements to the Stormwater Management System.
- 1.2.18 Riparian Buffer – A vegetated area bordering perennial and intermittent streams and wetlands that serves as a protective filter to help protect streams and wetlands from the impacts of adjacent land uses.
- 1.2.19 Single Family Residential (“SFR”) – Developed parcel containing one (1) structure which contains one (1) or more rooms with a bathroom and kitchen facilities designed for occupancy by one (1) family and shall include single-family units, single-family houses (both attached and detached), condominiums, townhomes, manufactured homes, and mobile homes located on individual lots or parcels of lands. Developed parcels may be classified as “single-family residential” despite the presence of incidental structures associated with residential uses such as garages, carports or small storage buildings. “Single-family residential” shall not include developed land containing: structures used primarily for non-residential purposes; manufactured homes and mobile homes located within manufactured home or mobile home parks.
- 1.2.20 Stormwater – Stormwater is water from a precipitation event that flows across the land and eventually into rivers, creeks, lakes, ditches, and canals resulting in debris, sediment, pollutants, bacteria, and nutrients from sidewalks, streets, parking lots, and other impervious areas washing

into gutters, through storm drains, and eventually flowing into the creeks and rivers.

- 1.2.21 Stormwater Main – A principal pipe in the Stormwater Management System, owned and maintained by the Authority, to collect and transport stormwater.
- 1.2.22 Stormwater Management Costs – The associated public costs of equipment and facilities, energy, manpower, materials, property acquisition, transportation and services required to:
 - 1.2.22.1 Avoid, reduce, manage, treat, collect, convey, detain, infiltrate, pump, and transport stormwater;
 - 1.2.22.2 Provide flood protection;
 - 1.2.22.3 Keep equipment and facilities, including best management practices, functioning satisfactorily and economically;
 - 1.2.22.4 Administer the stormwater management program, including regulatory compliance; and
 - 1.2.22.5 Improve the Authority’s Stormwater Management System.
- 1.2.23 SMP Fee - Sums assessed, imposed, and to be collected from each developed lot, parcel, building or portion thereof which uses, benefits from or is serviced by the Stormwater Management System or which discharges stormwater, directly or indirectly, into the public Stormwater Management System, for the use of and the service rendered and improvement of such system and additionally for the administration and operation of the Stormwater Management Program.
- 1.2.24 Stormwater Management Ordinance – Chapter 174 - Stormwater Management, of the Code of the Township of Derry, a.k.a. the Township of Derry Stormwater Management Ordinance.
- 1.2.25 Stormwater Management Program (“SMP”) - The comprehensive program developed and implemented by the Authority to address stormwater issues, including, but not limited to, reductions in storm runoff rate and volume, improvements to water quality, compliance with state/federal regulatory permit (e.g. MS4 Permit) requirements and, to provide for the satisfactory management of the Stormwater Management System assets.

- 1.2.26 Stormwater Management Program Credits and Incentives Policy (“Credit Policy”) – A policy developed to provide detailed guidance and procedures to incentivize Township residents and businesses to reduce their SMP Fee by undertaking and implementing approved activities that will reduce the rate and/or volume of stormwater runoff and/or reduce the pollutants in that runoff. The Credit Policy is included as Article XIV herein.
- 1.2.27 Stormwater Management System – The public system of collection and conveyance, including underground pipes, conduits, mains, inlets, culverts, catch basins, gutters, ditches, manholes, outfalls, dams, flood control structures, stormwater best management practices, channels, detention ponds, public streets, curbs, drains and all devices, appliances, appurtenances and facilities appurtenant thereto used for collecting, conducting, pumping, conveying, detaining, discharging and/or treating stormwater.
- 1.2.28 Top of Streambank – First substantial break in slope between the edge of the bed of the stream and the surrounding terrain. The top of streambank can either be a natural or constructed (that is, road or railroad grade) feature, lying generally parallel to the watercourse.
- 1.2.29 Township – The Township of Derry, Dauphin County, Pennsylvania, a municipal subdivision of the Commonwealth of Pennsylvania.
- 1.2.30 Undeveloped Parcel – A parcel that does not meet the definition of “developed parcel.”
- 1.2.31 User – Any person, firm, corporation, individual, partnership, company, association, government agency, society, or group using, benefiting from or being served by the public Stormwater Management System.

ARTICLE II CONNECTIONS TO THE SYSTEM

- 2.1. It shall be unlawful for any owner of property within the Township to establish a physical connection to the Stormwater Management System, except as provided for herein or under any other applicable Rules, Regulations, Ordinance or specifications of the Authority.
- 2.2. Properties that are physically connected to the Stormwater Management System as of January 1, 2017, may be permitted to remain connected to the Stormwater Management System, until such time that any improvement is made to that particular stormwater main serving that particular property, at which time the connection may be abandoned, at the sole discretion of the Authority.
- 2.3. It is recognized that a circumstance may exist wherein no means of controlling stormwater is available to a particular property except by direct connection to the Stormwater Management System. No person shall make or cause to be made any connection with the Stormwater Management System until they have fulfilled all of the following conditions and procedures:
 - 2.3.1. Any owner desiring to connect to the Stormwater Management System of the Authority must first make a written application for a permit at least two (2) weeks before the service is required. No work of any nature shall commence before the issuance of said permit.
 - 2.3.2. The application will state the property's address, the owner's name, the reason that the connection is necessary, the proposed use of the property, conveyance criteria calculating anticipated stormwater flow, and the size of pipe, basins, and any proposed appurtenances.
 - 2.3.3. The owner or his authorized agent must sign the application. The application together with these Rates, Rules, and Regulations of the Authority and all other applicable local resolutions or ordinances shall regulate and control the provision of stormwater service to the property.
 - 2.3.4. The application must be accompanied by any required service charges and any other fees established by the Authority from time to time.
 - 2.3.5. The application must contain a proposed date when the connection will be ready for inspection.
- 2.4. When an application has been made for a stormwater connection or change in an existing service, it is assumed that all plumbing, piping, and fixtures which will be

serviced are in order to receive the service. The Authority shall not be liable in any case for any accident, breaks, or leakage arising in any way in connection with the acceptance of stormwater flow or failure to accept stormwater flow, or the freezing of pipes or fixtures, nor for any damage to the building or property which may result from the usage or non-usage of stormwater service provided to the property.

- 2.5. At the time of the inspection of the stormwater connection, the owner shall permit the Authority's designated inspector full and complete access to all pipes and appurtenances in each building and in and about all parts of the property. No portion of the work shall be covered over, or in any manner concealed, until after it is inspected and approved by the inspector.
- 2.6. No stormwater lateral shall be laid in the same trench with a water, sewer, or gas pipe or with any facility of a public service company, or within three feet of any excavation or vault without written approval of the Authority.
- 2.7. Notwithstanding any other provisions to the contrary, the Authority shall at all times reserve the right to withhold the issuance of any permit for connection to the Stormwater Management System until the owner provides collateral or security as the Authority in its sole and absolute discretion deems adequate. Such security is to provide a fund from which all costs and expenses can be paid for the construction of any necessary connection from the existing stormwater main to the property of the owner; in the event the owner or any successor fails to complete the construction.
- 2.8. The property owner who is approved for connection to the Stormwater Management System shall be responsible for all direct and indirect costs associated with providing said connection including the cost of excavating the main, making the actual connection and surface restoration.

**ARTICLE III
FEES**

- 3.1. For the use of, benefit by, and the services rendered by the Stormwater Management System, including its operation and maintenance, repair, replacement, and improvement of said system and all other expenses, SMP Fees are imposed upon each and every developed parcel, building or portion thereof that is connected with, uses, is serviced by or is benefited by the Stormwater Management System, either directly or indirectly, and upon the owner(s) of such developed lots, parcels of land or buildings. Such SMP Fees shall be payable by and collected from the owners of such developed lots, parcels of land or buildings as hereinafter provided, and shall be determined as set forth below.
- 3.2. The SMP Fee per ERU has been established by a duly adopted resolution of DTMA. A Rate Schedule containing the currently applicable SMP Fee and any other charges is attached hereto as Appendix A. Please note that the SMP Fee and applicable ERU calculations may, in the discretion of DTMA, be amended from time-to-time by appropriate resolution of DTMA and, to the extent practicable, Appendix A hereto will be updated to reflect any such revisions.

**ARTICLE IV
BILLING AND COLLECTION**

- 4.1. Unless expressly excepted, the SMP Fees fixed and established by these Rates, Rules, and Regulations shall be effective as to all properties that use, are served, or are benefited by the Authority's Stormwater Management System.
- 4.2. SMP Fees shall be assessed and billed by or on behalf of the Authority effective as of January 1st each calendar year. (The first billing shall be on or about January 10, 2017). For existing customers of the Authority, the SMP Fee shall be included as a separate and readily identifiable line on the sanitary sewer bill which is typically prepared and mailed by the Authority (or its designee or contractor) on or about the 15th day of each month. Owners of developed parcels within the Township of Derry that are not currently sanitary sewer customers will receive an SMP only bill. In all instances, the invoice date, period of service, and due date of the SMP Fee shall be consistent with and match the corresponding elements of the sanitary sewer charges.
- 4.3. All SMP Fees are due and payable upon presentation and if not paid within twenty (20) days from the date of billing shall be subject to a five percent penalty.
- 4.4. In accordance with the Municipal Claims Act, 53 P.S. § 7101, *et seq.* (as amended), all rates, and charges, penalties, interest, collection fees, lien filing and satisfaction fees and other charges imposed for failure to pay promptly shall constitute a lien upon and against the subject property and its owner from the date of their imposition and assessment.

**ARTICLE V
RIGHT OF INSPECTION**

- 5.1. When applying for a Credit, the Owner agrees that properly identified DTMA personnel may at reasonable times enter any property unannounced to inspect the property or condition or operation of BMPs. If, after its review or inspection, DTMA staff finds the BMPs or Operations and Maintenance Agreement out of compliance with either the Credit Application or operational requirements, the Owner will be notified in writing and given sixty (60) days to correct the inaccuracy or non-compliance (“Notice of Non-Compliance”).
- 5.2. The Owner will have sixty (60) days following the receipt of the Notice of Non-Compliance to provide DTMA written documentation and evidence satisfactory to DTMA staff that the issues described in the Notice of Non-Compliance have been corrected. If the Owner fails to provide a written response within the designated time frame or if the issues described in the Notice of Non-Compliance have not been corrected, the Credit will be suspended the following billing cycle. The Credit suspension will remain in effect a minimum of three (3) months. The Owner may reapply for the Credit once it has documentation, satisfactory to DTMA staff, that the issues described in the Notice of Non-Compliance have been corrected and that the BMP has been functioning in compliance with the requirements for a minimum of three (3) months.

**ARTICLE VI
UNLAWFUL USE OF STORMWATER MANAGEMENT SYSTEM**

- 6.1. No user connected to the Stormwater Management System shall discharge or cause to be discharged into the Stormwater Management System any element or property of sewage, agricultural, industrial, or commercial waste, leachate, heated effluent, or other matter whether originating at a point or nonpoint source.
- 6.2. No person shall connect, cause to be connected, or allow any other person to connect any building and/or property or other source of water to the Stormwater Management System in any manner other than as provided for in these Rates, Rules, and Regulations.
- 6.3. No person shall make, or cause to be made, any cross connection between any pipe, fixture, or other appurtenance connected in any way to the Stormwater Management System and any public or private component of any potable water system or wastewater source; whereby, in the opinion of the Authority, the potential exists for vacuum or back siphonage which could permit the co-mingling of sanitary wastes, stormwater, and/or potable water.

**ARTICLE VII
PROHIBITED WASTES**

- 7.1. The discharge of stormwater to the Stormwater Management System in any manner other than allowed by these Rates, Rules, and Regulations, and all other applicable local resolutions or ordinances, is expressly prohibited.
- 7.2. The discharge of excessive amounts of stormwater to the Stormwater Management System is expressly prohibited. The Authority reserves the right to define the amount it deems excessive.
- 7.3. The discharge of garbage or any form of waste to the Stormwater Management System is expressly prohibited.
- 7.4. Users of the Authority's Stormwater Management System are advised that they are likewise subject to all local resolutions and ordinances governing stormwater, whether or not specifically set forth herein. If a conflict exists between the rules and regulations stated herein, and any Authority resolution or Township ordinance, the more stringent regulation or requirement shall apply and control.

**ARTICLE VIII
GENERAL AND MISCELLANEOUS PROVISIONS**

- 8.1. The Authority Executive Director may implement such administrative procedures necessary to implement the policies and requirements set forth in these Rates, Rules, and Regulations.
- 8.2. Floods from stormwater may occur occasionally that exceed the capacity of the Stormwater Management System maintained and financed with SMP Fees. Nothing herein shall be deemed to imply that properties subject to charges shall always be free from flooding or flood damage, or that all flood control projects to control stormwater can provide complete protection from all flood and storm events. Nothing whatsoever in these Rates, Rules, and Regulations shall deem the Authority liable for any damages incurred from stormwater or from adverse water quality. Nothing herein is intended to reduce the need or necessity for flood insurance, and the Authority expressly reserves the right to assert all available immunities and defenses in any action seeking to impose monetary damages upon the Authority, its officers, employees, and/or agents arising out of any alleged failure or breach of duty with respect to the Authority's Stormwater Management System.
- 8.3. The Authority will review and update the SMP Fees fixed and established by these Rates, Rules, and Regulations by resolution every five years or sooner as deemed necessary.
- 8.4. If any section, clause, or other portion of these Rates, Rules, and Regulations is declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of these Rates, Rules, and Regulations as a whole or any other part hereof.
- 8.5. No agent or employee of the Authority shall have the right or authority to bind the Authority by any promise, agreement, or representation contrary to the letter or intent of these Rates, Rules, and Regulations.

**ARTICLE IX
APPEAL PROCEDURES**

- 9.1. Any owner who believes the provisions of these Rates, Rules, and Regulations have been applied in error may appeal in the following manner and sequence.
- 9.2. An appeal of the rate and charge must be filed in writing with the Authority Executive Director or his/her designee within thirty (30) days of the charge being mailed or delivered to the property owner. Any appeal must state the reasons for the appeal and be submitted using the forms provided by the Authority for such purpose. *See Appendix D.* If a customer believes that DTMA's determination of the IA for their property is erroneous, they may file an IA Adjustment Appeal. Please note, appeals are different from Credits. It is the customer's responsibility to demonstrate that DTMA's calculation of IA is erroneous. Following submission of a *Stormwater Adjustment Appeal Form*, the customer shall grant DTMA permission to enter the parcel at reasonable times and without unreasonable disruption, to inspect the parcel to ensure that the information provided in the adjustment appeal accurately represents the current parcel conditions. There is no fee associated with submitting an adjustment appeal, however, the customer is solely responsible for any costs incurred in the preparation and submission of the adjustment appeal, and all required appeal documentation.
- 9.3. Using information provided by the appellant, the Authority Executive Director (or his/her designee) shall conduct a technical review of the conditions on the property and respond to the appeal in writing within sixty (60) days. In response to an appeal, the Authority Executive Director may adjust the SMP Fees applicable to the property in accordance with the applicable provisions of a duly adopted Resolution. If the Authority Executive Director fails to respond within sixty (60) days, the appeal shall be deemed accepted. If the adjustment appeal results in a revised calculation of IA, then the SMP Fee will be corrected to reflect the revised IA determination for the next billing cycle and will include an adjustment to the existing month's SMP Fee.
- 9.4. Any person aggrieved by any decision of the Authority, relevant to the provisions of these Rates, Rules and Regulations, may file an action in the Court of Common Pleas of Dauphin County as permitted by law.

**ARTICLE X
POLICIES AND PROCEDURES AUTHORIZED**

- 10.1. The Authority may by resolution adopt such rules, regulation, policies, and procedures as it deems appropriate to ensure collection of rates and charges assessed and imposed. Without limitation, collection procedures may include referral of delinquent accounts to a collection agency and any and all other measures or combination thereof which the Authority may deem appropriate.
- 10.2. All costs of such collection procedures, including but not limited to collection fees, attorney's fees, court costs, litigation expense, charges for service of documents, shall upon being incurred by the Authority be imposed as a charge for nonpayment and added to the balance due on said owner's account.
- 10.3. No collection proceeding shall be discontinued until all amounts due on an account, including user fees, penalties, interest, collection fees, attorney's fees, court costs and other charges are first paid in full to the Authority.
- 10.4. The Authority may adopt any policies or procedures that the Authority's Executive Director deems necessary or convenient to interpret or implement these Rates, Rules and Regulations. This may include the creation of a rate review/Stormwater advisory review committee.

ARTICLE XI
STORMWATER MANAGEMENT PROGRAM FUND

- 11.1. Unless expressly provided for or required by law or applicable agreement related to stormwater management, the funds received from the collection of the SMP Fees shall be deposited into the Authority's Stormwater Operating Account, a fund and account dedicated to the operation and administration of the SMP, and for the operation, maintenance, repair, and capital improvement of the Stormwater System.

**ARTICLE XII
NO WARRANTY OR ACTION**

12.1. Nothing in these Rates, Rules, and Regulations or in the design, operation, or maintenance of the Stormwater System shall be deemed to constitute a warranty, express or implied, nor shall it afford the basis for any action seeking the imposition of money damages against the Authority, its officers, employees, or agents. The Authority expressly reserves the right to assert all available immunities and defenses in any action seeking to impose monetary damages upon the Authority, its officers, employees and agents arising out of any alleged failure or breach of duty or relationship as may not exist or hereafter be created.

**ARTICLE XIII
PENALTIES**

- 13.1. Any violation of these Rules and Regulations is hereby declared to be a summary offense in accordance with Section 5607(d)17 of the Pennsylvania Municipality Authorities Act, as amended, and shall be punishable by a fine of up to Six Hundred (\$600.00) Dollars for each offense. Each and every day that a violation of these Rates, Rules, and Regulations exists shall constitute a separate and distinct offense.
- 13.2. The Authority may also enforce the terms of these Rates, Rules, and Regulations by an appropriate action brought in the Court of Common Pleas of Dauphin County, Pennsylvania.

ARTICLE XIV
STORMWATER MANAGEMENT PROGRAM CREDITS AND INCENTIVES

- 14.1. An integral component of the SMP includes implementation of a program to incentivize Township residents and businesses to reduce their SMP Fee by undertaking and implementing approved activities that will reduce the rate and/or volume of stormwater runoff and/or reduce the pollutants in that runoff, and comprehensive Stormwater Management Program Credits and Incentives Policy has been developed to provide detailed guidance and procedures on such activities.
- 14.2. To be eligible for a Credit, the property must have been assigned a minimum of 0.5 ERUs and there must not be any outstanding and unpaid SMP Fees or sanitary sewer fees against the property. Property Owners must submit the appropriate Credit Application along with any documentation required by DTMA. All properties are potentially eligible for Credits, however, certain Credits are only available to certain categories of Owners in accordance with Table 1 contained in Appendix B hereto. Note that credit availability may be modified by DTMA from time-to-time by appropriate resolution and corresponding changes will be made to Appendix B hereto, to the extent practicable.
- 14.3. Credit Applications, using the *Stormwater Management Program Fee Credit Application* (Appendix C), must be submitted to DTMA along with any documentation required by the application. DTMA reserves the right to request additional supporting information if the provided information does not clearly support the requested type or amount of Credit. DTMA will process fully completed Credit Applications in a timely manner not-to-exceed sixty (60) days. If the Credit Application is found to be incomplete, it will be returned with the incomplete items highlighted. If the Credit Application is approved as-is, the Credit will be applied to the next billing cycle following approval. There is no fee associated with submitting a Credit Application.
- 14.4. If the Credit Application is denied or if the Credit Application is approved with conditions or for a different Credit amount than what was requested, DTMA will provide written notification that will include the reason for the decision and/or any supplemental conditions. If DTMA cannot complete a review of a complete Credit Application within sixty (60) days, then the Credit Application will be temporarily approved pending a full review of the application. A temporarily approved Credit will be applied to the next billing cycle, but the Credit can be adjusted or revoked upon full review of the Credit Application. Upon completion of the full review, the Owner

will receive written notification that will include the reason for the decision and/or any supplemental conditions. The Owner will not have to repay the difference between any temporarily approved Credits and the final approved Credits based on the full review of the Credit Application. If the Owner disagrees with DTMA's decision, the Owner shall submit a written request to DTMA for a meeting to discuss the decision. DTMA will schedule a date and time for the meeting.

- 14.5. A number of proposed Credits will require a pre-application meeting and/or a field review with DTMA. All Non-Residential Owners interested in installing a new BMP or retrofitting an existing BMP should submit the Pre-Application Meeting Request form provided in Appendix E to DTMA. DTMA will contact the Owner to schedule a mutually agreeable meeting date and time.
- 14.6. All proposed BMPs shall comply with the applicable design standards set forth in the Derry Township Stormwater Management Ordinance (Chapter 174 of the Code of Ordinances: <http://ecode360.com/11769905>) and Pennsylvania Stormwater Best Management Practices Manual including, but not limited to, the use of appropriate professionals, such as Professional Engineers, Professional Geologists, Landscape Architects, Soil Scientists, etc. when required. When applicable, karst hazards, soil investigations, infiltration testing, or other pertinent site-assessment activities should be conducted.
- 14.7. Owners may apply for one or more Credits, and the Credits will be cumulative up to a maximum Credit of 45% of that property's SMP Fee. In no circumstance may a Credit or group of Credits reduce the applicable SMP Fee to an amount that is less than 55% of the SMP Fee for that property.
- 14.8. The SMP Fee for properties with approved Credits will be calculated as follows:
 - 14.8.1. Billable ERUs = Total ERUs – Credit ERUs
 - 14.8.2. Monthly SMP Fee = Billable ERUs x SMP Rate (\$/ERU/Month); WHERE:
 - 14.8.2.1. Billable ERUs = The number of ERUs billed to the DTMA stormwater program customer.
 - 14.8.2.2. Total ERUs = The number of ERUs on a parcel before any Credits have been granted.
 - 14.8.2.3. Credit ERUs = Current total number of ERUs granted as Credit for the parcel.

14.8.2.4. SMP Rate = Current applicable per ERU rate as established by DTMA.

- 14.9. Approved Credits will be valid for five (5) years, except when a term is explicitly noted otherwise. Credits will automatically be renewed based upon Credit conditions still being met, but the magnitude of the Credit may be altered based upon changes in DTMA regulatory requirements or operating costs. Approved Credits will automatically expire when the property changes ownership. Please note that although the Credits expire upon ownership change, any Operations and Maintenance Agreements, easements, and Access Agreements remain permanently in effect. New Owners will be required to submit a *Continuation of Existing Credit for New Property Owners* application form (Appendix F) to be eligible for the expired Credit. Reapplication for Credit continuance is required to (1) ensure that the Credit is still applicable to the property, and (2) to ensure the new Owner fully understands the requirements of the Credit, including Operations and Maintenance procedures. All Credits will be reviewed at a minimum of every five (5) years and are subject to alteration or revocation at the discretion of DTMA.
- 14.10. Upon written notice, DTMA, in its sole discretion, may revoke any previously approved Credit when the Owner has failed to meet the conditions of the Credit, the conditions of the Operation and Maintenance Agreement and/or has delinquent SMP or sanitary sewer fees. The Owner will be notified in writing of the reason for Credit termination and will be provided with the corrective measures required to have the Credit reinstated.
- 14.11. DTMA reserves the right to review all plans, materials, reports, and documentation for accuracy and inspect any installations or features for proper function related to the Credit program at any time. If, after review, the accompanying documentation is found to be inaccurate or incomplete, or upon inspection issues are discovered with the installation or operation of the BMP, or Operation and Maintenance Agreement, the Owner will be notified in writing and given sixty (60) days to correct the deficiency. The Owner must provide written documentation to DTMA within sixty (60) days of the original notice that the deficiency has been corrected. If, in the opinion of DTMA staff, the deficiency is not satisfactorily corrected, the Credit currently applied to the property will be terminated, effective the following billing cycle.
- 14.12. For all Non-Residential properties granted a Credit for structural BMPs, and Single-Family Residential properties granted a Credit through a Homeowner Association

(HOA) sponsored Credit Application, the Owner or HOA must submit periodic BMP Inspection Reports to DTMA.

- 14.13. The frequency of the BMP Inspection Report will be identified as a condition of the Credit. If the reporting requirements are not met, then the Credit will be suspended. The suspended Credit will not be reinstated until an acceptable BMP Inspection Report is submitted to DTMA and the BMP which the Credit is being applied for is operating in a satisfactory manner. There is no fee associated with submitting a BMP Inspection Report.
- 14.14. Structural BMPs that control for the rate, volume, or water quality of stormwater generated on the property are eligible for Credit. A maximum 10% Credit each will be given to rate and volume BMPs, and a maximum 25% Credit will be given to water quality BMPs. The Credits can be cumulative to a maximum of 45% Credit if all three components are controlled. For example, a site that has BMPs in place to control rate, volume, and water quality would receive 10% (rate) + 10% (volume) + 25% (water quality) = 45% total Credit. Existing BMPs can be retrofitted to provide new function and would be eligible for Credits for the existing and new functions. The Credits only apply to the IA controlled by the BMPs.
- 14.15. A parcel is considered a Low Impact parcel if it meets all of the following conditions:
- 14.15.1. Total IA is less than or equal to 10% of the total parcel area;
 - 14.15.2. The IAs are not directly connected (for example but not limited to: gutter, swale, channel, pipe) to a storm sewer, curb line, stream, channel, street or other surface water conveyance; and
 - 14.15.3. IAs are a minimum of fifty (50) feet (measured horizontally) from the edge of a stream, channel, wetland, or other surface water conveyance.
 - 14.15.4. If a parcel meets all of the above conditions, it may be eligible for a Credit up to 45%. Portions of the IA may be eligible for Credit even if all the IA does not meet conditions 14.15.2 and 14.15.3 listed above. For example, a parcel may contain a detached house and a barn. The total IA for the property equals 5.5%, however, the house is twenty-five (25) feet from a stream, and therefore no Credit is applied for the house. The barn, which meets all three conditions, would receive a 45% Credit for its IA.
- 14.16. DTMA believes a strong SMP is predicated on public participation and involvement to help address water quality issues. DTMA stormwater customers who participate in certain community events to promote water quality and sound stormwater

management principles will be eligible for Credit. The following are examples of activities eligible for a Credit:

- 14.16.1. Participating in a stream or roadside clean-up.
 - 14.16.2. Participating in a DTMA or other approved tree planting activity.
 - 14.16.3. Hosting a student-sponsored educational event at a public venue.
 - 14.16.4. Participating in any other proposed public participation activity pre-approved by DTMA.
 - 14.16.5. Sponsoring any other public participation activity pre-approved by DTMA.
- 14.17. Credits are earned for every hour served. One (1) Credit hour is equal to \$0.50 per month (\$6.00 per year). Earned Credits cannot exceed 15% of the SMP Fee for a property. A minimum of four (4) hours are required to qualify for the Credit. Credits hours are cumulative, so for example, four (4) people could participate for one (1) hour each and that would be equivalent to one (1) person participating for four (4) hours. Participation Credits can only be applied to one (1) parcel if a customer owns more than one (1) parcel. However, a customer with multiple parcels can earn additional Participation Credits to apply to different parcels as long as a minimum of four (4) hours are earned for each parcel. Public participation Credits are valid for one (1) year and will be applied to a customer's stormwater bill beginning with the July or January bill following participation in the event.
- 14.18. Individuals may participate on behalf of a non-profit organization, such as a church or food bank. One (1) Credit hour is equal to \$0.50 per month (\$6.00 per year). A minimum of four (4) donated hours are required to qualify for the Credit, but do not have to be donated from the same individual. Donated Credits do not have to be from the same event, and individuals may participate in as many qualifying events as they choose. Donated Credits will be tallied over a calendar year and applied to the Stormwater bill beginning in January of the year following the donation. Public Participation Credits cannot simultaneously be applied to an Owner's stormwater bill and donated. Donated Credits cannot exceed 15% of the SMP Fee for the recipient property.
- 14.19. DTMA will grant customers a 15% Credit for participating in the Adopt an Inlet program. Although residents may adopt as many inlets as they like, only one adopted inlet will be applied per SFR for the purpose of Credit. Adopted inlets should be in close proximity to the property receiving the Credit. If there are no inlets in close proximity to the property, DTMA may grant permission for a property owner to adopt

an inlet elsewhere in the Township. Participants will be responsible for keeping leaves and other debris away from their adopted inlet. Approved participants will receive periodic emails to alert them to check on and remove surface debris from their adopted inlet. Additionally, participants will be asked to alert DTMA of any maintenance issues that need addressed around their adopted inlet. An Adopt an Inlet participant may donate their Credit to an eligible organization under the Public Participation Credit Donation program. If the Credit is donated, it will be valued at six (6) Credit hours, or \$3.00 per month (\$36.00 per year).

- 14.20. DTMA will grant customers up to a 20% Credit for SFR if downspouts on the property are properly connected to a rain barrel, cistern, or other approved containment device that provides a minimum of 40 gallons of storage per downspout. If all downspouts are connected to rain barrels then a maximum of a 20% Credit will be applied. If only half of the downspouts have rain barrels then a 10% Credit will be applied (half of the total 20% Credit allowed). In lieu of counting the number of downspouts, the percentage of roof area captured can also be used to determine Credit amount.
- 14.21. DTMA will grant SFR customers up to a 20% Credit if downspouts are disconnected from directly discharging into a stream, channel, stormwater inlet, stormwater conveyance pipe, driveway or other surface conveyance feature, including all IA. The amount of the Credit will be determined by the percent of downspouts disconnected or by the percent of the roof area discharged to disconnected downspouts. Disconnected downspouts should have a minimum of ten (10) feet of pervious land separation from the nearest down gradient impervious surface to qualify for Credit.
- 14.22. For NR properties, DTMA will review the use of containment devices and downspout disconnections on an individual basis. For general guidance, NR properties that are similar to SFR in the amount of IA can expect to receive Credits similar to SFR properties.
- 14.23. The use of rain barrels and downspout disconnection can be used together. For example, if you have four (4) downspouts and two (2) are connected to two (2) rain barrels and two (2) are disconnected and drain into the lawn, then you would be eligible for 10% (rain barrel) + 10% (downspout disconnection) = 20% Total Credit.
- 14.24. Properties with lawns or landscape areas where fertilizers (organic or inorganic) and pesticides are typically applied may apply for a 15% (SFR) or 10% (NR) Credit if all of the following are completed:

- 14.24.1. A soil fertility sample is collected and submitted to the Pennsylvania State Agricultural Analytical Services Laboratory for a soil fertility test. A sample must be taken a minimum of once every three years and a copy of the results must be submitted to DTMA with the Credit Application;
 - 14.24.2. The property owner must commit to following the recommendations provided on the soil fertility report, including the application of lime if recommended; and
 - 14.24.3. The property owner must commit to following the fertilizer, lime, and pesticide application recommendations provided by DTMA.
- 14.25. For NR properties, the IA of the parcel cannot exceed 40% of the total parcel area to be eligible for this Credit.
- 14.26. By complying with NPDES Industrial Stormwater Permit requirements for industrial facilities, participating Owners are assisting DTMA by addressing stormwater issues onsite. Any property covered under a NPDES Industrial Stormwater Permit, and in compliance with all applicable requirements during the preceding twelve (12) months, is eligible for a 20% Credit for those portions of the property covered under the NPDES Industrial Stormwater Permit. To be eligible for the Credit, DTMA must be provided with a copy of the active NPDES Industrial Stormwater Permit and a copy of the Discharge Monitoring Report from the current year when the Credit Application is submitted.
- 14.27. A 20% Credit is available to those properties that have been identified by PADEP as being required to obtain and comply with the terms of a Non-Municipal MS4 permit. To be eligible for the Credit, the MS4 permit must be kept in full compliance and DTMA must be provided a copy of the MS4 permit as well as copies of the annual reports.
- 14.28. It is the goal of DTMA to strongly encourage both public and private educational systems (K-12) to educate and inform their students on the importance of surface water, ground water, and stormwater resources, and how they can play a role in preserving and restoring the physical, chemical, and biological integrity of the Township's water resources.
- 14.29. The educational program may include participation in a water resource-themed student poster session or science fair, take-home materials, classroom lessons, field trips, etc. The educational program/materials must be preapproved by DTMA. The following list of educational resources and materials are provided as examples, but

is not meant to exclude other educational material that may be approved by DTMA (Links to educational material are provided on DTMA's website):

- 14.29.1. PSU Extension: Rain to Drain – Slow the Flow
 - 14.29.2. EPA NPDES Stormwater Outreach Materials and Reference Documents
 - 14.29.3. EPA Teacher Resources and Lesson Plans
 - 14.29.4. EPA Water Science and Technology for Students and Educators
 - 14.29.5. USGS Education Resources
 - 14.29.6. Soil Science Society of America: Soils 4 Teachers
- 14.30. A school with more than 50% of its students enrolled in levels below Kindergarten (i.e. pre-K, pre-school, daycare, etc.) is not eligible for an Education Credit. Eligible education institutions may be granted up to a 20% Credit based on the following criteria:
- 14.30.1. Tier One Education Credit: A 10% Education Credit is available to a qualifying education institution which educates 50% to 74% of the grade levels within the school or school system.
 - 14.30.2. Tier Two Education Credit: A 20% Education Credit is available to a qualifying education institution which educates 75% to 100% of the grade levels within the school or school system.
- 14.31. Education Credits only apply to the IA associated with the teaching facility and associated infrastructure. For example, the Credits would be applied to a High School building and its parking lot, but not to the School District Administrative offices that oversee the High School. Student living quarters, such as dorms, are also not eligible for Education Credits. Education Credits are valid for one (1) year but will be renewable each year the curriculum is taught. Additional Credits can be earned under the Public Participation Credit by combining the efforts of the Education Credit with an activity where students' work is presented to the public. Please see Public Participation for further details.
- 14.32. DTMA will grant up to a 45% Credit for those Owners who create and/or maintain a riparian buffer alongside a stream on their property (maintaining a stream buffer on property other than the Owner's may be eligible for a Public Participation Credit). The riparian buffer can be existing or a newly-planted buffer of native plants. To be eligible for a Credit, a minimum of twenty-five (25) contiguous linear feet of stream must be buffered from top of bank a minimum of 25 feet (measured horizontally). If

property conditions are limiting (proximity to property line, roads, structures, etc.), buffers with less than 25 feet horizontal width may be considered for Credit. Please note projects requiring PADEP permits may have more stringent requirements. The amount of the Credit will be dependent on site-specific conditions including, but not limited to, contributing IA and buffer width and length. Interested Owners should contact DTMA prior to project initiation.

- 14.33. DTMA will grant up to a 45% Credit for those Owners who complete and maintain an approved stream restoration project and/or who dedicate an easement suitable for stream restoration on a minimum of twenty-five (25) contiguous linear feet of stream and a minimum of 25 feet measured horizontally from top of bank. If property conditions are limiting (proximity to property line, roads, structures, etc.), projects with less than 25 feet horizontal width may be considered for Credit. Please note projects requiring PADEP permits may have more stringent requirements. The amount of the Credit will be dependent on site-specific conditions. Interested Owners should contact DTMA prior to project initiation.
- 14.34. DTMA will grant up to a 45% Credit for those Owners who complete an urban tree planting project on their property. Tree canopy Credits can also be applied to existing trees if the tree canopy covers existing impervious surfaces. New trees are not required to cover existing impervious surfaces. To be eligible, the planted tree must have a minimum diameter at breast height (DBH) of one (1)-inch. A minimum of four (4) trees are needed to qualify for the Credit, and can consist of a combination of existing and new plantings. Credits will be applied based on Table 2. Planting trees as part of restoration efforts associated with tree harvesting is not an eligible activity to receive Credits. For SFR properties, Credits are applied based on absolute number of trees. For NR properties, Credits are applied based on the number of trees per ERU. Two examples of how Credits are calculated are shown below:
- 14.34.1. SFR Example: Property has two (2) existing trees along the street in front of their house. The property owner plants three (3) additional trees in the backyard for a total of five (5) trees. The property owner is eligible for a 20% Credit for the five (5) trees.
- 14.34.2. NR Example: A property with 100 ERUs of IA has no existing trees. The property owner plants 30 trees around the perimeter of the property. This is equivalent to planting five (5) trees per ERU for six (6) ERUs. The property owner is eligible for a 45% Credit on six (6) of their 100 ERUs.

Table 14.34.2**TREE CANOPY CREDIT BASED ON NUMBER OF TREES**

Number of Eligible Trees		Credit
SFR	NR	
4	2 per ERU	15%
6	3 per ERU	25%
8	4 per ERU	35%
10	5 per ERU	45%

- 14.35. DTMA will grant up to a 45% Credit for those Owners who install pervious or porous pavement or pavers for driveways, parking lots, patios, sidewalks, etc. Pervious pavement that was installed as a stormwater structural BMP for a land development project, only receives direct rainfall, and/or has an existing Operations and Maintenance agreement with the Township would be considered pervious surfaces and should not be assessed as IA for purposes of calculating the SMP Fee.
- 14.36. A property is eligible for a Green Roof Credit when a green roof is installed on a building. The design, construction, and maintenance plan must meet as a minimum, the requirements noted for such facilities in the Pennsylvania Stormwater Best Management Practices Manual or approved recognized engineered equivalent. Green roofs may be eligible for a Credit up to 45% or may result in a reduction in total IA dependent on design and function.
- 14.37. DTMA recognizes that the ultimate goal of the SMP and Credit Policy is to improve our stormwater management system and local and regional water quality. Therefore, DTMA encourages customers to propose other means to improve their property and our community through the use of innovative stormwater technologies. If a DTMA stormwater customer has an idea for a project that could be worth stormwater credits, DTMA encourages the customer to submit the project idea under the Innovation Credit. The maximum Credit is 45% and will be dependent on the specifics of the idea and/or technology.

- 14.38. The purpose of the Stormwater Incentives Program is to offer Owners a variety of incentive-based tools that promote the design and construction of green stormwater infrastructure. Green stormwater infrastructure includes a range of soil-water-plant systems that intercept stormwater, infiltrate a portion of it into the ground, evaporate a portion of it into the air, and in some cases release a portion of it slowly back into the stormwater system. Green infrastructure is designed to reduce and treat the stormwater at its source, which differs from traditional gray infrastructure (conventional piped drainage) which is designed to move stormwater away from the built environment. The Stormwater Incentives Program also affords Owners the opportunity to reduce their SMP Fee. DTMA may offer various types of monetary and non-monetary incentives including, but not limited to, grants, rebates, design assistance, etc. DTMA encourages Owners to review the DTMA website and their DTMA bills for information on these programs as they become available.
- 14.39. **DISCLAIMER** - By submitting a DTMA Stormwater Management Program Fee Credit Application pursuant to the DTMA Stormwater Management Program Credits and Incentives Policy, Property Owner acknowledges and agrees that he and his heirs, grantees, successors, and assigns shall be solely responsible and liable for the operation and maintenance of any and all BMPs constructed, installed, or employed by the Property Owner. DTMA shall not be responsible for or liable with respect to the operation and maintenance of any BMP, or any damages arising therefrom. Property Owner and his heirs, grantees, successors, and assigns shall indemnify and hold harmless DTMA, its officers, agents, and employees from any and all claims, actions, causes of action, judgments, damages, losses, costs, and expenses (including attorneys' fees) arising out of or resulting from the construction, installation, employment, maintenance, or operation of the BMP.

APPENDIX A

RATE SCHEDULE

REVISED: 03/26/2018
EFFECTIVE: 03/26/2018

PREVIOUS REVISION: VARIES
PREVIOUS EFFECTIVE: VARIES

A. RATE SCHEDULE

1. The SMP Fee per ERU shall be set at Six Dollars and Fifty Cents (\$6.50) per month.
2. For purposes of calculating the SMP Fee per ERU, an ERU has been established to be three thousand eight hundred (3,800) square feet of impervious area.
3. Single-family detached residential dwellings shall be charged according to the following schedule:
 - a. Tier 1: Less than 500 square feet, IA No Charge
 - b. Tier 2: 500 - 2,999 square feet, IA..... 0.5 ERU
 - c. Tier 3: 3,000-4,999 square feet, IA..... 1.0 ERU
 - d. Tier 4: 5,000-7,599 square feet, IA..... 1.5 ERU
 - e. Tier 5: Greater than or equal to 7,600 square feet, IA PER ERU
4. The charge for all other developed, non-single family detached parcels within the Township shall be based upon the number of square feet of measured impervious area, as determined through aerial photography and area feature evaluation processes divided by 3,800 square feet per ERU and expressed as whole ERUs by rounding down to the nearest ERU. The charge for said properties shall be computed by multiplying the number of ERUs for a given parcel by the unit SMP Fee per ERU established by the Authority as set forth in subsection 3.2 above. Any NSFR parcels with less than 500 square feet of impervious area shall be exempt. For any NSFR parcels with 500 square feet or more of impervious area, the minimum billable ERU shall be 0.5 ERU.
5. Notwithstanding the foregoing, public streets shall be exempt from SMP Fees.

APPENDIX B

SUMMARY OF AVAILABLE CREDITS

REVISED: 03/26/2018
EFFECTIVE: 03/26/2018

PREVIOUS REVISION:
PREVIOUS EFFECTIVE:

VARIES
VARIES

**TABLE B1
SUMMARY OF AVAILABLE CREDITS BY PROPERTY TYPE**

Credit	Eligible Property Type					Maximum Credit
	SFR	NR				
		ALL	EDUC	NPDES	MS4	
Structural BMP	X	X				45%
Low Impact Parcel	X	X				45%
Public Participation	X	X				15%
Public Participation Credit Donation	X	X				15%
Adopt an Inlet	X					15%
Rain Barrels and Downspout Disconnection	X	X				20%
Turf and Landscape Management Program	X	X				15%
Riparian Buffer	X	X				45%
Stream Restoration	X	X				45%
BMP Easement	X	X				45%
Urban Tree Canopy Expansion	X	X				45%
Pervious Pavement	X	X				45%
Green Roofs	X	X				45%
Innovation Credit	X	X				45%
NPDES Industrial Stormwater Permit Compliance				X		20%
Separate MS4 Permit					X	20%
Education Credit			X			20%

SFR:Single-Family Residential

NR:Non-Residential

ALL:Any NR Owners who are charged a Stormwater Management Program Fee

EDUC:Any public or private educational systems (K-12)

NPDES:Properties with a NPDES Industrial Stormwater Permit

MS4:Properties assigned a Non-Municipal MS4 Permit

Please note that Non-Residential properties that are categorized as “EDUC”, “NPDES”, and “MS4” are also potentially eligible for any Non-Residential Credits listed as “ALL”.

APPENDIX C

FORM SW-01

STORMWATER MANAGEMENT PROGRAM CREDIT APPLICATION

Credit Application Instructions

This form is provided to DTMA stormwater customers who believe they qualify for an approved stormwater Credit. Customers should review the DTMA Credit Policy for eligibility requirements for Credits. Customers are encouraged to use our online form at <http://www.dtma.com/credits>.

Please fill out all sections on the first page of the form, except for the last section marked "For DTMA Use Only". Please fill out all applicable sections on pages 2 and 3 related to the Credits you are applying for.

You may attach supporting documentation to the form. Please note that any submitted documentation will not be returned to the customer. Please mail completed form to:

Derry Township Municipal Authority ~ 670 Clearwater Road ~ Hershey, PA 17033-2453

A DTMA representative will review the Stormwater Credit Application Form within 60 days of receipt of the completed form.

Please Mark All Credits That Apply

- | | |
|--|--|
| <input type="checkbox"/> Structural BMP | <input type="checkbox"/> Education Credit |
| <input type="checkbox"/> Low Impact Parcel | <input type="checkbox"/> Riparian Buffer |
| <input type="checkbox"/> Public Participation | <input type="checkbox"/> Stream Restoration |
| <input type="checkbox"/> Public Participation Credit Donation | <input type="checkbox"/> BMP Easement |
| <input type="checkbox"/> Adopt an Inlet | <input type="checkbox"/> Urban Tree Canopy Expansion |
| <input type="checkbox"/> Rain Barrels and Downspout Disconnection | <input type="checkbox"/> Pervious Pavement |
| <input type="checkbox"/> Turf and Landscape Management Program | <input type="checkbox"/> Green Roofs |
| <input type="checkbox"/> NPDES Industrial Stormwater Permit Compliance | <input type="checkbox"/> Innovation Credit |
| <input type="checkbox"/> Separate MS4 Permit | |

Customer Information

Name: _____ Date: _____

Email: _____ Telephone: _____

Account Number: _____

Billing Street Address: _____

Address Line 2: _____

City, State, Zip: _____

For DTMA Use Only

Date Received: _____ Credit(s): Granted Denied

Date Reviewed: _____ Reviewer: _____

Structural BMP

Check all boxes that apply:

- I have a BMP that controls for rate
- I have a BMP that controls for volume
- I have a BMP that controls for water quality
- I have a BMP but I'm not sure what it does

Please attached any supporting information.

Low Impact Parcel

Check all boxes that apply:

- The total impervious area on my property is less than or equal to 10% of the total property area.
- There aren't any direct connections from the impervious area to a storm sewer, curb line, stream, channel, street or other surface conveyance.
- There is at least one direct connection from the impervious area to a surface conveyance.
- There is a minimum of fifty (50) feet between the impervious area and a stream, channel, wetland, or other surface conveyance.

Please attached any supporting information.

Public Participation

Check only one box:

- I want to apply my participation credits to my account.
- I want to donate my participation credits to an eligible non-profit.

Name of Event: _____ Date of Event: _____

Participant Name*: _____ Number of Hours*: _____

Name of Organization (if donating credits): _____

Address of Organization (if donating credits): _____

*Please attached a list of event participants and hours served if more than one person participated.

Adopt an Inlet

Check only one box:

- I want to participate in the "Adopt an Inlet" program and apply the credits to my account.
- I want to participate in the "Adopt an Inlet" program and donate the credits to an eligible non-profit.

Name of Organization (if donating credits): _____

Address of Organization (if donating credits): _____

Rain Barrels and Downspout Disconnection

Please enter either the number of rain barrels and/or disconnected downspouts or the percentage of roof area connected to rain barrels and/or disconnected downspouts:

_____ Total number of downspouts connected to the roof

_____ Total number of downspouts connected to a rain barrel or other eligible containment device.

_____ Total number of downspouts disconnected from direct discharge.

Please attached any supporting information.

Turf and Landscape Management Program

Please check next to each statement to indicate agreement. You must check all items to be eligible for the credit.

- I agree to submit a soil sample and provide DTMA with a copy of the results at least once every three years.
- I agree to follow the recommendations provided on the soil fertility report, including the application of lime if recommended.
- I agree to follow the fertilizer, lime, and pesticide application recommendations provided by DTMA.

Please attach a copy of the soil fertility report.

Urban Tree Canopy Expansion

_____ Number of new trees planted

_____ Number of eligible existing trees

Please attached any supporting information.

Additional Credits

If you are applying for any of the following credits, DTMA will contact you to discuss the details of the credit after you submit page 1 of the application.

- NPDES Industrial Stormwater Permit Compliance
- Separate MS4 Permit
- Education Credit
- Riparian Buffer
- Stream Restoration
- BMP Easement
- Pervious Pavement
- Green Roofs
- Innovation Credit

Confirmation of Credit Conditions and DTMA Access Rights

I, (please print name) _____ agree to all conditions of the Credits I have applied for as outlined in the DTMA *Stormwater Management Program Credits and Incentives Policy*. Additionally, I agree that DTMA may at reasonable times enter my property to inspect the property or condition or operation of BMPs.

Property Owner Signature

Date

APPENDIX D

FORM SW-02

STORMWATER ADJUSTMENT APPEAL



Stormwater Adjustment Appeal

Form SW-02

Page 1 of 1

Appeal Instructions

This form is provided to DTMA stormwater customers who believe the Impervious Area (IA) and/or Equivalent Residential Unit (ERU) calculation for their property is incorrect. Customers should also use this form if it is believed that stormwater fees have been assigned for a parcel they don't own.

Please fill out all sections of the form, except for the last section marked "For DTMA Use Only".

You may attach supporting documentation to the form. Please note that any submitted documentation will not be returned to the customer. Please mail completed form to:

Derry Township Municipal Authority ~ 670 Clearwater Road ~ Hershey, PA 17033-2453

A DTMA representative will review the Stormwater Adjustment Appeal Form within five (5) business days of receipt of the completed form.

Approved adjustments will be applied to the current stormwater bill and all future billings.

Appeal Information

Appeal Type:
 ERU / IA Ownership

Property Type:
 Residential Non-Residential

Customer IA / ERU Estimate (optional): _____

Customer Information

Name: _____ Date: _____

Email: _____ Telephone: _____

Account Number: _____

Billing Street Address: _____

Address Line 2: _____

City, State, Zip: _____

Additional Supporting Information: _____

For DTMA Use Only

Date Received: _____ Appeal: Granted Denied

Date Reviewed: _____ Reviewer: _____

APPENDIX E

FORM SW-03

PRE-APPLICATION MEETING REQUEST



Pre-Application Instructions

This form is provided to DTMA Non-Residential stormwater customers who want to install a new BMP or retrofit an existing BMP to become eligible for DTMA stormwater Credits.

Please fill out all sections on the form, except for the last section marked "For DTMA Use Only".

You may attach supporting documentation to the form. Please note that any submitted documentation will not be returned to the customer. Please mail completed form to:

Derry Township Municipal Authority ~ 670 Clearwater Road ~ Hershey, PA 17033-2453

A DTMA representative will be in contact to schedule a mutually agreeable meeting date and time to review the proposed changes.

Please Mark All That Apply

- I want to install a new BMP
I want to retrofit an existing BMP
I want to request a review of my property to determine potential BMPs
I want to discuss a BMP easement, riparian buffer, stream restoration project
I have an idea for a project that might qualify for the Innovation Credit
Other:

Customer Information

Name: Date:
Email: Telephone:
Account Number:
Property Street Address:
Address Line 2:
City, State, Zip:
Parcel ID (if known):

For DTMA Use Only

Date Received: Date of Meeting:
DTMA Personnel: Time of Meeting:

APPENDIX F

FORM SW-04

CONTINUATION OF EXISTING CREDITS FOR NEW PROPERTY OWNERS

Application Instructions

This form is provided to DTMA stormwater customers who are a new owner of a property that has existing Credits associated with the property.

Please fill out all sections on the form, except for the last section marked "For DTMA Use Only".

Please mail completed form to:

Derry Township Municipal Authority ~ 670 Clearwater Road ~ Hershey, PA 17033-2453

A DTMA representative will review the Application Form within five (5) business days of receipt of the completed form.

Please Mark All Credits That Apply

- | | |
|---|---|
| <input type="checkbox"/> Structural BMP
<input type="checkbox"/> Low Impact Parcel
<input type="checkbox"/> Public Participation
<input type="checkbox"/> Public Participation Credit Donation
<input type="checkbox"/> Adopt an Inlet
<input type="checkbox"/> Rain Barrels and Downspout Disconnection
<input type="checkbox"/> Turf and Landscape Management Program
<input type="checkbox"/> NPDES Industrial Stormwater Permit Compliance
<input type="checkbox"/> Separate MS4 Permit | <input type="checkbox"/> Education Credit
<input type="checkbox"/> Riparian Buffer
<input type="checkbox"/> Stream Restoration
<input type="checkbox"/> BMP Easement
<input type="checkbox"/> Urban Tree Canopy Expansion
<input type="checkbox"/> Pervious Pavement
<input type="checkbox"/> Green Roofs
<input type="checkbox"/> Innovation Credit |
|---|---|

Customer Information

Name: _____	Date: _____
Email: _____	Telephone: _____
Account Number: _____	Parcel ID (if known): _____
Billing Street Address: _____	
Address Line 2: _____	
City, State, Zip: _____	

I, (please print name) _____ agree to all conditions of the Credits associated with the above referenced property as outlined in the *DTMA Stormwater Management Program Credits and Incentives Policy*. Additionally, I agree that DTMA may at reasonable times enter my property to inspect the property or condition or operation of BMPs. I also understand my obligations to any conditions listed in any Operation and Maintenance Agreements that are in existence for this property with the Township of Derry or DTMA.

For DTMA Use Only

Date Received: _____	Credit(s):	<input type="checkbox"/> Granted <input type="checkbox"/> Denied
Date Reviewed: _____	Reviewer: _____	