



City of Harrisonburg, Virginia
Department of Public Works
320 East Mosby Road
Harrisonburg, VA 22801
540-434-5928
stormwater@harrisonburgva.gov

Credit Application Guide for Existing Non-Residential BMPs

This information is provided to assist property owners in collecting information and documentation required to complete a Stormwater Utility Credit Application for Non-Residential properties. Property owners should contact a professional engineering firm for assistance.

1. Review the Stormwater Utility Fee Credit Manual for Non-Residential, www.harrisonbugva.gov/stormwater-utility. Then go to step 2.
2. Locate your property's Site Development Plans and Stormwater BMP calculations. We strongly recommend contacting the professional engineering firm who developed the original site plans and stormwater calculations as they can best assist you. If you do not know who that is, you may contact Harrisonburg Department of Community Development (540-432-7700) and they can provide you access to copies of plans and calculations. Community Development asks that you fill out a *Request to View Development Files in Community Development* form which can be sent electronically or submitted hardcopy to Community Development. Please allow 3-5 business days to arrange a time to view the files. Go to step 3.
3. Determine whether your existing stormwater BMP has a recorded Maintenance Agreement on file with the Rockingham County Clerk of Court's office. (Harrisonburg Department of Community Development can assist with this determination. The *Request to View Development Files in Community Development* form should be filled out for this request.)
 - a. If yes, keep a copy of the Maintenance Agreement and go to step 4.
 - b. If not, go to *Procedures for completing the Stormwater Management/ BMP Facilities Maintenance Agreement for Pre-Existing Stormwater Management/ BMP Facilities Required to Satisfy Development Regulation and applying for a stormwater utility fee credit, see below.*
4. As required by the Maintenance Agreement and referenced in the City's Design & Construction Standards Manual (<http://www.harrisonburgva.gov/dcsm>), determine whether your stormwater BMP been inspected in the last 5 years and if the inspection form was submitted to, and accepted by the Harrisonburg Department of Community Development.
 - a. If yes, keep a copy of the inspection form and go to step 6.

- b. If not, go to step 5 .
5. Hire a professional engineer to inspect your stormwater BMP to document that it is in good, working order and complete the inspection form (available in the Virginia Stormwater Management Handbook, http://www.deq.virginia.gov/files/wps/2013_SWM_Handbook/Chapter%2009/ Click on Appendix 9 – Chapter 9C.) If any repairs are needed, make repairs, and have a professional engineer complete an inspection form before continuing with your Credit Application. Once the stormwater BMP is documented to be in good, working order continue to 6.
6. Fill out the Stormwater Utility Fee Credit Application for Non-Residential Form and submit required attachments to Harrisonburg Public Works. Once approved by the Public Works department, go to step 7.
7. As outlined in the Agreement and Credit Manual,
 - a. The property owner is responsible for having a professional engineer conduct inspections of their BMP(s) once every five years. The inspection report is to be submitted to the Department of Community Development. Reports shall be submitted to the Department of Community Development by July 1 of the inspection year, no earlier than 60 days prior.
 - b. The deed runs with the land and the stormwater management/ BMP facility must be adequately maintained by the Landowner and successors.
 - c. If maintenance actions are not corrected by the Landowner within the time prescribed in the Agreement, the revocation of the stormwater utility fee credits will take place automatically.



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Procedures for completing the *Stormwater Management/ BMP Facilities Maintenance Agreement for Pre-Existing Stormwater Management/ BMP Facilities Required to Satisfy Development Regulations and applying for a stormwater utility fee credit*

These steps to be completed by the owner of a property to receive stormwater utility fee credit (reduced fee) for an existing stormwater BMP that (a) was constructed to satisfy development regulations and (b) does not have a maintenance agreement recorded at the Rockingham County Clerk of Court's office.

1. As outlined in the *Stormwater Utility Fee Credit Manual for Non-Residential*, prior to recording the deed, the landowner shall have a licensed professional engineer or other person who holds a certificate of competence described in [Virginia Code 9VAC24-870-114](#) to verify that the BMP is functioning correctly. The applicant must keep a copy of inspection documentation to submit to the City.
2. Once the pre-existing BMP has been documented to be functioning properly, the owner shall have the Maintenance Agreement recorded. Steps for recording the Maintenance Agreement:
 - a. Submit draft maintenance agreement to Public Works for review. The agreement shall include a vicinity map, site map with roads, property tax map number, and location of "BMP Boundary" or "BMP Area(s)" shown on the map. If possible, a reference should be made back to the original site plan. If multiple BMPs are located on the property, only one maintenance agreement needs to be submitted as long as the appropriate exhibits designating "BMP Area(s)" are also provided.
 - b. If revisions to the agreement are required, Public Works will inform the landowner.
 - c. If approved by Public Works, city staff will submit to the City Attorney for the City Manager to sign.
 - d. The signed maintenance agreement will be returned to the Landowner, who will also sign, and then will have the maintenance agreement recorded at the Rockingham County Clerk of Court's office at the owner's expense.

3. Landowner will submit the Stormwater Utility Fee Application, copy of recorded Maintenance Agreement, and other required documentation as outlined in the *Stormwater Utility Fee Credit Manual for Non-Residential to Public Works*.
4. Public Works will have 45 days to approve or deny the stormwater utility fee application.
8. As outlined in the Agreement and Credit Manual,
 - a. The property owner is responsible for having a professional engineer conduct inspections of their BMP(s) once every five years. The inspection report is to be submitted to the Department of Community Development. Reports shall be submitted to the Department of Community Development by July 1 of the inspection year, no earlier than 60 days prior.
 - b. The deed runs with the land and the stormwater management/ BMP facility must be adequately maintained by the Landowner and successors.
 - c. If maintenance actions are not corrected by the Landowner within the time prescribed in the Agreement, the revocation of the stormwater utility fee credits will take place automatically.