

PROPOSED STORMWATER ORDINANCE FEE - FACT SHEET

- ❖ The requirement for the Township of Pine to enforce compliance with Federal Environmental Protection Agency (EPA) and the Pennsylvania Department of Environmental Protection (PA-DEP) requirements regarding Stormwater Facility maintenance is an Un-funded mandate, meaning that these agencies require the Township to assure and compel compliance without providing funding.
- ❖ There are (currently) 170 Stormwater detention facilities within the Township of Pine of which 27 are publicly or quasi-public owned and 143 are privately owned facilities.
- ❖ There are (currently) 2,170 Stormwater inlets to collect Stormwater within the Township of Pine.
- ❖ There are (currently) 2,112 Stormwater conveyance pipe sections that route the Stormwater from the Stormwater Inlets to the Stormwater Detention Facilities.
- ❖ Of the 170 Stormwater detention facilities:

27 total public or public related entity maintained facilities are broken down as follows:

- 4 facilities - Are owned and maintained by the Pine-Richland School District.
- 7 facilities - Are owned and maintained by the Pennsylvania Turnpike Commission.
- 16 facilities - Are maintained by the Township of Pine – Typically facilities on public properties such as parks or open space owned by the Township.

143 total privately owned and maintained facilities are broken down as follows:

- 47 (33%) facilities - Are owned and maintained by an established Homeowners' Association or HOA Management Company.
- 56 (39%) facilities - Are owned and maintained for Commercial Development(s) by the owners of the commercial property(s).
- 28 (20%) facilities - Are still under the control of a plan(s) developer which will eventually be transferred to a Homeowners' Association or a HOA management Company.
- 11 (8%) facilities – *Are owned by the individual homeowners of a plan and the Homeowner's Association was not maintained or was never created.*

❖ The proposed Stormwater fee is applicable to the 11 previously established housing plans (708 residential properties) where no HOAⁱ fees are paid by the Homeowner's for stormwater facility maintenance that is required and not being performed by a HOA in accordance with requirements.

- ❖ On July 1, 2016, Pennsylvania passed Act 62 (P.L. 439) which authorizes municipalities create a "Stormwater District" and to assess and collect fees to regulate the maintenance of Stormwater Facilities. The Stormwater District option was chosen by the Township as the lowest cost alternative to ensure required maintenance is performed.

- ❖ **The initial fee is based on costs to address existing deficiencies and on-going maintenance of affected stormwater facilities that are not being maintained_performed in accordance with US EPA and PA DEP requirements. Note that he initial annual fee will not cover the upfront costs of maintenance and repair that will be necessary in the first few years.**

- ❖ **The Township of Pine Board of Supervisors can reduce the initial fee once the deficient stormwater facility maintenance has been addressed and the costs of bringing the facilities brought up to the required standard has occurred.**

¹ A Homeowner's Association may, at their election, "opt-in" to have the Township perform stormwater maintenance of their facility(ies) by becoming a part of the "Stormwater District" and be assessed the current Stormwater fee.