

Storm Water User Fee Manual

Prepared for:

City of Pewaukee
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Submittal Requirements and Form

PREFACE

For Questions or to Submit An Application Form:

City of Pewaukee
Department Of Public Works
W240 N3065 Pewaukee Road
Pewaukee, WI 53072

Phone (262) 691-0804
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This document outlines the policies and procedures for providing adjustments, credits and rebates to customers of the City of Pewaukee Storm Water User Fee.

All properties are eligible for adjustments, credits, or rebates.

The application procedure for adjustments, credits and rebates for the Pewaukee Storm Water User Fee system is summarized below.

Application Procedure:

1. Each applicant must complete the required form(s) and furnish the required information. Forms may be found with this application, or on the City web page: www.cityofpewaukee.us/
2. For adjustments and credits, a one-time application fee of \$200 must accompany each application. Application fees are non-refundable unless noted otherwise and are subject to change. Make Checks Payable to: City of Pewaukee.
3. The Department of Public Works (Department) will conduct an initial review of the application to check the application forms for completeness and accuracy.
4. If the application is found to be complete and accurate, a letter will be sent to the applicant's contact person within sixty (60) calendar days of receipt notifying approval of the requested change.
5. If deficiencies are found during the review, a deficiency letter will be sent to the applicant's contact person. Upon receipt of additional and complete information from the applicant, the review will resume and be completed within sixty (60) calendar days of receipt of the additional information.
6. Submittal of any application form is an acknowledgement of the City of Pewaukee's (City) right-of-entry to inspect and verify the information submitted on said application.
7. Once approved, adjustments and credits will be granted retroactive to the most recently paid storm water utility bill only, if applicable. Adjustments and credits will be reflected on future billings as long as the conditions that warranted the change are still applicable and any necessary subsequent compliance reviews are satisfactory.
8. If an application is denied, a letter explaining the reasons for the denial will be provided to the applicant.
9. The applicant has the right to appeal this decision, in accordance with the procedures outlined in Ch. 26 of the City of Pewaukee Municipal Code as adopted September 7, 2010 relating to the Storm Water User Fee.

1.0 INTRODUCTION

The Common Council of the City of Pewaukee, Wisconsin created a storm water user fee system by ordinance through the creation of Ch. 26 of the City of Pewaukee Municipal Code on September 7, 2010 to provide an equitable, stable funding source for the City's storm water management services.

Traditionally, most municipal services are paid for out of the general fund which is largely funded through revenue generated through taxes collected based on property assessments (among other sources). Revenue collected through taxation has no correlation to the storm water management services provided.

A storm water utility user fee (utility) system is an alternative funding mechanism for storm water management services that fairly and equitably relates charges to each parcel based in their relative impact on the storm water system. A storm water utility operates similarly in many ways to other utilities, such as a sanitary sewer/wastewater utility, where estimated use of the system is correlated to the cost of providing customers with a service.

After reviewing the various rate methods available to a storm water user fee system, the City of Pewaukee elected to create a user fee with three rate components and potential charges, a base charge, an equivalency charge, and a special charge.

The Base Charge (BC) may be imposed on all lands, lots and parcels within the City of Pewaukee uniformly. The Base Charge is intended to reflect the fact that all parcels benefits from the storm water management activities of the City and/or that all parcels contribute storm water runoff (quantity burden) and pollution (quality burden) that must be managed by the City. The BC may be designed to collect the administrative costs and other appropriate expenses of the storm water utility operations and maintenance. The BC may be based on the size of a parcel, impervious area, or other method.

The Equivalency Charge (EC) would be charged only to properties within the City of Pewaukee that are developed (have impervious area) and generally covers the cost of storm water services in the City that are not paid for through revenues collected by the BC. The charge to customers would vary depending on the extent of development as guided by the Equivalent Runoff Unit (ERU) method (sometimes called the Equivalent Residential Unit method).

The Special Charge or SC may be imposed on parcels that are in an area specially benefited and served by a particular storm water management facility or service. This charge will be developed to reflect the relative burden of each parcel in a particular area that may not be appropriate to allocate to all parcels throughout the City. The SC would vary and would be calculated on an ERU comparative basis unless dictated otherwise by resolution or ordinance.

The area of impervious surfaces is the most important factor influencing the cost of the storm water management services, systems, and facilities for developed properties and is therefore the most appropriate parameter for calculating a periodic storm water service charge for developed properties. This method establishes the value of one (1) ERU as equivalent to the average impervious area of single-family residential properties within the City of Pewaukee (established in this study as 5,339 square feet).

Four customer classifications were established by the utility:

- (a) Single-Family
- (b) Two-Family (Duplex)
- (c) Other Developed
- (d) Undeveloped

Single-Family Parcel. Any residential lot or parcel identified for habitation with exactly one dwelling unit under Zoning Districts Rs-1, Rs-2, Rs-3, Rs-4, Rs-5, Rs-6, or Rs-7.

Two-Family (Duplex) Parcel. Any residential lot or parcel identified for habitation with exactly two dwelling units under Zoning District Rd-1 or Rd-2.

Other Developed Parcel. Any developed lot or parcel with impervious area that is not a single-family or two-family (duplex) parcel as defined above including, but not limited to, transient rentals (such as hotels and motels), commercial, industrial, institutional, governmental, parking lots, and other properties containing impervious surfaces.

Undeveloped Parcel. Any lot or parcel that has not been altered from its natural state by the addition of impervious surfaces of not more than 266 square feet.

1.1 Rates and Charges

As indicated previously, three charge components have been established for the user fee and include the Base Charge (BC), the Equivalency Charge (EC), and the Special Charge (SC). The Common Council establishes current rates through resolution as needed.

The Common Council has elected to set an initial rate for the Equivalency Charge (EC). The Common Council has not elected to establish a rate for the Base Charge (BC) or Special Charge (SC) at this time.

Initial annual rates are:

- 1) Base Charge (BC) = \$0.00 per parcel
- 2) Equivalency Charge (EC) = \$120.00 per ERU
- 3) Special Charge (SC) = \$0.00

1.2 Establishment of ERUs

The number of ERUs on a parcel is determined as follows:

A. Developed Single-Family Residential Parcels (Rs-1, Rs-2, Rs-3, Rs-4, Rs-5, Rs-6, and Rs-7)

Developed Single-Family Residential Parcels are further broken down into one of three tiers based on Zoning District.

Tier 1 (Rs-1, Rs-2, and Rs-3 parcels) are set equal to one and three-tenths (1.3) ERUs

Tier 2 (Rs-4 and Rs-5 parcels) are set equal to one and one-tenth (1.1) ERUs

Tier 3 (Rs-6 and Rs-7 parcels) are set equal to seventy-five hundredths of one (0.75) ERUs

Exceptions to the above include the following:

- a) In the instance where a Developed Single-Family Residential Dwelling is situated on more than one parcel, a single parcel shall be identified as the primary parcel and set

equal to the appropriate ERU value (0.75, 1.1, or 1.3) and the remaining parcel(s) shall be set to zero (0.0) ERUs.

- b) In the instance where a Developed Single-Family Residential Parcel does not contain a dwelling unit and is not associated with an adjacent parcel under common ownership that does contain a dwelling unit, but does contain other impervious surfaces of 266 square feet or greater, the parcel shall be treated in the same manner as Other Developed Parcels as described below.

B. Developed Two-Family (Duplex) Residential Parcels (Rd-1 and Rd-2)

1. Are set to equal one and one-tenth (1.1) ERUs except in the following:
a) In the instance where a Developed Two-Family (Duplex) Residential Dwelling is situated on more than one parcel, a single parcel shall be identified as the primary parcel and set equal to one and one-tenth (1.1) ERUs and the remaining parcel(s) shall be set to zero (0.0) ERUs.

- b) In the instance where a Developed Two-Family (Duplex) Residential Parcel does not contain a dwelling unit and is not associated with a adjacent parcel under common ownership that does contain a dwelling unit, but does contain other impervious surfaces of 266 square feet or greater, the parcel shall be treated in the same manner as Other Developed Parcels as described below.

C. All Other Developed Parcels that are not either Single-Family or Two-Family (Duplex) Residential Parcels as defined in A or B above.

1. Are calculated by dividing the total square footage of measured impervious area on the parcel by the square footage of one (1.0) ERU which equals 5,339 square feet as defined in the Storm Water Utility Ordinance. The number of ERUs shall be rounded to the nearest one-tenth (0.1).
2. In the instance where more than one tax key property share undivided interest in a parcel of land (such as with some condominium developments), the impervious areas on all related parcels shall be evenly divided amongst all property owners unless another distribution is established by ownership.

D. Undeveloped Parcels (parcels with less than 266 square feet of impervious surface)

1. Are assigned zero (0.0) ERUs

1.3 Establishment of User Fees

1.3.1 User Fee for Developed Single-Family Residential Parcels

The Storm Water User Fee imposed on developed single-family residential parcels shall be the Assigned Tier ERU value times the EC rate. Using the established initial annual rates, the fee would be:

Single-Family Residential Annual Fee = Assigned Tier ERUs x \$120.00 = (Rate Varies) per year

1.3.2 User Fee for Developed Two-Family (Duplex) Residential Parcels

The Storm Water User Fee imposed on developed two-family (duplex) residential parcels shall be 1.1 ERUs times the EC rate. Using the established initial annual rates, the fee would be:

Two-Family (Duplex) Residential Annual Fee = 1.1 x \$120.00 = \$132.00 per year

1.3.3 User Fee for Other Developed Parcels

The Storm Water User Fee imposed on other developed parcels shall be the assigned number of ERUs times the EC rate. Using the established initial annual rates, the fee would be:

Other Developed Parcel Annual Fee = Assigned ERUs x \$120.00 = (Rate Varies) per year

1.3.4 User Fee for Undeveloped Parcels

The Storm Water User Fee imposed on undeveloped parcels shall be zero (0).

1.4 User Fee Adjustment Policy

A parcel's classification and number of ERUs assigned to a parcel will remain fixed unless physical changes are made that alter the amount of the impervious surface area, the original impervious area was improperly calculated, or a parcel classification change is warranted.

This policy is further discussed in Section 2 of this document.

1.5 User Fee Credit Policy

The City of Pewaukee has developed a system of credits for storm water user fee customers. If a parcel owner can show that one or more of the following conditions apply to the parcel in question, the parcel owner may be eligible for a credit to the storm water user fee equivalency charge (EC) portion of their fee.

1. If the peak rate of storm water runoff is reduced from a parcel rate by a properly constructed and maintained storm water quantity best management practice (BMP) such as a retention or detention basin. (Water Quantity Credit)
2. If storm water runoff from a parcel is treated by a properly constructed and maintained storm water quality best management practice (BMP) such as a retention or detention basin or other applicable water quality facility. (Water Quality Credit)
3. If storm water runoff from a parcel discharges directly into Pewaukee Lake, the Pewaukee River, the Fox River, Spring Creek, or a tributary to the aforementioned waterways without crossing another parcel under different ownership or entering any portion of the City's municipal separate storm sewer system (MS4); and the discharge does not result in exceeding federal, state or local water quality standards. (Riparian Credit)
4. If storm water runoff from a parcel infiltrates into the ground without crossing another parcel under different ownership or entering any portion of the City's municipal separate storm sewer system (MS4); and the discharge does not result in exceeding federal, state or local water quality standards. (Isolated Area Credit)

This policy is further discussed in Chapter 3 of this document.

1.6 User Fee Rebate Policy

One-time rebates are available for parcel owners that install rain barrels, rain gardens or porous pavement in accordance with approved procedures and requirements. This policy is further discussed in Chapter 4 of this document.

2.0 USER FEE ADJUSTMENT POLICY

Adjustments may be considered at the request of parcel owners to correct the amount of impervious area upon which the bill is based, correct or update the parcel customer classification, or other items of consequence, upon the presentation of better information.

The purpose of this Chapter is to present the process for making numeric adjustments to the ERU value assigned to a particular property or to make a parcel classification change. In general, the number of ERUs assigned to a property will remain fixed unless physical changes are made that alter the amount of the impervious surface area, or in the event that the original impervious area was improperly calculated or a property was improperly classified.

An adjustment will only modify a parcel classification or change the ERU assigned to the parcel, thereby potentially resulting in a change to the EC fee associated with a parcel. In no circumstances, shall the BC fee be changed through any adjustment.

An adjustment application will not be considered complete and will not be processed unless accompanied by the application fee and all appropriate forms and information as required in this manual. Furthermore, the application review process will not be initiated unless the current storm water utility fees are paid in full. A pending application for adjustment shall not constitute a valid reason for non-payment of the current Storm Water Service Charges.

2.1 Adjustment Procedure

Any parcel owner may apply for an adjustment to update or correct the information assigned to the parcel if the parcel owner believes there to be some information that is inaccurate. The following procedure for applying for an adjustment is established.

1. A request for an adjustment may be submitted at any time. All such requests shall be submitted to the Director on forms provided by the City, together with all supporting information and an application fee.
2. The Director may require the parcel owner, at parcel owner's expense, to provide supplemental information.

2.2 Granting Adjustments

When an application for an adjustment is deemed complete by the Director, the Director shall have sixty (60) days from the date that the complete application is accepted to:

1. Grant the adjustment in whole;
2. Grant the adjustment in part; or,
3. Deny the adjustment.

Adjustments applied for and granted in whole or in part, shall apply from the first day of the calendar month immediately following the date on which a complete application for the adjustment has been filed with the City of Pewaukee. The Director shall provide a letter to the owner documenting the award or denial of the adjustment as well as the grounds upon which the decision was based. The applicants may appeal such determination following the appeals process described in Sec. 26 of the City of Pewaukee Municipal Code.

2.3 Developed Single-Family and Two-Family (Duplex) Residential Parcel Adjustments

Developed Single-Family residential parcels are assigned an ERU value of between 0.75 and 1.3 ERUs based on their assigned Tier as determined by the Zoning District that the parcel resides in. Two-Family

(Duplex) residential parcels are assigned an ERU value of 1.1. If the parcel owner can show that they were improperly charged based on an error in the Zoning District designation and resulting tier or classification, the owner can apply for an adjustment to place the parcel in the proper tier.

Otherwise, the assigned value will not change unless the parcel has less than 266 square feet of impervious surfaces to make it essentially undeveloped which is a classification change to undeveloped.

2.3.1 Adjustment Based on a Change in Condition Through Demolition

If the residential and garage structures are demolished on a parcel and it is determined that the remaining impervious surfaces, if any, are not significant contributors to the City's storm water system, an adjustment can be made to change the property classification to undeveloped. No building, garage, structure, or other impervious surfaces totaling 266 square feet or greater shall remain on the property to be considered for this adjustment.

The necessary application form including the fee and other information requirements is available in the Appendix section of this document. If the applicant is successful through the application and review process in showing that they are due an adjustment, the City will make the classification change for subsequent billings.

2.3.2 Adjustment Based on Other Reasons

If a property owner believes their property is eligible for an adjustment or requires reclassification for reasons other than those specifically stated in this Manual and the owner has documentation that existing impervious surfaces, if any, are not significant contributors to the City's storm water system, the owner can apply for an adjustment. No building, garage, structure, or other impervious surfaces totaling 266 square feet or greater shall remain on the property to be considered not a significant contributor.

The necessary application form including the fee and other information requirements is available in the Appendix section of this document. If the applicant is successful through the application and review process in showing that they are due an adjustment, the City will make the classification change for subsequent billings. In some instances, the Director may refund the Application Fee along with the prior paid period EC charge.

2.4 Other Developed Parcel Adjustments

Other Developed Parcels are assigned an ERU value by taking the total impervious area of the property in square feet, and dividing by 5,339 square feet (one ERU).

2.4.1 Adjustment Based on a Change in Condition Through Demolition, Addition, or New Construction

If an Other Developed Parcel experiences a change in development condition through demolition, addition, or new construction of impervious area, an adjustment will be made to appropriately reduce or increase the number of ERUs for the property and make a classification change if warranted. Changes will be implemented by the City as part of the building permit process. There are no additional application forms, fees, or requirements necessary to make this adjustment. Upon completion of the demolition, addition or construction process, the City will make the fee adjustment for subsequent billings. No retroactive payment is due to or from the owner through this process.

2.4.2 Adjustment Based on Other Reasons

If a property owner believes their property is eligible for an adjustment or requires reclassification for reasons other than those specifically stated in this Manual and the owner has documentation that existing impervious surfaces, if any, are not significant contributors to the City's storm water system, the owner can apply for an adjustment. No building, garage, structure, or other impervious surfaces totaling 266 square feet or greater shall remain on the property to be considered not a significant contributor.

The necessary application form including the fee and other information requirements is available in the Appendix section of this document. If the applicant is successful through the application and review process in showing that they are due an adjustment, the City will make the classification change for subsequent billings. In some instances, the Director may refund the Application Fee along with the prior paid period EC charge.

2.5 Undeveloped Parcel Adjustments

If an Undeveloped Parcel (266 square feet or less of impervious area) experiences a change in development condition and requires reclassification, an adjustment will be made to appropriately set the number of ERUs for the parcel and establish the correct classification. Changes will be implemented by the City as part of the building permit process. There are no additional application forms, fees, or requirements necessary to make this adjustment. The City will make the fee adjustment for subsequent billings. No retroactive payment is due to or from the owner through this process.

3.0 USER FEE CREDIT POLICY

The purpose of this chapter is to develop a storm water user fee credit policy intended to create equity for customers not fully utilizing services and encourage actions by property owners within the user fee district to: 1) reduce storm water flows and pollutant loads; and 2) reduce the user fee district's costs in providing proper storm water runoff management.

Credits to user fees will only be allowed when it can be demonstrated by the customer that a condition or activity on the property results in a direct reduction in costs for city Storm Water services or is a reflection of the extent of services utilized by the property. In accordance with e.5 of the City's Resolution Establishing Storm Water Utility Rates and Credits (passed September 2010), "In considering a request for credit, the Director shall consider whether and to what extent the City's storm water management program cost has been lessened by the condition presented by the parcel owner. If the City's storm water management program cost has not been lessened, the request for a credit may be denied."

Therefore, storm water facilities constructed to meet the City's post-construction storm water ordinance and Wisconsin Administrative Codes NR 151 / NR 216 may not be eligible for a credit, since these facilities were mandated by state law and did not result in a reduction in the City's cost of meeting water quality standards. However, if the constructed facilities meet water quality performance standards more stringent than those required by law, the parcel owner may be eligible for a credit. For example, state regulations required new development occurring after October 1, 2004 to achieve 80% Total Suspended Solids (TSS) removal from the site's storm water runoff. A new development site constructed after this date is not eligible for a credit for meeting this required 80% TSS removal requirement. However, if the site achieves greater than an 80% TSS removal rate, then the site may be eligible for a credit based on the amount of removal above 80%.

If a parcel owner can show that one or more of the following conditions apply to the parcel in question, the parcel owner may be eligible for a credit to the storm water utility equivalency charge (EC) portion of their fee.

1. If the peak rate of storm water runoff is reduced from a parcel rate by a properly constructed and maintained storm water quantity best management practice (BMP) such as a retention or detention basin. (Storm Water Quantity Credit)
2. If storm water runoff from a parcel is treated by a properly constructed and maintained storm water quality best management practice (BMP) such as a retention or detention basin or other applicable water quality facility. (Storm Water Quality Credit)
3. If storm water runoff from a parcel discharges directly into Pewaukee Lake, the Pewaukee River, the Fox River, Spring Creek, or a tributary to the aforementioned waterways without crossing another parcel under different ownership or entering any portion of the City's municipal separate storm sewer system (MS4); and the discharge does not result in exceeding federal, state or local water quality standards. (Riparian Credit)
4. If storm water runoff from a parcel infiltrates into the ground without crossing another parcel under different ownership or entering any portion of the City's municipal separate storm sewer system (MS4); and the discharge does not result in exceeding federal, state or local water quality standards. (Isolated Area Credit)

A credit application will not be considered complete and will not be processed unless accompanied by the application fee and all appropriate forms and information as required in this manual. Furthermore, the credit review process will not be initiated unless the current storm water utility fees are paid in full. A pending application for credit shall not constitute a valid reason for non-payment of the current Storm Water Service Charges.

No credits shall be considered for any “natural” features such as, but not limited to, rivers, wetlands, lakes, floodplains, or water impoundments.

No credits shall be given towards the Base Charge (BC) or Special Charge (SC) portion of their fee.

A non-refundable credit application fee is required with the application forms. It is the intent of the Department to process applications within sixty (60) calendar days of submittal of the complete and correct application package.

3.1 Credit Procedure

Any parcel owner may apply for credit if the parcel owner believes there to be grounds for receiving credit to their storm water fee. The following procedure for applying for credit is established.

1. Parcel owners must make application to the Director of Public Works on forms provided by the Director for such purpose.
2. Parcel owners must apply for any credits that they believe are applicable.
3. The application for any credit must be in writing and must include the information necessary to document the eligibility for the credit, accompanied by any application fee, and be in the format established by the Director. Incomplete applications will not be accepted by the Director.
4. Where applicable as a condition for granting credits, applicants must have an approved maintenance agreement on file with the Director.

3.2 Granting Credits

When an application for a credit is deemed complete by the Director, the Director shall have sixty (60) days from the date that the complete application is accepted to:

1. Grant the adjustment (credit) in whole;
2. Grant the adjustment (credit) in part; or,
3. Deny the adjustment (credit) request.

In considering a request for credit, the Director may, at his or her discretion, separately examine multiple drainage areas on one parcel, or conversely aggregate parcels under the same ownership, and may recommend allowing a credit for a portion of a parcel or for a number of parcels if the characteristics of one or more drainage areas meets the criteria for obtaining credit.

In certain situations, the Director may, at his or her discretion, allow credits to parcel owners with BMPs that treat land areas not under common ownership.

Credits applied for and granted in whole or in part, shall apply from the first day of the calendar month immediately following the date on which a complete application for the credit has been filed with the City of Pewaukee. The Director shall provide a letter to the owner documenting the award or denial of the adjustment as well as the grounds upon which the decision was based. The applicants may appeal such determination following the appeals process described in Sec. 26 of the City of Pewaukee Municipal Code.

3.3 Continuation of Credit Status

In order to continue to receive the user fee credit for water quantity and/or quality improvements, the facilities used to obtain this credit must be maintained in their approved condition. Annual reporting to the City from the parcel owner may be required. The requirements of annual reporting will be established in

the Maintenance Agreement that is adopted at the time of credit issuance. The parcel owner must also agree to allow the City reasonable access to the site to periodically inspect site conditions (the City will contact the property owner beforehand should such access be necessary). Unless otherwise stated, any records of annual inspection and maintenance required by the Maintenance Agreement shall be submitted to the Director by July 15th of each year (for the period covering the prior year from the date of submittal).

Should the storm water facilities not be maintained in accordance with the Maintenance Agreement, or should other site changes occur that alter the site's storm water quantity and/or quality performance used to originally obtain the credit, the credit may be reduced or eliminated.

No annual reporting is required for parcels that receive a Riparian or Isolated Area credit.

3.4 Credit Policy Structure

Four distinct credit opportunities are available to parcel owners and may be applied to reduce the EC charge to a property as outlined below and described in detail in the respective criteria sections of this policy that follow.

	<u>Credit Component</u>	<u>Maximum Reduction</u>
1.	Storm Water Quantity Credit	15%
2.	Storm Water Quality Credit	25%
3.	Riparian Credit	15%
4.	Isolated Area Credit	15%

The same credit processes described in the following section for EC rate reductions may also be applicable in reducing the SC rate (should it be imposed). For simplification purposes, since the same requirements apply and because the SC rate is not currently used, only the EC rate component is discussed in the remainder of this policy document.

3.5 Storm Water Quantity Credit Criteria

Parcels with on-site storm water quantity facilities may be eligible for a credit of up to a fifteen percent (15%) percent reduction in the storm water equivalency charge (EC) portion of their fee. For purposes of this subsection the "100-year design storm", "50-year design storm", "25-year design storm," "10-year design storm," "5-year design storm," and "2 year design storm" shall be interpreted based upon twenty-four (24) hour storm events with 100, 50, 25, 10, 5 and 2 year recurrence intervals, based upon generally accepted engineering principles and models and following the guidance of the City's Storm Water Management Ordinance.

Facilities designed to reduce the discharge rates as follows and as accepted by the Director may be eligible for a five percent (5%) reduction in the storm water service charge for the parcel under the following conditions:

- (a) If the post-development peak discharge rate of the 100-year design storm event is reduced to the pre-development peak discharge event from the 50-year design storm event.
- (b) If the post-development peak discharge rate of the 50-year design storm event is reduced to the pre-development peak discharge event from the 25-year design storm event.
- (c) If the post-development peak discharge rate of the 25-year design storm event is reduced to the pre-development peak discharge event from the 10-year design storm event.
- (d) If the post-development peak discharge rate of the 10-year design storm event is reduced to the pre-development peak discharge event from the 5-year design storm event.

Facilities designed to reduce the discharge rates as follows and as accepted by the Director may be eligible for a ten percent (10%) reduction in the storm water service charge for the parcel under the following conditions:

- (a) If the post-development peak discharge rate of the 100-year design storm event is reduced to the pre-development peak discharge event from the 25-year design storm event.
- (b) If the post-development peak discharge rate of the 50-year design storm event is reduced to the pre-development peak discharge event from the 10-year design storm event.
- (c) If the post-development peak discharge rate of the 25-year design storm event is reduced to the pre-development peak discharge event from the 5-year design storm event.

Facilities designed to reduce the discharge rates as follows and as accepted by the Director may be eligible for a fifteen percent (15%) reduction in the storm water service charge for the parcel under the following conditions:

- (a) If the post-development peak discharge rate of the 100-year design storm event is reduced to the pre-development peak discharge event from the 10-year design storm event.
- (b) If the post-development peak discharge rate of the 50-year design storm event is reduced to the pre-development peak discharge event from the 5-year design storm event.

An accepted and approved facility Maintenance Plan is required to receive storm water quantity credits. The City may require periodic inspection or proof of continued operation/maintenance to maintain credit status. No water quantity BMP credits shall be considered for any "natural" features such as, but not limited to, rivers, wetlands, lakes, floodplains, or water impoundments.

The necessary application form including fee and other information requirements is available in the Appendix section of this document.

3.6 Storm Water Quality Credit Criteria

Parcels that treat storm water runoff by a properly constructed and maintained storm water BMP such as a retention or detention basin or other water quality facility may be eligible for a credit of up to a 25% reduction in the EC storm water charge. The following considerations apply:

- BMPs treating less than the entire parcel may be considered when assigning the credit percentage.
- BMPs treating multiple parcels may be considered when assigning the credit percentage.
- BMP efficiency shall be factored into the credit provided and shall be based on total suspended solids (TSS) removal of the BMP using methodology and models accepted by the City and Wisconsin Department of Natural Resources (WDNR) such as the Source Loading and Management Model (SLAMM).
- An accepted and approved BMP Maintenance Plan is required to receive BMP credits.
- The City may require periodic inspection or proof of continued operation/maintenance to maintain credit status
- No water quality BMP credits shall be considered for any "natural" features such as, but not limited to, rivers, wetlands, lakes, floodplains, or water impoundments.

The percent reduction in the EC storm water charge will be directly proportional to effectiveness of the best management practice at reducing TSS for only those areas treated by the BMP. To receive full credit, the BMP must reduce TSS by 80% as determined by a model acceptable to the City of Pewaukee and Wisconsin Department of Natural Resources.

If the BMP effectiveness is less than 80% the credit applicable to the treated impervious area will be a ratio of the actual BMP effectiveness compared to the 80% treatment requirement. If the BMP effectiveness is estimated to be greater than 80%, the maximum credit will be given for the area treated.

Example 1:

A parcel has a total impervious area of 36,300 square feet.

A BMP treats 80% of the 36,300 square feet of impervious area.

An approved model shows that the BMP is 80% effective (or greater) at TSS reduction for the area treated.

The parcel will receive a BMP effective ratio of 80% effective / 80% or 1.0 for 80% of the impervious area.

The EC credit would be $(1.0 * 80\% \text{ treated}) * 25\%$ potential credit or a 20% reduction of the EC fee.

Example 2:

A parcel has a total impervious area of 36,300 square feet.

A BMP treats 80% of the 36,300 square feet of impervious area.

An approved model shows that the BMP is 40% effective at TSS reduction for the area treated.

The parcel will receive a BMP effective ratio of 40% effective / 80% or 0.5 for 80% of the impervious area.

The EC credit would be $(0.5 * 80\% \text{ treated}) * 25\%$ potential credit or a 10% reduction of the EC fee.

The necessary application form including fee and other information requirements is available in the Appendix section of this document

3.7 Riparian Credit Criteria

Parcels with impervious surface areas that discharge directly into the into Pewaukee Lake, the Pewaukee River, the Fox River, Spring Creek or a tributary to the aforementioned waterways without crossing another parcel under different ownership or entering any portion of the City's municipal separate storm sewer system (MS4); and the discharge does not result in exceeding federal, state or local water quality standards may be eligible for a credit of up to a 15% reduction in the EC storm water charge.

A parcel owner that is eligible for a riparian or isolated area credit is not eligible for storm water quantity credit.

The percent reduction in the EC storm water charge will be directly proportional to the amount of impervious area that is determined to be riparian. This is calculated by taking the riparian impervious surface area divided by the entire impervious surface area times 15%.

Example 1:

A parcel has a total impervious area of 36,300 square feet.

100% of the 36,300 square feet of impervious area is determined to be riparian.

The EC credit would be 100% riparian * 15% potential credit or a 15% reduction of the EC fee.

Example 2:

A parcel has a total impervious area of 36,300 square feet.

50% of the 36,300 square feet of impervious area is determined to be riparian.

The EC credit would be 50% riparian * 15% potential credit or a 7.5% reduction of the EC fee.

The necessary application form including fee and other information requirements is available in the Appendix section of this document.

3.8 Isolated Areas Credit Criteria

Parcels with impervious surface areas where storm water runoff infiltrates into the ground when analyzed using a one-percent probability (100-year) storm event without crossing another parcel under different ownership or entering any portion of the City's municipal separate storm sewer system (MS4); and the discharge does not result in exceeding federal, state or local water quality standards may be eligible for a credit of up to a 15% reduction in the EC storm water charge. Storm durations of 30 minutes, 1 hour, 2 hours, 3 hours, 6 hours, 12 hours, and 24 hours must be analyzed.

The percent reduction in the EC storm water charge will be directly proportional to the amount of impervious area that is determined to be internally drained. This is calculated by taking the internally drained impervious surface area divided by the entire impervious surface area times 15%.

Isolated areas shall not include any "natural" features such as, but not limited to, wetlands and lakes.

A parcel owner that is eligible for a riparian or isolated area credit is not eligible for storm water quantity credit.

The examples that illustrate riparian credits are generally applicable for isolated areas. A request for partial credit may be made for isolated areas that do not meet the entire set of duration conditions if approved by the Director.

The necessary application form, fee, and other information requirements are available in the Appendix section of this document.

4.0 USER FEE REBATE POLICY

Property owners may be eligible for one-time rebates for certain stormwater Best Management Practices (BMPs) including Rain Barrels, Rain Gardens, and Porous Pavement.

A rebate may not be claimed for a BMP that is also used to obtain a water quality and/or water quantity user fee credit.

A rebate application will not be considered complete and will not be processed unless accompanied by the application fee and all appropriate forms and information as required in this manual. Furthermore, the rebate review process will not be initiated unless the current storm water utility fees are paid in full. A pending application for a rebate shall not constitute a valid reason for non-payment of the current Storm Water Service Charges.

4.1 Rebate Procedure

The necessary application form and other information requirements are available in the Appendix section of this document.

When an application for a rebate is deemed complete by the Director, the Director shall have sixty (60) days from the date that the complete application is accepted to:

1. Grant the rebate in whole;
2. Grant the rebate in part; or,
3. Deny the rebate.

The applicants may appeal such determination following the appeals process described in Sec. 26 of the City of Pewaukee Municipal Code.

All Best Management Practices associated with the applicant successfully receiving a one-time rebate shall be subject to an annual review. It is the responsibility of the billed customer to provide the Director with any and all changes to the conditions of the onsite best management practices and to document appropriate monitoring and maintenance as may be required per agreement with the City. Changes in conditions, or failure to appropriately conduct required monitoring and maintenance may constitute a violation of the terms and/or conditions under which the rebate was granted. Violations of the terms and/or conditions that allowed the approval of a rebate request may be subject to repayment of some or all of the rebated monies by the applicant.

4.2 Rebate Amounts

Rain Barrel installations are eligible for a rebate of \$25 per rain barrel.

Rain Garden installations are eligible for a rebate of \$1.00 per square foot up to \$250.

Porous Pavement installations are eligible for a rebate of \$1.00 per square foot up to \$500.

These rebate amounts are subject to change.

4.3 Further Information on Rebate-eligible BMPs

The following websites contain information that describes how rain barrels are to be installed and maintained. The MMSD and Waukesha County websites also have a link to locations in the area where rain barrels can be purchased.

<http://v3.mmsd.com/RainBarrels.aspx>
<http://dnr.wi.gov/runoff/rg/links.htm>
<http://www.waukeshacounty.gov/page.aspx?SetupMetalId=15012&id=22940>

The following websites contain information that describes how rain gardens are to be installed and properly maintained.

<http://v3.mmsd.com/RainGardens.aspx>
<http://dnr.wi.gov/runoff/rg/links.htm>
<http://learningstore.uwex.edu/assets/pdfs/GWQ037.pdf>
<http://www.waukeshacounty.gov/page.aspx?SetupMetalId=15012&id=22924>

Porous pavement that is designed and constructed in accordance with design criteria recommended by PerviousPavement.org and the Interlocking Concrete Pavement Institute (ICPI) may be eligible for a rebate. Rebate amounts shall be established on the basis of square footage of qualifying porous pavement. Refer to the following websites for information on how porous pavement should be installed and maintained.

<http://www.perviouspavement.org/mixture%20proportioning.htm>
<http://www.perviouspavement.org/structural%20design.htm>
http://www.perviouspavement.org/PCA_hydro-design/hydrologic_design_index.htm
<http://www.perviouspavement.org/construction.htm>
<http://www.icpi.org/node/553>
<http://www.epa.gov/ednrmrl/publications/reports/epa600280135/epa600280135.htm>
<http://www.cabmphandbooks.com/Documents/Development/SD-20.pdf>

Appendix A

**City of Pewaukee Storm Water User Fee Adjustment
Submittal Requirements and Form**

City of Pewaukee Storm Water User Fee Adjustment Submittal Requirements

Parcel owners requesting an adjustment that is not associated with existing City of Pewaukee demolition, paving, construction, or other permit programs, shall follow these application submittal requirements and use the attached application form. Applicants requesting a combination of adjustments, credits and rebates must review all submittal requirements and fulfill all requested information items and provide all applicable forms. The appropriate application fees must accompany each form submitted. Parcel owners must submit a separate application form and fee for each parcel for which an adjustment is requested unless waived by the Director of the Storm Water User Fee system.

The Director of the Storm Water User Fee system shall review the Storm Water User Fee Adjustment Request submittal for compliance with this policy and may waive portions of the application submittal.

1. Application Fee

- a. Prior to review by the Director, the property owner requesting the review shall pay a fee of \$200.00.
- b. If the Applicant is successful through the application and review process in showing that they are due an adjustment due to a discrepancy in the original calculation parcel calculation of impervious surfaces, the Application Fee may be refunded at the discretion of the Director.

2. Application Form

- a. Form 1 – Storm Water User Fee Adjustment Application must be completed.
- b. Requested supporting information identified on the application must also be submitted with the application.

3. Explanation of Supporting Information Requirements

a. Narrative

The applicant shall develop a brief narrative with the following information:

- A statement by the owner allowing City staff or their representatives access the site for the purposes of verifying submitted information, if necessary.
- The name and number of a contact person to coordinate access to the site and any factors restricting or limiting access to any or all of the site.
- Reason for Adjustment Request
- Explanation of information attached with the Application Form to support the request
- Table of impervious surface areas on the site.
- Amount of Adjustment Requested.

b. Site Plan or Survey Plat Drawing

A site plan or survey plat of the property shall be shown with sufficient detail and in accordance with the requirements identified below.

- The drawing shall be at a scale of not less than 1 inch = 50 feet
- The drawing shall show all property (parcel) boundaries with dimensions
- Buildings, pavement, and other impervious areas shall be accurately located and dimensioned
- A table totaling all impervious surfaces (matching the narrative) shall be included on the drawing
- The Drawing does not need to be developed or certified by a registered engineer or land surveyor unless requested by the Director.

CITY OF PEWAUKEE STORM WATER USER FEE ADJUSTMENT APPLICATION FORM

Form 1 - Storm Water User Fee Adjustment Application (Submit with \$200 Application Fee and Supporting Information)

Applicant Information (Financially Responsible Entity): (Please print or type)

Name: _____

Address: _____

City: _____ State: _____ Zip Code: _____

Contact Person: _____ Email: _____ Telephone: (____) ____ - ____
Fax No.: (____) ____ - ____

Property Owner Information (If Different from Above):

Name: _____

Address: _____

City: _____ State: _____ Zip Code: _____

Property Information:

Property Location/Address: _____

Parcel Identification Number (PIN): _____ Property Size (square feet): _____

Receiving Water Name (if applicable/known): _____ Impervious Area (square feet): _____

Adjustment Requested (check all applicable boxes):

Parcel Classification Change

Parcel Impervious Area Change

Supporting Review Information:

Please indicate the supporting review information that you are attaching to this application:

Narrative

Site Plans or Survey Plat Drawing

Certifications:

The above information is true and correct to the best of my knowledge and belief. (This form must be signed by the financially responsible person if an individual, or if not an individual, by an officer, director, partner, or registered agent with authority to execute instruments for the financially responsible person). I agree to provide corrected information should there be any change in the information provided herein. I agree to provide access to the property for City staff or their representative to verify submitted information if necessary. (The City will contact your designated contact person to arrange access if necessary).

Type or print name

Title or Authority

Signature

Date

Appendix B

**City of Pewaukee Storm Water User Fee Credit
Submittal Requirements and Form**

City of Pewaukee Storm Water User Fee Credit Submittal Requirements

Parcel owners requesting a credit shall follow these application submittal requirements and use the attached application form. Applicants requesting a combination of adjustments and credits must review all submittal requirements and fulfill all requested information items and provide all applicable forms. The appropriate review fees must accompany each form submitted. Parcel owners must submit a separate application form and fee for each parcel for which a credit is requested unless waived by the Director of the Storm Water User Fee system.

The Director of the Storm Water User Fee system shall review the Storm Water User Fee Credit Request submittal for compliance with this policy and may waive portions of the application submittal.

1. Review Fee

Prior to review by the Director, the property owner requesting the review shall pay a non-refundable review fee of \$200.00.

2. Application Form

- a. Form 2 – Storm Water Utility Credit Application must be completed.
- b. Requested supporting information identified on the application must also be submitted with the application.

3. Explanation of Supporting Information Requirements

a. Narrative

The applicant shall submit a brief narrative with the following information:

- A statement by the owner allowing City staff or their representatives access the site for the purposes of verifying submitted information, if necessary.
- The name and number of a contact person to coordinate access to the site and any factors restricting or limiting access to any or all of the site.
- Reason for Credit Request
- Explanation of information attached with the Application Form to support the request.
- Table of impervious surface areas on the site.
- Amount of Credit Requested.

b. Riparian or Isolated Area Credit Requests:

For requests associated with Riparian or Isolated Areas, provide the following information:

1) Site Plan or Survey Plat Drawing

Provide a site plan or survey plat of the property with sufficient detail and in accordance with the requirements identified below.

- The drawing shall be at a scale of not less than 1 inch = 100 feet
- The drawing shall show all property (parcel) boundaries with dimensions
- Existing topographic contours of the site at a scale not to exceed two feet
- For riparian credit requests, show the name, location, and connectivity to applicable waterway
- Buildings, pavement, and other impervious areas shall be accurately located and to scale or dimensioned
- A clear boundary of the area(s) that are considered by the applicant to be riparian or isolated for which the applicant is requesting credit
- A table totaling all impervious surfaces, listed separately by those impervious areas under consideration for credit through one of the two applicable reasons, and those that are not considered applicable, shall be included in the narrative and on the drawing
- The drawing does not need to be developed or certified by a registered engineer or land surveyor unless requested by the Director

Storm Water Quantity / Quality Credit Requests:

For credit requests associated with BMPs to manage storm water quantity and/or quality, provide the components of the Post-Construction Storm Water Management Plan in accordance with Section 19 of the City of Pewaukee Post-Construction Stormwater Management Ordinance which includes but is not limited to the following items and any additionally requested information noted below:

- 1) Site Plan or Survey Plat Drawing sufficient in detail and in accordance with the requirements of Section 19 including the following information:
 - A clear boundary of the area(s) that are considered by the applicant to be served by or treated by a water quality device(s), water quantity control facility and/or best management practice(s) for which the applicant is requesting credit
 - A table totaling all impervious surfaces, listed separately by those impervious areas under consideration for credit and those that are not considered applicable (not treated or managed), shall be included in the narrative and on the drawing
 - The drawing needs to be developed or certified by a registered engineer or land surveyor unless released of this requirement by the Director.
 - Treatment Device, Peak Flow Control and/or Best Management Practice Calculations
 - Digital Computer Model Files
 - Where applicable, runoff and routing calculations, stage/storage/discharge tables, water quality modeling, and other technical information supporting treatment claims must also be provided
- 2) As-built Plans
 - As-built plans for treatment devices must also be submitted. Where as-built plans are not available for previously installed devices, adequate supporting survey to verify inlet and outlet structure details, stage/storage calculations, and other applicable information will be considered adequate.
- 3) Maintenance Agreement
 - The applicant shall provide for review and approval by the Director, a maintenance agreement in accordance with Section 19 of the City of Pewaukee Post-Construction Stormwater Management Ordinance for any of the water quality device(s), flow control devices and/or best management practice(s) associated with the credit request.

CITY OF PEWAUKEE STORM WATER USER FEE CREDIT APPLICATION FORM

Form 2 - Storm Water User Fee Credit Application (Submit with \$200 Application Fee and Supporting Information)

Check Credit(s) Request: Riparian Isolated Area Water Quality Water Quantity

Applicant Information (Financially Responsible Entity): (Please print or type)

Name: _____

Address: _____

City: _____ State: _____ Zip Code: _____

Contact Person: _____ Email: _____ Telephone: (____) ____ - ____

Fax No.: (____) ____ - ____

Property Owner Information (If Different from Above):

Name: _____

Address: _____

City: _____ State: _____ Zip Code: _____

Property Information:

Property Location/Address: _____

Parcel Identification Number (PIN): _____ Property Size (square feet): _____

Receiving Water Name (if applicable/known): _____ Impervious Area (square feet): _____

Brief Description of Storm Water Facilities at Location (if applicable): _____

Supporting Review Information:

Please indicate the supporting review information that you are attaching to this application:

- Narrative Site Plans or Survey Plat Drawing As-built Plans Maintenance Agreement
- Best Management Practice Calculations Digital Computer Model Files Storm Water Management Plan

Certifications:

The above information is true and correct to the best of my knowledge and belief. (This form must be signed by the financially responsible person if an individual, or if not an individual, by an officer, director, partner, or registered agent with authority to execute instruments for the financially responsible person). I agree to provide corrected information should there be any change in the information provided herein. I agree to provide access to the property for City staff or their representative to verify submitted information if necessary. (The City will contact your designated contact person to arrange access if necessary).

Type or print name

Title or Authority

Signature

Date

Appendix C

**City of Pewaukee Storm Water User Fee Rebate
Submittal Requirements and Form**

City of Pewaukee Storm Water User Fee Rebate Submittal Requirements

Parcel owners requesting a rebate shall follow these application submittal requirements and use the attached application form. Applicants requesting a combination of adjustment, credits and/or rebates must review all submittal requirements and fulfill all requested information items and provide all applicable forms. The appropriate review fees must accompany each form submitted. Parcel owners must submit a separate application form and fee for each parcel for which a rebate is requested unless waived by the Director of the Storm Water User Fee system.

The Director of the Storm Water User Fee system shall review the Storm Water User Fee Rebate Request submittal for compliance with this policy and may waive portions of the application submittal.

1. Application Form

- a. Form 3 – Storm Water Utility Rebate Application must be completed.
- b. Requested supporting information identified on the application must also be submitted with the application.

2. Explanation of Supporting Information Requirements

a. Narrative

The applicant shall submit a brief narrative with the following information:

- A statement by the owner allowing City staff or their representatives access the site for the purposes of verifying submitted information, if necessary.
- The name and number of a contact person to coordinate access to the site and any factors restricting or limiting access to any or all of the site.
- Reason for Rebate Request
- Explanation of information attached with the Application Form to support the request.
- Table of impervious surface areas on the site.
- Amount of Rebate Requested.

b. Supporting information

- Sketch of the size and location of the BMP and its drainage area, including a clear boundary of the area(s) that are considered by the applicant to be served by or treated by the BMP
- Original receipts for all purchased material
- Square footage of the rain garden or porous pavement, or volume of the rain barrel
- Plant list (for rain gardens)
- Type and thickness of materials used (for porous pavement)
- Photograph of the installed rain barrel, rain garden or porous pavement

c. Maintenance agreement

The applicant shall provide for review and approval by the Director, a maintenance agreement in accordance with Section 19 of the City of Pewaukee Post-Construction Stormwater Management Ordinance for any of the best management practice(s) associated with the rebate request.

CITY OF PEWAUKEE STORM WATER USER FEE REBATE APPLICATION FORM

Form 3 - Storm Water User Fee Rebate Application *(Submit with Supporting Information)*

Check Rebate(s) Request: Rain Garden Rain Barrel Porous Pavement

Applicant Information (Financially Responsible Entity): (Please print or type)

Name: _____

Address: _____

City: _____ State: _____ Zip Code: _____

Contact Person: _____ Email: _____ Telephone: (____) ____ - ____
Fax No.: (____) ____ - ____

Property Owner Information (If Different from Above):

Name: _____

Address: _____

City: _____ State: _____ Zip Code: _____

Property Information:

Property Location/Address: _____

Parcel Identification Number (PIN): _____ Property Size (square feet): _____

Receiving Water Name (if applicable/known): _____ Impervious Area (square feet): _____

Brief Description of Storm Water Facilities at Location (if applicable): _____

Supporting Review Information:

Please indicate the supporting review information that you are attaching to this application:

- Narrative Location sketch Copy of Manufacturer's Information (if applicable)
- Plant List (for rain gardens) Receipts for Purchased Materials Maintenance Agreement

Certifications:

The above information is true and correct to the best of my knowledge and belief. (This form must be signed by the financially responsible person if an individual, or if not an individual, by an officer, director, partner, or registered agent with authority to execute instruments for the financially responsible person). I agree to provide corrected information should there be any change in the information provided herein. I agree to provide access to the property for City staff or their representative to verify submitted information if necessary. (The City will contact your designated contact person to arrange access if necessary).

Type or print name

Title or Authority

Signature

Date