

Storm Water Billing Policies and Procedures

These storm water billing policies and procedures guide implementing the storm water service fee program.

1. Impervious Area Rate Methodology

Greenville County uses an impervious area rate methodology to assess storm water fees to property owners, as per Chapter 8, Article IV. of the Greenville, SC Code of Ordinances (adopted August 20, 2002). Impervious areas are surfaces that prohibit or significantly restrict the passage of water into the soils beneath. Impervious areas include:

- Rooftops of homes, garages, carports, storage sheds, and commercial buildings.
- Concrete, asphalt, and gravel surfaces such as roads, drives, and parking lots.
- Concrete, asphalt, and gravel paths, sidewalks, and patios.

The impervious area methodology was chosen for determination of the storm water service fee. This method is commonly used in South Carolina, and nationally, and has been tested in South Carolina and adjacent states. The County recognized in the ordinance, that property owners and users of the storm drainage system should finance the County's Storm Water Management Program to the extent that they contribute runoff to the system. The impervious rate methodology satisfies this requirement because there is a direct correlation between the amount of impervious area within a parcel and the amount of runoff from the parcel. In this method, the impervious area on a typical residential parcel is used as the basis for the calculation. This is called the equivalent residential unit (ERU). The ERU was calculated from a statistically significant sample of residential parcels within the County by measuring the impervious area on each parcel from the available aerial mapping. The ERU was calculated to be 2477 square feet.

1a. Property Classifications

Ordinance 3617 establishes four (4) classifications that are used to determine the storm water service fee for each parcel in the respective classification:

- **Classification 1** – Developed Residential and Developed Agricultural parcels.
- **Classification 2** – Developed Non-Residential parcels.
- **Classification 3** – Undeveloped Residential and Undeveloped Agricultural parcels.
- **Classification 4** – Undeveloped Non-Residential parcels.

Classification 1 is defined as developed residential properties, which includes single-family detached units and developed agricultural properties. These properties are identified using the Tax Assessor's database, specifically the land use code. Classification 1 properties will have the following land use codes:

0110	Duplex	1170	Residential Mobile Home with Land
1100	Residential Single Family	1171	Residential Mobile Home on Mobile Home File
1101	Residential Single Family - with Auxiliary Use	9171	Agricultural Improved

Classification 2 is defined as developed non-residential properties, which include, but not limited to, multiplexes; apartment buildings and complexes; condominiums; boardinghouses; commercial properties; industrial properties; parking lots; recreation, institutional, and governmental facilities; hotels; offices; school and educational facilities; theaters and other facilities for performance; churches and other religious institutions and facilities. These properties are identified using the Tax Assessor's database, specifically the land use code. Classification 2 properties will have the following land use codes:

0112	Multiplex	0424	Office/warehouse
0113	Group House Converted	0425	Office Retail Strip
0120	Apartment – Conventional (C , D)	0430	Bank Full - Service
0120	Apartment - High Rise(A, B)	0431	Bank Branch
0122	Apartment Subsidized	0510	Convenience Store
0130	Mobile Home Park	0511	Convenience Store/food service
0140	Nursing Home	0512	Mom / Pop Grocery
0141	Assisted Living	0513	Super Market
0142	Healthcare - Converted Residential	0520	Retail - General
0143	Healthcare - High - Rise Retirement with Dining	0521	Retail - Strip Center
0205	Common Area - Commercial	0522	Retail - Show Room
0230	Apartment - Boarding / Bed & Breakfast	0523	Retail - Drug Store
0240	Hotel - Luxury	0530	Retail - Discount
0240	Hotel -Full Service Upscale	0531	Retail - Discount Warehouse
0250	Motel - Extended Stay	0532	Retail - Lumber - Showroom / Retail
0270	Motel - Mid - Service	0550	Shopping Center / Neighborhood
0271	Motel Economy	0560	Shopping Center / Mall
0272	Motel Budget	0561	Shopping Center Anchor Retail
0273	Motel Low Cost	0570	Shopping Center Department Store
0300	Car Wash Full Service	0580	Barber / Beauty - Converted Residence
0301	Car Wash Self Service	0581	Barber / Beauty - Conventional
0301	Car Wash Automatic	0590	Laundry / Cleaner Full Service
0310	Service Station - Gas	0591	Laundry Mat - Self Service
0320	Cashier Booth - Gas	0610	Restaurant - Fast Food
0330	Service Garage - Body Shop	0611	Restaurant - Truck Stop
0331	Mini Lube	0620	Restaurant - Full Service
0332	Auto Service Center	0620	Cafeteria
0350	Auto Dealership / Maintenance / Service	0630	Bar - Neighborhood
0360	Auto Dealership / Showroom	0631	Bar - Night Club
0370	Parking Garage	0632	Bar - Restaurant / Lounge / Sports
0370	Parking - Basement Level	0710	Recreation - Bowling Alley
0371	Parking Lot	0720	Recreation - Gym / Athletic Club
0409	Medical Office - Dental	0721	Recreation - Health Club
0410	Medical Office	0730	Recreation - Skating Rink - Ice
0411	Vet Clinic	0730	Recreation - Skating Rink - Roller
0413	Rehab Center	0740	Movie Theatre
0414	Vet Clinic Converted / Residential	0741	Theatre - Play / Dining
0420	Office High Rise	0750	Recreation - Golf - A
0421	Office - General	0750	Recreation - Golf - B
0423	Office - Converted / Residential	0872	Funeral Home Conventional
0750	Recreation - Golf - C	0873	Funeral Home Converted
0750	Recreation - Golf - D	0890	Broadcasting Facility
0751	Recreation - Club House / Golf	0891	Utility
0752	Recreation - Golf - Putt Putt	0910	Mini-Warehouse
0753	Recreation - Golf - Par 3	0920	Golf Storage / Service

0754	Recreation - Country Club	0860	Fraternal Organizations
0755	Recreation - Horse Arena	0930	Truck Terminal
0770	Recreation - Community Recreation	0940	Warehouse General
0780	Recreation - Theme Park	0950	Warehouse Distribution
0790	Recreation - Tennis / Racquet	0960	Warehouse - Multi-Purpose
0805	Cemetery	0970	Industrial
0810	Religious / Church	0980	Hangars
0821	Government	0990	Cold Storage
0850	Schools	1181	Homeowners Association Property
0851	Day Care - Conventional	1182	Residential Common Areas
0852	Day Care - Converted Residential		

Classification 3 is defined as undeveloped residential properties and undeveloped agricultural properties. These properties are identified using the Tax Assessor’s database, specifically the land use code. Classification 3 properties will have the following land use codes:

1180	Residential Vacant	9170	Agricultural Vacant
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Classification 4 is defined as undeveloped non-residential properties. These properties are identified using the Tax Assessor’s database, specifically the land use code. Classification 4 properties will have the following land use codes:

6800	Commercial Vacant
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Each of these four classifications shall pay storm water service fees according to the fee schedule adopted by Greenville County Council.

The following fee schedule was adopted by Greenville County Council:

For **Classification 2** Parcels, the fee is \$27.00/year multiplied by the number of ERUs that were calculated as described in Section 1b. below.

For **Classification 1**, **Classification 3**, and **Classification 4** parcels, the fee is based on the following rates:

For Classification 3 and Classification 4 Parcels, and Classification 1 Parcels that have less than or equal to 1,000 square feet of first floor heated space:	\$22.80/year (\$24.00 Original Fee)
For Classification 1 Parcels with greater than or equal to 1,001 square feet of first floor heated space:	\$25.65/year (\$27.00 Original Fee)

The fee is set up so that non-residential properties that produce more runoff (because they have a greater impervious surface area) are billed a greater storm water service fee.

Note that Greenville County Council reduced the fees by five percent in the 2004-2005 budgets. This made the fee for residential properties with 1,000 square foot and less, undeveloped residential, developed and undeveloped agricultural and vacant commercial properties (Class 1, Class 3, and Class 4) \$22.80. The fee for residential properties with 1,001 square feet and greater is \$25.65. The base ERU remained the same at \$27.00. The five percent reduction will remain in effect until County Council explicitly changes the fee.

1b. Determining the Impervious Surface Area for Non-Residential Properties

Aerial photography is used to measure the impervious surface area for each Classification 2 parcel. The total impervious area is measured for all of the impervious area surfaces within the parcel boundaries of that property. The impervious surface area value is divided by 2,477 square feet. This result then determines the number of total ERUs for each Classification 2 parcel and it becomes the basis of the storm water service fee for that property. ERUs are rounded up to the nearest whole integer.

Example: A property that has 10,000 square feet of impervious area would be billed for 5 ERUs.

$$10,000 \text{ sqft} / 2477 \text{ sqft} = 4.04 \text{ ERUs}; \text{ this is rounded up to } 5 \text{ ERUs.}$$
$$5 \text{ ERUs} * \$27.00 = \$135.00 \text{ fee}$$

2. Impervious Area Modification Request

If a non-residential property owner does not agree with the amount of total impervious area for which they are being billed, the property owner is responsible to initiate action to clarify the total impervious area. The customer must complete and submit an Impervious Area Modification Request Form to the Greenville County Engineer for consideration. The County Engineer will review the request, and make a decision on the total impervious area for the property in question. The County Engineer will send a letter to the property owner stating total impervious area. The property owner may appeal the decision per the County's appeal process. The request form is posted on the County website.

3. Billing Policies

3a. Properties receiving a storm water bill.

Most properties that are located within the County's storm water service area will receive a bill for the storm water service fee. More specifically:

- **Public properties.** All public properties with impervious areas will receive a storm water bill. The properties include buildings, maintenance facilities, and parks owned by the following, and any other governmental agency:
 - County
 - Municipal
 - State
 - Federal

The impervious areas of public streets and roads will be exempt from the storm water service fee.

- **Abandoned properties and properties with closed businesses.** Owners of these properties will continue to receive storm water bills as long as there is impervious area on these properties.
- **Condominiums.** Individual condominium units are assigned a billing classification of 1 and assessed a storm water fee based on the rate applicable to developed residential property (1 ERU X RATE = FEE). The bill is sent to the owner of each unit. Condominium Common Areas are assigned a billing classification of 2 and assessed a fee determined by multiplying the number of ERUs by the rate applicable to developed non-residential property (Number of ERUs X RATE = FEE). The bill is sent to the owner of the Common Area parcel, generally a condominium association. Condominium Common Areas in a horizontal property regime are not assessed a storm water fee.
- **Mobile homes.** If a single mobile home is located on a parcel (land use 1170 & 1171), the owner of the parcel will be billed as a Classification 1 parcel. If more than one mobile home (land use 0130) is on a single parcel, the property will be considered non-residential and all impervious area on the parcel will be determined and billed to the owner of the parcel.

3b. Properties that are exempt from receiving storm water bills.

Below is a summary of those properties exempt from receiving a storm water service fee:

- **Public Streets and Roads.** The impervious area of public streets and roads will be exempt from the storm water service fee.
- **Exempt Parcels.** The storm water service fee does not apply to and are not collected from properties listed in S.C. Code, § 12-37-220(A)(2), (3), (4) and § 12-37-220(B)(5), (6), (7), (8), (12), (16)(a), (20), (22), (24) (31). Also, these fees do not apply to and are not collected from the primary residence of persons permanently and totally disabled as identified in S.C. Code § 12-37-220(A)(9).
 - § 12-37-220(A)(2) all property of all schools, colleges, and other institutions of learning and all charitable institutions in the nature of hospitals and institutions caring for the infirmed, the handicapped, the aged, children and indigent persons, except where the profits of such institutions are applied to private use;
 - § 12-37-220(A)(3) all property of all public libraries, churches, parsonages, and burying grounds, but this exemption for real property does not extend beyond the buildings and premises actually occupied by the owners of the real property;
 - § 12-37-220(A)(4) all property of all charitable trusts and foundations used exclusively for charitable and public purposes, but this exemption for real property does not extend beyond the buildings and premises actually occupied by the owners of the real property;
 - § 12-37-220(A)(9) a homestead exemption for persons sixty-five years of age and older, for persons permanently and totally disabled and for blind persons in an amount to be determined by the General Assembly of the fair market value of the homestead under conditions prescribed by the General Assembly by general law;

- § 12-37-220(B)(1)(A) a veteran of the armed forces of the United States who is permanently and totally disabled as a result of a service-connected disability and who files with the Department of Revenue a certificate signed by the county service officer certifying this disability;
- § 12-37-220(B)(1)(B) a former law enforcement officer as further defined in Section 23-6-400(D)(1), who is permanently and totally disabled as a result of a law enforcement service-connected disability;
- § 12-37-220(B)(1)(C) a former firefighter, including a volunteer firefighter as further defined in Chapter 80 of Title 40, who is permanently and totally disabled as a result of a firefighting service-connected disability;
 - (ii) “permanently and totally disabled” means the inability to perform substantial gainful employment by reason of a medically determinable impairment, either physical or mental, that has lasted or is expected to last for a continuous period of twelve months or more or result in death;
 - (iii) “qualified surviving spouse” means the surviving spouse of an individual described in subsubitem (i) while remaining unmarried, who resides in the house, and who owns the house in fee or for life. Qualified surviving spouse also means the surviving spouse of a member of the armed forces of the United States who was killed in action, or the surviving spouse of a law enforcement officer or firefighter who died in the line of duty as a law enforcement officer or firefighter, as these terms are further defined in Section 23-6-400(D)(1) and Chapter 80 of Title 40 who at the time of death owned the house in fee or jointly with the now surviving spouse, if the surviving spouse remains unmarried, resides in the house, and has acquired ownership of the house in fee or for life;
 - (iv) “house” means a dwelling and the lot on which it is situated classified in the hands of the current owner for property tax purposes pursuant to Section 12-43-220(c).
- § 12-37-220(B)(2)(a) The dwelling house in which he resides and a lot not to exceed one acre of land owned in fee or for life, or jointly with a spouse, by a paraplegic or hemiplegic person, is exempt from all property taxation provided the person furnishes satisfactory proof of his disability to the Department of Revenue. The exemption is allowed to the surviving spouse of the person so long as the spouse does not remarry, resides in the dwelling, and obtains the fee or a life estate in the dwelling. To qualify for the exemption, the dwelling house must be the domicile of the person who qualifies for the exemption. For purposes of this item, a hemiplegic person is a person who has paralysis of one lateral half of the body resulting from injury to the motor centers of the brain. For the purposes of this exemption, “paraplegic” or “hemiplegic” includes a person with Parkinson’s Disease, Multiple Sclerosis, or Amyotrophic Lateral Sclerosis, which has caused the same ambulatory difficulties as a person with paraparesis or hemiparesis. A doctor’s statement is required stating that the person’s disease has caused these same ambulatory difficulties. A surviving spouse of a person receiving the exemption under this subsection is not allowed the exemption.
- § 12-37-220(B)(5) All property of the American Legion, the Veterans of Foreign Wars, the Disabled American Veterans, Fleet Reserve Association, and the Marine Corps League or any similar Veterans Organization chartered by the Congress of the United States, whether belonging to the department or to any of the posts in this State when used exclusively for the purpose of such organization and not used for any purpose other than club rooms, offices, meeting places, or other activities directly in keeping with the policy stated in the

National Constitution of such organization, and such property is devoted entirely to its own uses and not held for “pecuniary profit”. For the purposes of this item “pecuniary profit” refers to income received from the sale of alcoholic beverages to persons other than bona fide members and their bona fide guests, or any income, any part of which inures to the benefit of any private individual. Where any structure or parcel of land is used partly for the purposes of such organization and partly for such pecuniary profits, the area for pecuniary profits shall be assessed separately and that portion shall be taxed.

- § 12-37-220(B)(6) All property owned and used or occupied by any Young Women’s Christian Association, Young Men’s Christian Association or the Salvation Army in this State and used for the purpose of or in support of such organizations but the exemption herein provided shall not apply to such portions of any such property rented for purposes not related to the functions of the organization.
- § 12-37-220(B)(7) All property owned and used or occupied by The Boy Scouts of America or The Girl Scouts of America and used exclusively for the purposes of these organizations. The exemption allowed by this item also extends to property not owned by these organizations but which is used exclusively by them for scouting purposes.
- § 12-37-220(B)(8) Properties of whatever nature or kind owned within the State and used or occupied by the South Carolina Association of Future Farmers of America so long as such properties are used exclusively to promote vocational education or agriculture, better business methods and more effective organization for farming or to encourage thrift or provide recreation for persons studying agriculture or home economics in the public schools.
- § 12-37-220(B)(12) The property of any fraternal society, corporation or association, when the property is used primarily for the holding of its meetings and the conduct of its business and no profit or benefit there from shall inure to the benefit of any private stockholders or individuals.
- § 12-37-220(B)(16)(a) The property of any religious, charitable, eleemosynary, educational, or literary society, corporation, or other association, when the property is used by it primarily for the holding of its meetings and the conduct of the business of the society, corporation, or association and no profit or benefit there from inures to the benefit of any private stockholder or individual.
- § 12-37-220(B)(20) All property of nonprofit museums which is used exclusively for such purpose.
- § 12-37-220(B)(22) All community owned recreation facilities opened to the general public and operated on a nonprofit basis.
- § 12-37-220(B)(24) All property of nonprofit or eleemosynary community theater companies, symphony orchestras, county and community arts councils and commissions and other such companies, which is used exclusively for the promotion of the arts.

- § 12-37-220(B)(31) All real property of churches which extends beyond the buildings and premises actually occupied by the churches which own the real property if no profit or benefit from any operation on the churches' real property inures to the benefit of any private stockholder or individual and no income producing ventures are located on the churches' real property. This exemption does not change any exemption provided for churches or other entities in item (3) of subsection A of this section and item (c), Section 3 of Article X of the Constitution of this State but is an additional exemption for churches as provided in this item.

3c. Billing Parameters

The following list presents the basic operating parameters to bill for storm water services:

- **Billing Per Parcel.** The County will prepare and send storm water service fee bills based on tax parcel ID numbers. The County will not combine parcels for billing if they do not share the same tax parcel ID.
- **Partial Payments or Designation of Payments.** A property owner cannot designate if County property taxes, other fees, or storm water service fees will be paid with a partial payment. The property will be considered delinquent if partial payment is made.
- **Application of Partial Payments.** Partial payments will be distributed on a percentage basis between County property taxes, other fees, and storm water service fees. The property will be considered delinquent if partial payment is made.
- **Non-Payment of Bill.** Non-payment of storm water service fees will be handled in the same manner as non-payment of County tax bills.
- **Status of Property Billing.** The storm water service fee bill for a property for a given tax year will reflect the status of impervious surface areas in the database at the time of billing.
- **Storm Water Bills Sent to Owners.** Storm water service fees will be sent to the property owners, not the tenants.
- **Late Payment Penalties.** The late payment penalties for storm water service fees will be 5% of the current charges.
- **Impervious Area Corrections.** If it is determined that a customer's impervious area is less than the total on record within the County's database, the County will credit the overpayment to the customer's account provided the customer (1) completes an Impervious Area Modification Request Form, (2) request that an overpayment credit be applied to their account or reimbursed in the form of a check, (3) certifies that the impervious area has not changed over the period in which the overpayment credit has been requested. In no event shall overpayment credits be given for a period extending more than one year in arrears.

If the customer's impervious area is larger than the total on record within the County's database, the customer will be required to pay for the revised value starting from the date the correction is made; however, the County will not back bill for impervious area corrections.

3d. Billing triggers

- **Trigger for Setting Up New Accounts.** A storm water bill will be sent when the parcel data is incorporated into the County's master billing file. If the impervious area of a Classification 2 property has not been determined, the property will be billed for 1 ERU. A determination of the impervious area for the Classification 2 property will be made as soon as practical and reflected on future bills. Classification 1, Classification 3, and Classification 4 properties will be billed for 1 ERU.

4. Credit Policy

The Greenville County approved credit policy for eligible non-residential property owners to receive a credit on their storm water service fees bill is described in Appendix K of the Greenville County Design Manual. A copy of both the approved credit policy and the Credit Application Form are posted on the County's website.

4a. Credit policy administration

The following list provides a summary of how the credit policy will be administered.

- **Credit Policy for Non-Residential Properties.** Non-residential properties may qualify for a credit to the storm water service fee.
- **Regional Detention/Retention Credit.** If a credit is given to a property for a detention/retention facility that was designed to provide regional detention/retention, the credit will also be applied to the properties that were included in the basis of the regional design, provided the properties are eligible and apply for a credit.
- **Date Credit takes Effect.** A credit will be applied on the approval date of the credit application, as determined by the County Engineer. Full credit will be given for the entire billing period that the approval date falls within.
- **Back Credit.** A credit may be retroactively applied for up to one year if the current owner can show that the property met the requirements of the credit policy during that period and the current owner owned the property during that period. A credit will be applied to the storm water account until County storm water bills exhaust the amount unless a check for the amount is requested by the customer.
- **Applying the Storm Water Credit in the Billing File.** The credit will be applied by reducing the number of billable ERUs.
- **Transfer of a Credit with a Property Transfer.** A credit will carry over to a new property owner, and the new property owner will not need to submit a credit application. However, to maintain a credit, the new property owner will be required to sign a new agreement if an agreement was needed for the original credit, as well as provide continuing maintenance or administration of the circumstances that gave rise to the credit.

5. Appeals Process

Although Greenville County has an official appeals process in place, County staff shall strive to resolve customer complaints promptly through open dialog with the customer. In the event that customer complaints cannot be resolved through open dialog, customers will be instructed by County staff to comply with the County's official appeals process as described in section 8-172 of the ordinance.

§ 8-172 Appeals.

(a) Any person aggrieved by the amount of the Storm water Fee imposed with respect to property in which he has an interest may appeal the amount of the Storm water Fee by filing a written notice of appeal with the Assistant County Administrator for Public Works within 30 days of mailing or delivery of the notification of the Storm water Fee. The Assistant County Administrator for Public Works will send the decision and notice of appeal to a hearing officer to be appointed by the County Administrator or their designee. The notice of appeal shall state the specific reasons why the amount of the Storm water Fee is alleged to be in error. The hearing officer shall hear the appeal within 30 days after receipt of the written appeal, or within such time as may be practicable. The hearing officer shall render a decision on the appeal in writing within 10 working days after the appeal has been heard. The decision of the hearing officer shall be final with respect to the Storm water Fees.

(b) Any person aggrieved by the decision of the Assistant County Administrator for Public Works with respect to a civil penalty imposed may appeal in writing within 30 days of the mailing or delivery of the notification of the imposition of such penalty to the Assistant County Administrator for Public Works according to the procedure set forth in subsection (a) above. The penalty shall be stayed during the pendency of such appeal. The decision of the hearing officer shall be final with respect to penalties.

(c) The hearing officer shall conduct a *de novo* review of the fee or civil penalty, provide the appellant with notice of the review, and allow the appellant an opportunity to be heard orally or in writing upon request.

