

ORDINANCE NUMBER 2023-



**AN ORDINANCE AMENDING CHAPTER 30, ARTICLE III,
STORMWATER MANAGEMENT, SECTION 30-58
OF THE CITY CODE OF THE CITY OF WAYNESBORO, VIRGINIA**

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY
OF WAYNESBORO, VIRGINIA THAT:**

1. Chapter 30, Article III, Section 30-58 of the City Code, Stormwater Management, of the City of Waynesboro, Virginia is amended and readopted as follows:

Sec. 30-58. - Stormwater utility fee.

- (a) A stormwater utility fee shall be imposed on every improved parcel in the city when it first appears on the real property assessment rolls as an improved parcel on January 1, and each month thereafter, regardless of whether the parcel is subject to real estate taxes or other exemptions. A parcel shall be deemed an improved parcel when the improvements are substantially completed or fit for use and/or occupancy. The stormwater utility fee shall be billed biannually in arrears.
- (b) All stormwater utility fees and other income from the fees shall be deposited into the stormwater management enterprise fund.
- (c) The rate per equivalent residential unit (ERU-the billing unit) to be used for calculating the stormwater utility fee shall be reviewed annually and set by the City Council to be effective July 1 of each year.
- (d) Except as otherwise provided in this ordinance, the impervious area for a property shall be determined by the City using aerial photography, as-built drawings, final approved site plans, field surveys or other appropriate engineering and mapping analysis tools.
- (e) Notwithstanding subsection (a), and consistent with Code of Virginia, § 15.2-2114(C), the stormwater utility fee shall be waived in its entirety for the following:
 - (1) A federal, state, or local government, or public entity, that holds a permit to discharge stormwater from a municipal separate storm sewer system in accordance with Code of Virginia, § 62.1-44.15:24, *et seq.*; except that the waiver of charges shall apply only to property covered by any such permit;
 - (2) Public roads and street rights-of-way that are owned and maintained by state or local agencies including property rights-of-way acquired through the acquisitions process;
 - (3) Any person who owns and provides for complete private maintenance of storm drainage and stormwater facilities, provided such person has obtained the proper permits from the Department of Environmental Quality; and

- (4) Undeveloped property shall be exempt from the utility fee.
- (f) For the purpose of determining the utility fee, all properties in the city shall be classified by the Public Works Director (hereinafter "Director") into one of the following categories:
 - (1) Undeveloped Property
 - (2) Single-family residential; and
 - (3) Multi-family residential and nonresidential
- (g) Rates.
 - (1) Undeveloped Property
 - a. Exempt from fee
 - (2) Single Family Residential
 - a. Single-Family Residents are billed in accordance with this table:

FEE SCHEDULE FOR SINGLE-FAMILY RESIDENTIAL		
Single-family Residential	Monthly Fee	Biannual Billing
Tier (1) 250 to 1,200 sq. ft.	\$2.42	\$14.52
Tier (2) 1,201 to 3,000 sq. ft.	\$4.84	\$29.04
Tier (3) >3,000 sq. ft.	\$9.68	\$58.08

- (3) Multi-family Residential and Nonresidential
 - a. The monthly utility fee shall be the ERU rate of \$4.84 per month for one ERU until modified by City Council. An ERU is 1,600 square feet of impervious surface.
 - b. The monthly fee shall be calculated by dividing impervious surface on the subject property by 1,600 and multiplying by the ERU rate as established by the City Council except that no fee shall exceed 244 ERUs per month. All multi-family and nonresidential properties shall be billed one ERU at minimum. The utility fee for vacant developed property, both residential and nonresidential, shall be the same as that for occupied property of the same class.

CERTIFICATE

The undersigned Mayor and Clerk of the City Council of City of Waynesboro, Virginia hereby certify that the foregoing constitutes a true and correct copy of an ordinance entitled Ordinance Amending Chapter 30, Article III, Stormwater Management, Section 30-58 of the City Code of the City of Waynesboro, Virginia, adopted by the City Council at a meeting held on _____, 2023.

Introduced: ON MAY 22, 2023 BY COUNCIL MEMBER TERRY SHORT, JR.

Adopted: _____, 2023

Effective: _____, 2023

[SEAL]

ATTEST: _____
Clerk, City Council
City of Waynesboro, Virginia

Mayor, City Council
City of Waynesboro, Virginia