

<b>City of Shelton</b>	<b>POLICY AND PROCEDURE</b>	
<b>Subject:</b> Appeal Process for Review of Rate Classification for Stormwater Rates	<b>Group:</b> Finance	<b>Number:</b> 300-09
<b>Effective Date:</b> May 1, 2005	<b>Supersedes:</b>	
<b>Prepared By:</b> Stacey Sitko	<b>Approved By:</b> Dave O'Leary	

**1.0 PURPOSE:**

The purpose of this Policy and Procedure is to establish, for the City of Shelton, a system for the management of appeals for the review of impervious surface area to be used to determine a stormwater rate classification as authorized in Chapter 13.04.230 of the Shelton Municipal Code.

**2.0 DEPARTMENTS AFFECTED:**

Financial Services, Public Works

**3.0 REFERENCES:**

Shelton Municipal Code Chapter 13.04.230, and RCW 35.67.190

**4.0 POLICY:**

A. Customers who believe the rate classification assigned by the City does not accurately reflect the total impervious area of their property may appeal for reclassification upon application to the City.

B. A customer with multiple accounts that serve one contiguous property may also appeal for rate reclassification. Customers may request that impervious surface area for accounts be combined and charged as one piece of property

C. The City Administrator will adopt policy and procedures for the appeal process. Rate changes based on review of impervious surface area will become effective the billing month following the approval of the appeal.

**5.0 DEFINITIONS:**

5.1

**Contiguous Property:** Means land adjoining and touching other property held by the same ownership. Land divided by a public road or alley, shall not be considered contiguous.

**Impervious Surface Area:** Means a hard surface area which either prevents or retards the entry of water into the soil mantle as under natural conditions prior to development, or a hard surface area which causes water to run off the

surface in greater quantities or at an increased rate of flow from the flow present under natural conditions prior to development. Common impervious surface areas include, but are not limited to, roof tops, walkways, patios, driveways, parking lots or storage areas, concrete or asphalt paving, gravel roads or parking areas, patched earthen materials, and oiled, macadam or other surfaces which similarly impede the natural infiltration of stormwater.

**6.0 PROCEDURE:**

- 6.1 City Responsibility. The Director of Public Works through the Public Works Department of the City of Shelton is authorized to administer this Policy and Procedure. The Director of Public Works may assign personnel as needed to carry out the provisions herein provided for.
  - 6.2 Customer Responsibility. Customers who believe the rate classification assigned by the City does not accurately reflect the total impervious surface area of their property may appeal for reclassification upon application to the City. The owner shall be subject to this Policy and Procedure.
  - 6.3 Stormwater Rate Classification Appeal. The stormwater ratepayer must complete the Stormwater Rate Classification Appeal Form and submit it along with a map showing the measurements of the impervious surface areas of the property or contiguous properties to be billed as one, to the Public Works Department for review.
  - 6.4 Appeal Process. The completed application will be reviewed by Public Works. Public Works will do one of the following:
    - 6.4.1. Verify the measurements of impervious surface area from the map to City records. If there is a discrepancy, Public Works may re-measure the impervious surface of the property to determine if the change in rate classification is appropriate.
    - 6.4.2. Verify the accounts listed on the appeal are contiguous by the map submitted or other maps available to determine if contiguous properties can be billed as one. If there is a discrepancy, Public Works may travel to the account address to look at the property to determine if the property is contiguous and a change in rate classification is appropriate.
- In either case, Public Works will approve or deny the appeal and notify the customer within 30 days from the receipt of the Stormwater Rate Classification Appeal Form.
- 6.5 Second Appeal. If an appeal for rate classification change is denied by Public Works, the customer may submit a second appeal within 30 days from the denial of the first appeal, in writing, to the City Administrator.
  - 6.6 Final Decision. The City Administrator will review any second appeal. The City Administrator may go look at the property or base his/her decision on information provided by the customer and Public Works staff. The City Administrator or his office will notify the customer of his/her decision within 30 days of the receipt of the second appeal.
  - 6.7 Rate Change Effective Date. Approved appeals for rate classification changes will be forwarded to Financial Services for processing. All approved rate classification changes will take effect the monthly billing cycle following the approval.



"Building A Stronger Community TOGETHER"

# Stormwater Rate Classification Appeal

Please fill in all blanks and attach any supporting data.

Mail applications to: City of Shelton Public Works, 525 W. Cota St., Shelton, WA 98584

Application is to:  Review total impervious surface area to determine rate.  
 Combine contiguous properties and bill one account.

Owner Name: \_\_\_\_\_ Account#(s): \_\_\_\_\_

(If contiguous, circle account# to be charged for stormwater)

Property Address: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Daytime Contact Phone #'s: \_\_\_\_\_ Contact Person: \_\_\_\_\_

Property Tax Parcel Number/s: \_\_\_\_\_

Year that Site was Developed: \_\_\_\_\_ Building Permit Number [if known]: \_\_\_\_\_

Owner's Estimation of Impervious Surface Area \_\_\_\_\_

**Please attach a map showing measurements of all impervious surface areas, or contiguous properties to be billed as one.**

I have read Shelton Municipal Code section 13.04.230 and believe that the property described above qualifies for a different Stormwater Rate Class. I understand that if this appeal is approved the rate change will take affect the month following the approval.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Public Works: Approval / Disapproval (circle one)

\_\_\_\_\_  
Date

Excerpt from Shelton Municipal Code Section 13.04.230:

**13.04.230 Appeal of Estimated Impervious Surface Area.**

A. Customers who believe the rate classification assigned by the City do not accurately reflect the total impervious area of their property may appeal for reclassification upon application to the City.

B. A customer with multiple accounts that serve one contiguous property may also appeal for rate reclassification. Customers may request that impervious surface area for accounts be combined and charged as one piece of property.

C. The City Administrator will adopt policy and procedures for the appeal process. Rate changes based on review of impervious surface area will become effective the billing month following the approval of the appeal.