



Stormwater Utility Bill Status

Stormwater Utility Seminar

March 26, 2010

Purposes

- Setting the Stage: Why are we doing this?
- History of the Bolt decision
- Summary of the stormwater utility bill

Why is SEMCOG involved?

- Stormwater issue to our 160 plus members
- Stormwater services
 - Stormwater Pollution Prevention Plan
 - Stormwater Audit
 - Green Infrastructure Presentations
 - Site analysis

Why is SEMCOG involved?

- Investment in legislation is two-fold:
 - More stringent requirements are coming
 - Inability to pay out of general fund

Description of the Problem

Fiscal resources constrained,
not temporary

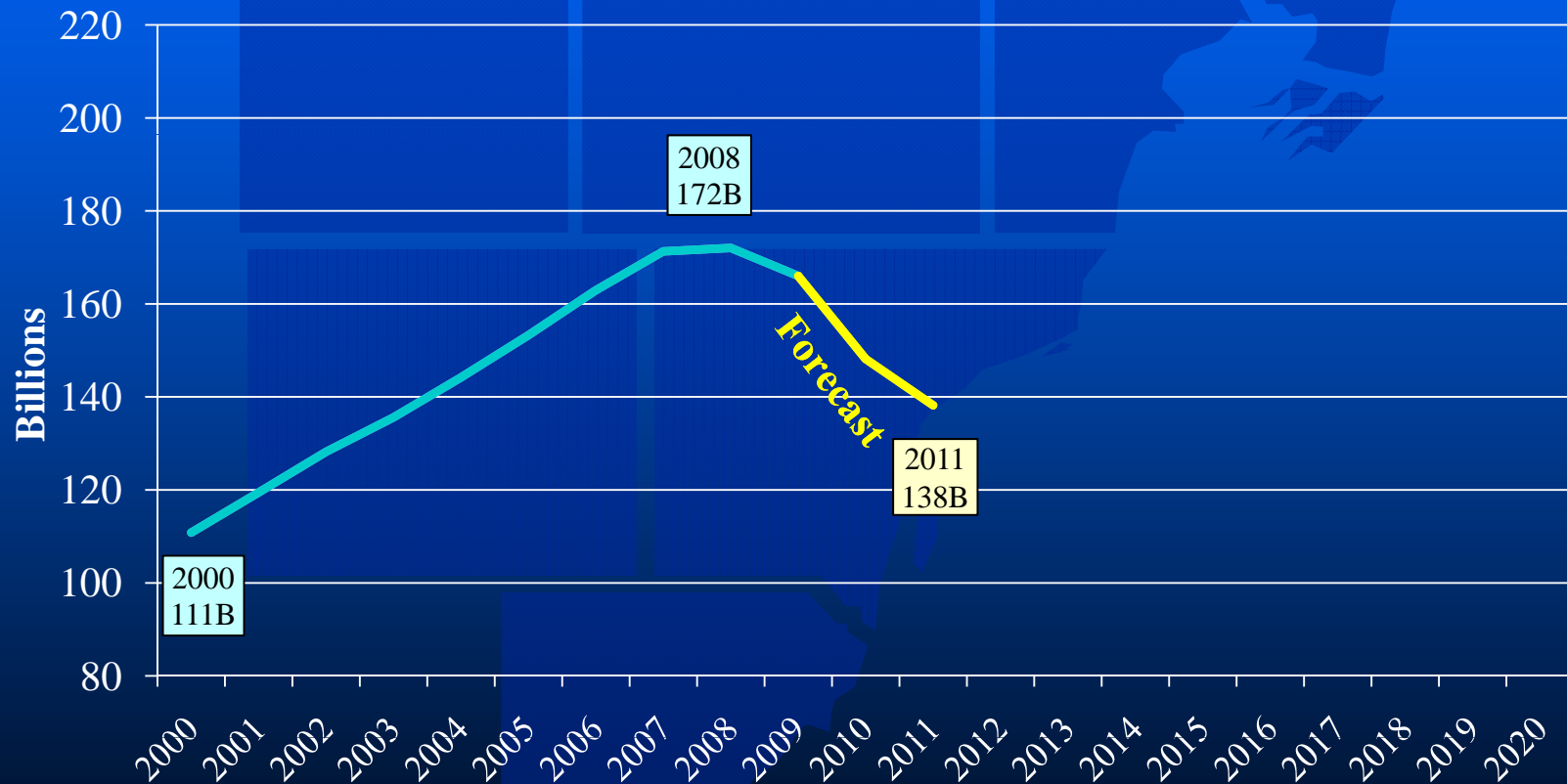
Taxable Property Value – Real Dollars



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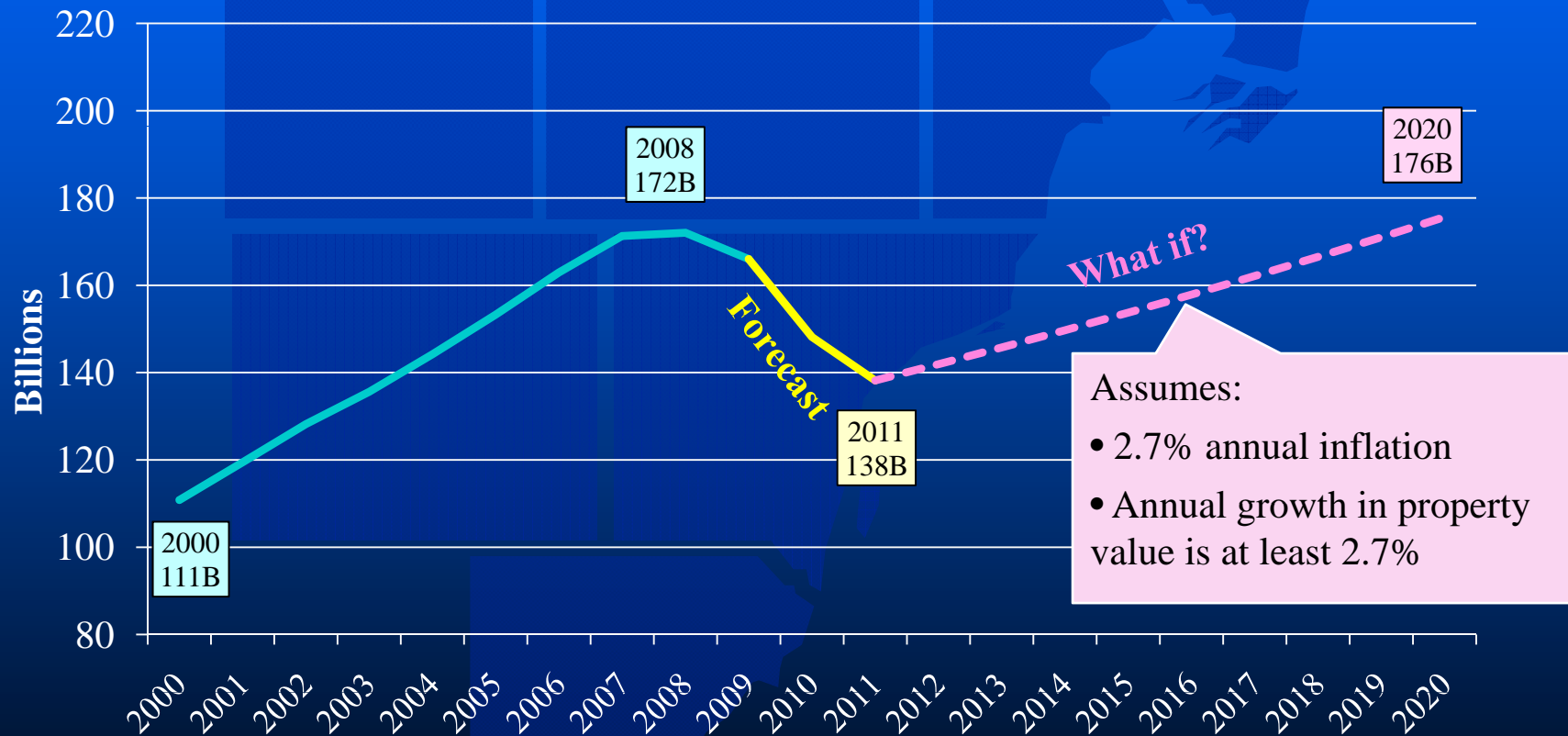
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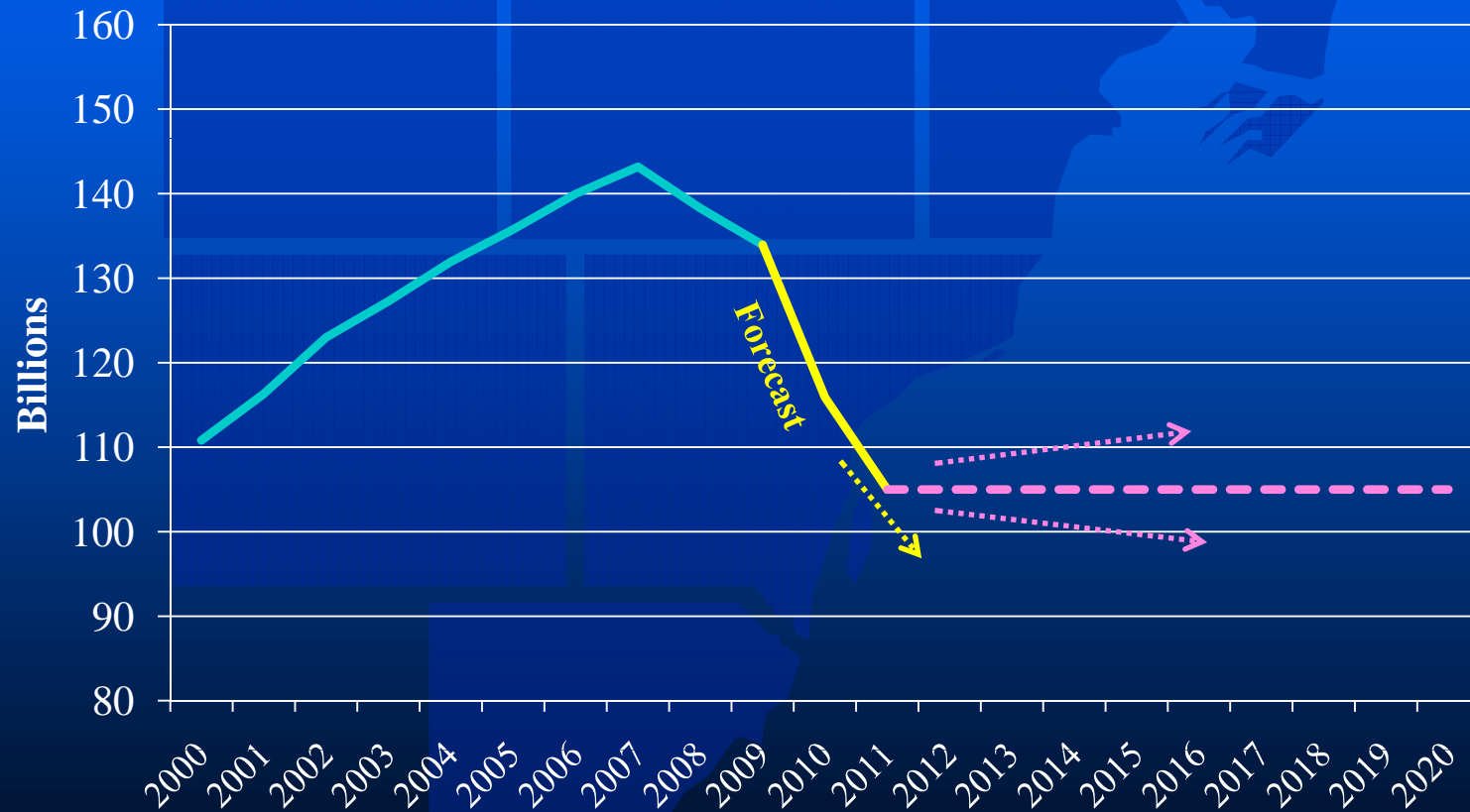
Taxable Property Value – Real Dollars



Description of the Problem

What's our future???

Taxable Property Value – Constant Dollars (2000)



Bolt History



- 1998 Michigan Supreme Court Decision
- Characteristics of fee v. tax
 - Regulatory
 - Proportional
 - Voluntary

Stormwater Utility Draft Bill

Regulatory Purpose

The fee must serve a regulatory purpose rather than a revenue raising purpose.

Draft Bill includes:

- Findings section includes need for local governments to manage stormwater for water quality protection of public health, safety, and welfare.

Stormwater Utility Draft Bill

Proportionate

Fee must be proportionate to costs of service

Draft Bill includes:

- The management of stormwater through established calculations
 - 5 different methods
 - Service comprehensively defined

Stormwater Utility Draft Bill

Voluntary

Users must be able to refuse or limit their use of the commodity or service.

Draft Bill includes:

- Initially, no one is in the system
- Credits **required** for reducing cost of service

Stormwater Utility Draft Bill Mechanics

- Stormwater Management Plan
 - Services to be provided
 - Expenses of program
 - Properties to be included
- Ordinance

Stormwater Utility Status

- Bill introduction
 - SB 1249, April 18, 2008
 - » Referred to Committee
 - » Multiple workgroup sessions
 - SB 256, February 18, 2009
 - » Referred to Committee
 - » Multiple workgroup sessions

Stormwater Utility Status

2010

- Senator committed to introducing bill
- SEMCOG to assist in finalizing language
- Goal is to pass bill in 2010

A silhouette of a person's head and shoulders in profile, facing right, with their hand resting on their chin in a thinking pose. The silhouette is set against a blue gradient background. A grid of dark blue squares is overlaid on the image, with the word 'Questions?' centered in the middle of the grid.

Questions?