



**FLOOD
DEFENSE
NEW JERSEY**
New Jersey Stormwater Utility Model Ordinance
(Establishing a Stormwater Management Fee System)

Note: This model creates a stand-alone stormwater utility as part of an existing department.

WHEREAS, the (city of _____) (local utility) is responsible for stormwater management in _____(location); and

WHEREAS, New Jersey Stormwater Management Rules N.J.A.C. 7:8 provides that the purpose of the stormwater management statute is to facilitate municipal compliance with the Water Quality Act of 1977, and applicable EPA regulations, particularly those arising from § 405 of the Water Quality Act of 1987, and § 402 (p) of the Clean Water Act of 1977, and to enable municipalities to regulate stormwater discharges, establish a system of drainage facilities, construct and operate a system of stormwater management and flood control facilities, and to “fix and require payment of fees for the privilege of discharging stormwater.”

WHEREAS, The State of New Jersey faces an extensive set of problems due to inadequate stormwater infrastructure and management, and these problems directly affect the health, safety, economic well-being, and quality of life of New Jersey residents.

WHEREAS, When storms occur, rainwater runs off of impervious surfaces such as roads, roofs, and parking lots, and into stormwater management systems and waterways. This stormwater carries with it oil, pesticides, other chemicals, sediments, and bacteria that may contaminate State waters, potentially making them unsafe for drinking, fishing, and recreational purposes. It is estimated that up to 60 percent of the State’s existing water pollution is attributable to stormwater and nonpoint sources of pollution.

WHEREAS, Additionally, if a stormwater management system is not in place or is not able to adequately absorb, capture, or convey stormwater, then runoff in large volume and force may cause flooding and damage to homes, businesses, and property. A projected increase in sea level rise and more frequent and severe storms are expected to only increase flooding.

WHEREAS, New Jersey, in particular, is prone to pollution and flooding problems, with over 10 percent of its land area covered with impervious surfaces. These problems are particularly acute in the 21 urban New Jersey municipalities that have combined sewer systems, which routinely overflow and discharge untreated wastewater and stormwater into the State’s waters, contributing to water pollution and impairing the use and enjoyment of those waters.

WHEREAS, Stormwater infrastructure in New Jersey currently lacks a dedicated source of funding and, consequently, receives few upgrades and little maintenance once built. In some instances, stormwater infrastructure goes unmonitored and unattended until it breaks down; in other instances, it is simply inadequate to manage stormwater.



WHEREAS, Establishment of local stormwater utilities presents an effective management strategy to address stormwater issues. Currently, there are more than 1,500 stormwater utilities operating in 40 states across the country and the District of Columbia. Stormwater utilities are often authorized to assess fair and equitable fees to fund the development, improvement, and management of stormwater infrastructure.

WHEREAS, the governing body therefore determines that it is in the public interest to authorize the establishment of local stormwater utilities, and to allow those utilities to assess fees that are based on a fair and equitable approximation of the proportionate contribution of stormwater runoff from any real property, in order to finance the improvement of the State's stormwater infrastructure, better control water pollution and flooding, restore and enhance the quality of the State's waters, and protect the public health, safety, and welfare and the environment.

WHEREAS, the governing body further determines that green infrastructure is an effective approach to managing stormwater because it reduces and treats stormwater at its source while delivering other environmental, social, and economic benefits. The use of green infrastructure should be encouraged and, where appropriate, required to help decrease pollutant loads and runoff volumes to receiving waters.

WHEREAS, the governing body of a municipality is authorized by the Clean Stormwater and Flood Reduction Act (P.L.2019, c.42) to adopt a system of charges to fund the implementation of stormwater management programs and provides that among other powers municipalities have with respect to stormwater facilities, is the power by ordinance or resolution to:

(1) Exercise general regulation over the planning, location, construction, and operation and maintenance of stormwater facilities in the municipality, whether or not owned and operated by the municipality;

(2) Adopt any rules and regulations deemed necessary to accomplish the purposes of this statute, including the adoption of a system of fees for services and permits;

(3) Establish standards to regulate the quantity of stormwater discharged and to regulate stormwater contaminants as may be necessary to protect water quality;

(4) Review and approve plans for stormwater management in proposed subdivisions or commercial developments;

(5) Issue permits for stormwater discharges, and for the construction, alteration, extension, or repair of stormwater facilities;

(6) Suspend or revoke permits when it is determined that the permittee has violated any applicable ordinance, resolution, or condition of the permit;

(7) Regulate and prohibit discharges into stormwater facilities of sanitary, industrial, or commercial sewage or waters that have otherwise been contaminated;



(8) Expend funds to remediate or mitigate the detrimental effects of contaminated land or other sources of stormwater contamination, whether public or private;

WHEREAS, (the City) wishes to enact a stormwater management fee system based on factors that influence runoff, including land use and the amount of impervious surface on the property;

WHEREAS, all real property in (the City), including property owned by public and tax-exempt entities, contributes to runoff and either uses or benefits from the stormwater management system;

WHEREAS, stormwater runoff contributes to nonpoint source pollution to the streams of (the City)'s watersheds and a stormwater management program can reduce this type of pollution;

WHEREAS, stormwater can produce local or regional flooding and proper stormwater management can reduce potential hazards to property and thus help to preserve its value;

WHEREAS, a stormwater management fee system offers additional financial management options that could assist (the City) to improve stormwater and drainage services;

WHEREAS, stormwater management can be addressed across municipal boundaries and on a regional and/or watershed basis; and

WHEREAS, it is in the interests of the public to fund stormwater management with a user fee system that allocates the cost of stormwater management to all property owners in (the City) and that further seeks to base the amount of the stormwater management fee on the extent that each parcel of real property contributes to the need for stormwater management.

NOW THEREFORE BE IT ORDAINED BY (GOVERNING BODY) OF (THE CITY) THAT:

Section 1. Legislative Findings and Policy

(a) The (City) maintains a stormwater management system including, but not limited to, inlets, conduits, manholes, channels, ditches, drainage easements, retention and detention basins, infiltration facilities, and other components.

(b) The stormwater management system in (the City) needs regular maintenance and improvements.

(c) Water quality is degrading due to erosion and the discharge of nutrients, metals, oil, grease, toxic materials, and other substances into and through the stormwater management system.

(d) The public health, safety, and welfare is adversely affected by poor ambient water quality and flooding that results from inadequate management of both the quality and quantity of stormwater.

(e) All real property in (the City) either uses or benefits from the maintenance of the stormwater management system.



(f) The extent of use of the stormwater management system by each property is dependent on factors that influence runoff, including land use and the amount of impervious surface on the property.

(g) The costs of improving, maintaining, operating, and monitoring the stormwater management system should be allocated to the extent practicable, to all property owners based on the impact of runoff from the impervious areas of their property on the stormwater management system.

(h) Management of the stormwater management system to protect the public health, safety, and welfare requires adequate revenues and it is in the interest of the public to finance stormwater management adequately with a user charge system that is reasonable and equitable so that each user of the stormwater management system pays to the extent to which s/he contributes to the need for it.

Section 2. Creation of Stormwater Utility

For those purposes of the Federal Clean Water Act and the New Jersey Clean Stormwater and Flood Reduction Act (P.L.2019, c.42), there is created a stormwater utility which shall consist of a manager or director and such staff as the municipality's governing body shall authorize.

[NOTE: Organizational variations are possible depending upon the wants, needs, and capabilities of individual municipalities. For example, the stormwater utility could be made a stand-alone department, or placed under an existing department.]

The stormwater utility, under the legislative policy, supervision and control of the governing body of (the City) shall:

1. Administer the acquisition, planning, design, construction, maintenance and operation of the stormwater management system, including capital improvements designated in the capital improvement program;
2. Administer and enforce this ordinance and all regulations and procedures adopted relating to the design, construction, maintenance, operation, and alteration of the stormwater management system, including, but not limited to, the quantity, quality and/or velocity of the stormwater conveyed thereby;
3. Advise (the municipality's) governing body and other city departments on matters relating to the utility;
4. Prepare and revise a stormwater management plan, including mapping of the stormwater collection system and stormwater management facilities, identifying pollutant sources and opportunities for retrofitting existing development with stormwater management practices, for adoption by (the municipality's) governing body;
5. Develop and implement an asset management program for a stormwater management system;
6. Review plans and approve or deny, inspect and accept extensions and connections to the system;
7. Enforce regulations to protect and maintain water quality and quantity within the system in compliance with water quality standards and New Jersey Pollutant Discharge



Elimination System permits established by state, regional and/or federal agencies as now adopted or hereafter amended, including those associated with total maximum daily loads (TMDLs);

8. Annually analyze the cost of services and benefits provided; and the system and structure of fees, charges, civil penalties and other revenues of the utility.

Section 3. Definitions

For the purpose of this ordinance, the following definitions shall apply: Words used in the singular shall include the plural, and the plural shall include the singular; words used in the present tense shall include the future tense. The word “shall” is mandatory and not discretionary. The word “may” is permissive. Words not defined in this section shall be construed to have the meaning given by common and ordinary use as defined in the latest edition of Webster’s Dictionary.

1. *Base Rate* means the stormwater user’s annual fee for a detached single family residential property in (the City).
2. *BMPs (Best Management Practices)* means activities or structural improvements that help reduce the quantity and improve the quality of stormwater runoff
3. *Construction* means the erection, building, acquisition, alteration, reconstruction, improvement or extension of the stormwater management system; preliminary planning to determine the economic and engineering feasibility of the stormwater management system; the engineering, architectural, legal, fiscal, and economic investigations and studies, surveys, designs, plans, working drawings, specifications, procedures, and other action necessary in the construction of the stormwater management system.
4. *Developed Property* means real property which has been altered from its natural state by the creation or addition of impervious areas, by the addition of any buildings, structures, pavement, or other improvements.
5. *Equivalent Residential Unit (ERU)* means the average square footage of a detached single-family residential property determined pursuant to this ordinance.
6. *Exempt Property* means properties which are exempt from paying the fee, herein defined as agricultural land actively devoted to agricultural or horticultural use that is valued, assessed, and taxed pursuant to the “Farmland Assessment Act of 1964, P.L.1964, c. 48 (C.54:4-23.1 et seq.), as set forth in New Jersey Clean Stormwater and Flood Reduction Act (P.L.2019, c.42), as amended and supplemented from time to time.
7. *Fee or Stormwater Management Fee* means the charge established under this ordinance and levied on owners or users of parcels or pieces of real property to fund the costs of stormwater management and of operating, maintaining, and improving the stormwater management system in (the municipality). The stormwater management fee is in addition to any other fee that (the municipality) has the right to charge under any other rule or regulation of (the municipality).



8. *Fiscal Year* means July 1 of a calendar year to June 30 of the next calendar year, both inclusive, [or the fiscal year of the entity enacting this ordinance/overseeing the utility].
9. *Green Infrastructure* means stormwater management measures that captures, filters, absorbs, and/or reuses stormwater to help restore the natural water cycle by reducing stormwater runoff, promoting infiltration, and/or enhancing evapotranspiration
10. *Impervious Surface* means a surface that has been covered with a layer of material so that it is highly resistant to infiltration by water.
11. *Impervious Surface Area* means the number of square feet of horizontal surface covered by buildings and other impervious surfaces. All building measurements shall be made between exterior faces of walls, foundations, columns or other means of support or enclosure.
12. *Multi-Family Dwelling* means a building with more than two dwelling units
13. *Other Developed Property* means developed property other than single-family residential property. Such property shall include, but not be limited to, commercial properties, industrial properties, parking lots, hospitals, schools, recreational and cultural facilities, hotels, offices, and churches.
14. *Person* means any and all persons, natural or artificial, including any individual, firm or association, and any municipal or private corporation organized or existing under the laws of this or any other state or country.
15. *Property Owner* means the property owner of record as listed in the county's assessment roll. A property owner includes any individual, corporation, firm, partnership, or group of individuals acting as a unit, and any trustee, receiver, or personal representative
16. *Single Family Residential Property* means a developed property which serves the primary purpose of providing a permanent dwelling unit to a single family.
17. *Stormwater* means water resulting from precipitation, including rain and snow, which runs off the land's surface, is transmitted to the subsurface, or is captured by separate storm sewers or other sewage or drainage facilities, or conveyed by snow removal equipment.
18. *Stormwater Management Fee* or *Fee* means the charge established under this Chapter and levied on owners of pieces of real property to fund the costs of stormwater management and of operating, maintaining, and improving the local stormwater system.
19. *Stormwater Management* means the planning, design, construction, regulation, improvement, repair, maintenance, and operation of facilities and programs relating to water, flood plains, flood control, grading, erosion, tree conservation, and sediment control.
20. *Stormwater Management System* means any equipment, plant, structures, machinery, apparatus, management practices, design practices, planning activities, or land, or any combination thereof, acquired, used, constructed, implemented, or operated to convey



stormwater, control or reduce stormwater runoff and associated pollutants or flooding, induce or control the infiltration of groundwater recharge of stormwater, or eliminate illicit or illegal non-stormwater discharges into stormwater

21. *Undeveloped Property* means any non-single family residential property which has one-third or less of the base unit of impervious surface area.
22. *User* means the owner of record of property subject to the stormwater user's fee imposed by this ordinance.
23. *Water* means any storm water, surface water, snow melt or ground water.

Section 4 Funding of Stormwater Utility

Funding for the stormwater utility's activities may include, but not be limited to, the following:

1. Stormwater user's fees;
2. Civil penalties and damage assessments imposed for or arising from the violation of the city's stormwater management ordinance;
3. Stormwater permit and inspection fees;
4. Bonds issued pursuant to "Local Bond Law"; and
5. Other funds or income obtained from federal, state, local, and private grants, or revolving funds.

To the extent that the stormwater user fees collected are insufficient to construct needed stormwater management system components, the cost of the same may be paid from such city funds as may be determined by the municipality's governing body.

Section 5 Stormwater Fund

All revenues generated by or on behalf of the stormwater utility shall be deposited in a stormwater utility fund and used exclusively for the stormwater utility.

Section 6 Purposes of the Stormwater Fund

The Stormwater Fund shall be used for the following purposes:

1. The acquisition by gift, purchase, or condemnation of real and personal property, and interests therein, necessary to construct, operate, and maintain stormwater control facilities.
2. All costs of administration and implementation of the stormwater management program, including the establishment of reasonable operating and capital reserves to meet unanticipated or emergency stormwater management requirements.
3. The costs of inventorying assets currently in place and of evaluating what is needed to address future stormwater management needs.
4. Engineering and design, debt service and related financing expenses, construction costs for new facilities, and enlargement or improvement of existing facilities.
5. Installation of green infrastructure practices.
6. Operation and maintenance of the stormwater system.



7. Monitoring, surveillance, and inspection of stormwater control devices.
8. Water quality monitoring and water quality programs.
9. Retrofitting developed areas for pollution control.
10. Inspection and enforcement activities.
11. Billing and administrative costs, to the extent permitted by the Clean Stormwater and Flood Reduction Act (P.L.2019, c.42).
12. Other activities which are reasonably required, including but not limited to those that are reasonable and necessary to comply with the municipal separate storm sewer (MS4) permit of the city.
13. The guidelines and the priority ranking system developed pursuant to this section for selecting projects or programs to be awarded grants or other forms of financial assistance from the fund shall include factors to ensure that grants or other forms of financial assistance from the fund are allocated to projects or programs that will serve communities that are disproportionately impacted by the effects of environmental degradation and climate change, and alleviate the negative effects on human health and the environment resulting therefrom.

Section 7. Operating Budget

The municipality's governing body shall adopt an operating budget for the stormwater utility each fiscal year. The operating budget shall set forth for such fiscal year the estimated revenues and the estimated costs for operations and maintenance, extension and replacement and debt service.

Section 8. Stormwater user's fees established

There shall be imposed on each and every developed property in (the city), except Exempt Property as defined by the Clean Stormwater and Flood Reduction Act (P.L. 2019, c42).

Prior to establishing or amending user's fees, the municipality shall advertise its intent to do so by publishing notice in a newspaper of general circulation in (the city) at least thirty (30) days in advance of the meeting of the municipality's governing body which shall consider the adoption of the fee or its amendment. *The Flood Defense Coalition suggests that a locality should consult their own rate ordinance to coordinate this section.*

Section 9. Equivalent Residential Unit (ERU)

Stormwater utility entities need to calculate how the fee will be assessed. *The Flood Defense Coalition can provide various models on how entities across the nation have approached this calculation.*

Section 10. Property classification for Stormwater User's Fees

1. For purposes of determining the stormwater user's fee, all properties in the city are classified into one of the following classes"



- (a) Single family residential property;
 - (b) Other developed property;
 - (c) Exempt Property.
2. *Single Family Residential Fee.* The municipality's governing body finds that the intensity of development of most parcels of real property in the municipality classified as single family residential is similar and that it would be excessively and unnecessarily expensive to determine precisely the square footage of the improvements (such as buildings, structures, and other impervious areas) on each such parcel. Therefore, all single family residential properties in the city shall be charged a flat stormwater management fee, equal to the base rate, regardless of the size of the parcel or the improvements.
 3. *Other developed property fee.* The fee for other developed property (i.e., non-single-family residential property) in the municipality shall be the base rate multiplied by the numerical factor obtained by dividing the total impervious area (square feet) of the property by one base unit. The impervious surface area for other developed property is the square footage for the buildings and other improvements on the property as listed in the State assessment roll. [OPTION -- Alternatively, upon good cause shown, the impervious surface area of other developed property may be determined through site examination, mapping information, aerial photographs, and other available information.] The minimum stormwater management fee for other developed property shall equal the base rate for single family residential property.
 4. *Exempt Property.* There shall be no stormwater user's fee for Exempt Property.

Section 11. Base Rate.

The municipality's governing body shall, by ordinance or resolution, establish the base rate for the stormwater user's fee. The base rate shall be calculated to ensure adequate revenues to fund the costs of stormwater management and to provide for the operation, maintenance, and capital improvements of the stormwater system in (the city.)

Section 12. Adjustments to stormwater user's fees.

The stormwater utility shall have the right on its own initiative to adjust upward or downward the stormwater user's fees with respect to any property, based on the approximate percentage on any significant variation in the quality of stormwater, emanating from the property, compared to other similar properties. In making determinations of the similarity of property, the stormwater utility shall take into consideration the location, geography, size, use, impervious area, stormwater facilities on the property, and any other factors that have a bearing on the variation. Credits will be awarded to property owners who use Best Management Practices (BMPs) to manage stormwater on their property. BMPs are green infrastructure techniques that limit impervious cover and reduce the amount of runoff generated. These practices include:

- Green roofs
- Permeable pavement



- Rainwater harvesting
- Rain gardens and bioretention basins
- Bioswales
- Vegetated filter strips
- Downspout planters
- Stormwater planters
- Cisterns and rain barrels
- Tree filter boxes
- Urban tree canopy
- Regional solutions which provide a watershed-wide stormwater mitigation strategy

Section 12a. Green Infrastructure Design Standards

Design standards for green infrastructure projects will take into account weather projections and climate change. Rainfall data for weather projection purposes are at <https://www.nj.gov/dep/climatechange/data.html>.

Section 13. Property owners to pay charges.

The owner of each lot or parcel, except Exempt Property, shall pay the stormwater user's fees and charges as provided in this ordinance.

Section 14. Billing procedures and penalties for late payment

1. *Rate and Collection Schedule.* The stormwater user's fee must be set at a rate, and collected on a schedule, established by ordinance or resolution.
2. *Delinquent Bills.* The stormwater user's fee shall be paid in person or by mail at _____ and shall become delinquent as of _____ days following the billing. Any unpaid stormwater user's fee shall bear interest at the legal rate if it remains unpaid after _____ days following the billing.
3. *Penalties for Late Payment.* Stormwater user's fees shall be subject to a late fee established by ordinance or resolution. The municipality shall be entitled to recover attorney's fees incurred in collecting delinquent fees. Any charge due under this ordinance which shall not be paid may be recovered at law by the municipality.

Section 15. Appeals of fees

1. Generally. Any person who disagrees with the calculation of the stormwater user's fee, as provided in this ordinance or resolution, or who seeks a stormwater user's fee adjustment based upon stormwater management practices, may appeal such fee determination to the stormwater utility within thirty (30) days from the date of the last bill containing stormwater user's fees charges. Any appeal shall be filed in writing and shall state the grounds for the appeal. The stormwater utility director may request additional information from the appealing party.



2. Adjustments. Stormwater user's fee adjustment for stormwater management practices may be considered for: reductions in runoff volume including discharge to a non-city drainage system; and properly designed, constructed, and maintained existing retention facilities, i.e. evaporation and recharge. Based upon the information provided by the utility and the appealing party, the stormwater utility shall make a final calculation of the stormwater drainage fee. The stormwater utility shall notify the parties, in writing, of its decision.

Section 16. Public Engagement

1. *Website - The overseeing authority, agency, or governing body will create a website for the public to learn about the stormwater utility fee, using Americans with Disabilities Act (ADA) requirements in order to be accessible to all. (Guidance at: <https://www.ada.gov/regs2010/2010ADASTandards/2010ADASTandards.htm#c7>).*
2. *Hearings and Advisory Committees Establish hearings and advisory committees to garner public input regarding the establishment and management of the stormwater utility.*

Section 17. Reporting

The overseeing authority, agency, or governing body shall, within one year after establishment of the utility, and each year thereafter, prepare and submit to the Division of Local Government Services in the Department of Community Affairs and the Department of Environmental Protection a report. This annual report shall include, but need not be limited to, information on the following:

1. The stormwater utility's service area;
2. The schedule of fees, other charges, and credits;
3. The number of properties subject to the stormwater utility's fees and other charges, and the number of properties of each land use type, including but not limited to residential, commercial, and industrial, that have been granted credits or exemptions from the fee, and the cumulative value of credits that have been granted to properties of each land use type;
4. The total revenues from stormwater utility fees and other charges collected;
5. The percentage and amount of revenues from fees and other charges spent on each of the purposes authorized in subsection e. of section 8 of P.L.2019, c. 42 (C.40A:26B-8); and
6. All stormwater management projects implemented in the previous fiscal year.
7. Any additional information required by the New Jersey Clean Stormwater and Flood Reduction Act (P.L.2019, c.42), as amended and supplemented from time to time.



THIS APPENDIX IS CUT AND PASTED FROM TENNESSEE'S MODEL STORMWATER UTILITY ORDINANCE. NEW JERSEY LEGISLATION REQUIRES NJDEP TO DETERMINE HOW THE FEES ARE CALCULATED, SO WE DON'T HAVE SPECIFIC GUIDANCE YET ON WHICH WAY THEY ARE LEANING OR IF THEY WILL LEAVE IT UP TO THE MUNICIPALITY OR THE AUTHORITY TO DETERMINE HOW FEES ARE CALCULATED.

APPENDIX A

Calculating Stormwater User Fees

Calculating Stormwater User Fees can be done in a simple, equitable manner. The annual budget of the Stormwater Utility is divided by the total number of Equivalent Residential Units (ERU's) in the Stormwater System limits. Division of the result by 12 would yield the monthly fee per ERU. An Equivalent Residential Unit is based on the average square footage of a detached single residential family property. This average can be obtained from a variety of sources. If the average is not available through your tax assessor or another internal department, averages may be obtained from the U.S. Census Bureau, your local Area Association of Realtors, or some other credible source. Each detached single residential family property would be one (1) ERU. Other developed proposer users would divide their total amount of impervious surface area (in square feet) by the number of square feet in an ERU, to get the number of ERU's for that property. The sum of all other developed property ERU's and single family residential ERU's would be the total number of ERU's.

Annual Budget. The annual costs for the storm drainage system includes permitting, maintaining, planning, designing, reconstructing, constructing, environmentally restoring, regulating, testing, inspection of the system, management and administration, and the establishment of a reserve balance.

Equivalent Residential Unit (ERU). The average square footage of a single family residential property is equivalent to one ERU.*

Total ERU's. The Total ERU's within the limits of the stormwater utility is calculated according to the following formula:

Total ERU's = Other Developed Property ERU's + Single Family Residential ERU's

Single Family Residential User Fee. The fee that residential users within the limits of the stormwater utility pays for their share of the annual budget. The fee is calculated according to the following formula:

Single Family Residential User Fee = Annual Budget / Total ERU's within Stormwater Utility limits

This number should be divided by 12 to establish the monthly User Fee:

Single Family Residential User Fee / 12 = Monthly Single-Family Residential User Fee

Other Developed Property User Fee. The fee that other developed property users within the limits of the stormwater utility pay for their share of the annual budget. The fee is calculated according to the following formula:

Other Developed Property ERU's = Impervious Surface Area square feet / ERU square feet

Other Developed Property User Fee = Single Family Residential User Fee x Other



Developed Property ERU's

Other Developed Property User Fee/12 months = Monthly Other Developed Property User Fee

Example: VolVegas Stormwater Utility Department has an annual budget of \$350,000. There are 10,000 homes in VolVegas, an apartment complex, Maxwell House Apartments, with a total impervious surface area of 5 acres, or 217,800 square feet (sq. ft.), a motel, Red Lite Inn, with a total impervious surface area of 2 acres, or 87,120 square feet, GoodDay Tire and Rubber Company with a total impervious surface area of 15 acres, or 653,400 square feet, and a SuperWallyWorld with a total impervious surface area of 10 acres, or 435,600 square feet. Per the VolVegas Area Association of Realtors, the average detached single family residential property has 1,800 square feet.

1 ERU = 1,800 square feet

Single Family Residential ERU's = 10,000 ERU's

Other Developed Property ERU's = $(217,800 + 87,120 + 653,400 + 435,600 \text{ sf}) / 1,800 \text{ sq ft} = 774 \text{ ERU's}$

Total ERU's = 774 Other Developed Property ERU's + 10,000 Single Family Residential ERU's = 10,774 ERU's

Single Family Residential User Fee = \$350,000 annually / 10,774 ERU's = \$32.49 annually/ERU

OR

$(\$32.49 \text{ annually/ERU})(12 \text{ mo/year}) = \$2.71 \text{ monthly/ERU} = \text{Monthly Single Family Residential User Fee}$

This model stormwater utility ordinance was researched, written, edited, and finalized by members of the Flood Defense Coalition, including the New Jersey League of Conservation Voters, New Jersey Future, Association of New Jersey Environmental Commissions (ANJEC), and Rutgers University. We thank additional collaborators for their help and expertise.