SOUTHEASTERN PENNSYLVANIA STORMWATER AUTHORITY

Stormwater Management Program Credits & Appeals Manual

Upper Chichester Township
Delaware County, Pennsylvania

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TABLE OF CONTENTS

ABBREVIATIONS 2
1.0 INTRODUCTION 3
2.0 DISCLAIMER 3
3.0 DEFINITIONS 3
4.0 CREDITS & CREDIT POLICY 4
4.1 General Policies 4
4.2 Eligibility 4
4.3 Credit Details 5
5.0 SUMMARY OF AVAILABLE CREDITS 6
5.1 Adopt a Private Inlet 6
5.2 BMP Easement 6
5.3 Downspout Disconnection 7
5.4 Native Tree & Shrub Planting 7
5.5 Public Participation 7
5.6 Rain Barrel Rebate 7
5.7 Education Credit 8
5.8 Low Impact Parcel Credit 8
5.9 NPDES Permit Credit 8
5.10 Partnership Credit 8
5.11 Peak Rate/Volume Control Structural Best Management Practice 8-9
5.11.1 Maintenance Policies 9
6.0 APPLYING FOR A CREDIT 10
6.1 Design Standards 10
6.2 Credit Application Process 10
6.3 Submission Requirements 10
6.3.1 Adopt a Private Inlet 11
6.3.2 BMP Easement 11
6.3.3 Downspout Disconnection 11
6.3.4 Native Tree & Shrub Planting 11
6.3.5 Public Participation 11
6.3.6 Rain Barrel Rebate 11
6.3.7 Education Credit 12
6.3.8 Low Impact Credit 12
6.3.9 NPDES Permit Credit 12
6.3.10 Partnership Credit 12
6.3.11 Peak Rate/Volume Control Structural Best Management Practice 12
7.0 APPEALS 13
7.1 Appeal of Impervious Area Assessment 13
7.2 Other Appeals 13

ABBREVIATIONS

BMP	Best Management Practice
IA	Impervious Area
MS4	Municipal Separate Storm Sewer System
SMP	Stormwater Management Program

1.0 INTRODUCTION

Your municipality, Upper Chichester Township, has decided to implement a Stormwater Management Program (SMP) by incorporating a municipal authority, the Southeastern Pennsylvania Stormwater Authority (the "Authority"), pursuant to the Municipality Authorities Act, 53 Pa.C.S. §7 5601 *et seq*. (the "MAA"). The MAA expressly empowers the Authority to engage in stormwater planning, management, and implementation, and to charge an associated fee for its comprehensive stormwater management program. As a municipal authority engaged in stormwater planning, management, and implementation, the Authority is expressly authorized to charge "reasonable and uniform rates" that "may be based in whole or in part on property characteristics." 53 Pa.C.S. §§ 5607(d)(9) and 5607(d)(34).

This program is crucial for maintaining the health of our community's waterways and protecting properties from storm damage. When it rains, water flows across surfaces like roads, rooftops, and driveways. These are referred to as impervious surfaces because they do not allow water to soak into the ground. As this water flows, it picks up pollutants that can harm our rivers and streams, and even our families. Plus, the runoff can lead to flooding, which can damage properties and infrastructure.

Upper Chichester Township is in the process of developing and implementing a comprehensive program to provide enhanced stormwater management to property owners in Upper Chichester Township. To effectively run this program and provide benefits to the community, the Authority must charge a fee for any property that has impervious surfaces and receives a benefit from the program.

The funds generated from the stormwater fee support the annual operations of the Authority, which encompasses routine maintenance and infrastructure improvements. This ensures compliance with State Permit requirements, improves water quality, reduces flooding, and promotes community education on practices that improve the quality of water resources.

To encourage participation in the program, Upper Chichester Township Stormwater Management Program (SMP) customers may apply for credits made available by the Authority to reduce their SMP Fee. Credits are provided as a means for customers to reduce the amount of their fee by implementing a creditable Best Management Practice (BMP) to reduce the contribution of stormwater pollutants to the Stormwater Management System and/or to aid in meeting Municipal Separate Storm Sewer System (MS4) Permit obligations.

The Authority's *Stormwater Management Rates, Rules, and Regulations* define how properties within the Township will be assessed fees based upon Impervious Area (IA) coverage on the property. All property owners may reduce their fee if they apply and qualify for credits made available by the credit policy. Additionally, if you feel your fee is incorrectly charged, the Authority offers an appeal process. This Manual will provide the user with the procedures to follow in order to apply for credits and appeals from the Authority.

2.0 DISCLAIMER

By submitting a Fee Credit Application pursuant to the Credit Policy (Section 6.0), the Property Owner acknowledges and agrees that he/her and his/her heirs, grantees, successors, and assigns shall be solely responsible and liable for the operation and maintenance of any and all BMPs constructed, installed, or employed by the property Owner. The Authority shall not be responsible for or liable with respect to the operation and maintenance of any BMP, or any damage arising therefrom.

3.0 DEFINITIONS

Terms can be defined by the *Authority's Credit Regulations* currently in effect. For the purposes of this manual, Southeastern Pennsylvania Stormwater Authority refers to the Authority, the Township, its agents, assigns, etc.

4.0 CREDITS & CREDIT POLICIES

Detailed Information about applying for credit can be found in Section 6.0 Applying for Credit.

4.1 GENERAL POLICIES

1. It is the Property Owner's responsibility to apply for credits and supply all the required information outlined in the sections below.
2. A property owner may need to be approved for multiple credits to achieve the maximum number of credits. Maximum credits **shall not exceed 30%** per property**,** unless a property is granted a larger credit under the Stormwater Partnership Credit.
3. **Accounts must be current to receive credit(s).** Credits will be revoked if an account is overdue for more than 90 days. Upon becoming current, a property owner may be required to reapply to reinstate the revoked credits (Section 6.0).
    a) The Authority shall provide written notice:
        a. Warning of credit revoke when an account is 45 days or more overdue
        b. Revoking a credit when an account is 90 or more days overdue
4. Credits will be revoked where qualified BMPs are not maintained, in accordance with:
    a) The Authority's Credit and Appeal Manual
    b) Applicable Operation and Maintenance Agreement
    c) Applicable BMP Maintenance Agreements
    d) Upper Chichester Township Code of Ordinances
5. A fee schedule will be established by the Board of Directors of the Southeastern PA Stormwater Authority. The Authority shall periodically update the fees to ensure that review costs are adequately reimbursed.
    a) There is a non-refundable credit application fee.
    b) Property owners may be required to establish an escrow account to cover professional services for review of credit applications.
    c) Any new or retrofitted BMPs will be required to follow all applicable Township Ordinances and fees.
6. Credits are applied to the next billing cycle if approvals are granted at least sixty (60) days prior to the next billing date.
    a) **PROPERTIES CONTAINING FULLY INSTALLED BMPs AS OF JULY 1, 2025**: Credits will be retroactively applied if credit application for the BMP is submitted **and approved** by the Authority as of December 15, 2025.
7. The Credit Policy will be reevaluated at the discretion of the Authority as new regulations pertaining to stormwater management are made available. Adjustments to the value of credits may be made at that time and/or reapplication required.
8. The Authority has full discretion over the credit process, including all fees.
9. Refer to Section 6 "Applying for Credit" for additional details.

4.2 ELIGIBILITY

To be eligible for a credit, the property must have been assigned a SMP Fee and there must not be any outstanding and unpaid SMP Fees against the property. Owners must submit a Credit Application along with any documentation required by the Authority (Section 6.0).

4.3 CREDIT DETAILS

Property owners may apply for one or more credits. The credits will be cumulative up to a maximum credit of 30% of that property's SMP Fee.

*** Credit amount is proportional to the (IA) that drains to the BMP.**

The SMP Fee with approved credits will be calculated as follows:

Credited SMP Fee = Original Stormwater Management Program Fee x [1 – Approved Credit(s)]

How to calculate the Approved Credit(s):

1) Find the Percentage of Impacted IA by dividing the Impervious Area connected to BMP by the Total Impervious Area
2) Find the Approved Credits by multiplying 0.3 (Max Credit) by the Percentage of Impacted IA

Example: A property owner pays $415.80 per year for their stormwater fee. The owner has 10,000 ft^2 of impervious Area (IA). The owner connects half of the IA to a structural BMP.

STEP 1: Percentage of Impacted IA Calculation

IA connected to BMP		5,000 ft^2
Total impervious area	÷	10,000 ft^2
Percentage of Impacted IA		0.5

STEP 2: Approved Credits

Max Credit		0.30
Percentage of Impacted IA	x	0.50
Approved Credit(s)		0.15

STEP 3: New SMP Fee

Original Fee		$415.80	
[1-Approved Credit(s)]	x	0.85	----- [1 - 0.15]
New Fee:		$353.43	

The property owner receives a 15% credit toward their stormwater fee. The original fee of $415.80 decreases to $353.43 for the year.

5.0 SUMMARY OF AVAILABLE CREDITS

The following section describes the available credits that have been adopted by the Authority.

Table 1. Summary of Available Credits

Type of Credit	Eligible Property Type		Maximum Credit
	SFR	Non-SFR	
Adopt a Private Inlet	☒	N/A	10%
BMP Easement	☒	N/A	10%
Downspout Disconnection	☒	N/A	10%
Native Tree & Shrub Plantings	☒	N/A	15%
Public Participation	☒	N/A	Max $10 per billing cycle
Rain Barrel Rebate	☒	N/A	Two Billing Cycles
Education Credit	☒	☒	20%
Low Impact Credit	☒	☒	15%
NPDES Permit Credit	☒	☒	15%
Partnership Credit	☒	☒	TBD
Peak Rate / Volume Control Structural Best Management Practice	☒	☒	30%

ANY AND ALL CREDITS ARE SUBJECT TO THE UPPER CHICHESTER TOWNSHIP CODE OF ORDINANCES. YOU MAY BE REQUIRED TO REACH OUT TO UPPER CHICHESTER TOWNSHIP BEFORE ANY CREDITS CAN BE APPROVED - UPPERCHI.ORG FOR CONTACT INFO.

5.1 ADOPT A PRIVATE INLET

*CREDIT AVAILABLE TO SINGLE FAMILY HOME PROPERTIES ONLY

SFR customers are eligible for a 10% Credit for participating in the Adopt a Private Inlet Program. Adopted inlets for SFR properties must be:

- Located within Upper Chichester Township.
- Located on the applicant's property, outside of the public right of way.
- The property must serve as the primary residence for the applicant.
- The inlet must meet PENNDOT standard specifications to be eligible.

To maintain credit, approved participants will

- Clear debris from the inlet.
- Show quarterly proof that you are doing so by emailing time stamped pictures to info@sepaswa.org.
- Alert the Authority in writing of any maintenance issues or illicit discharge.

5.2 BMP EASEMENT

*CREDIT AVAILABLE TO SINGLE FAMILY HOME PROPERTIES ONLY

SEPA SWA will grant up to a **one-time 10% Credit** to owners who sign an easement for the Authority to construct and/or maintain stormwater BMP on their property.

This Credit is intended for projects that would be financially prohibitive for a property owner to complete on their own but is an important project for meeting the goals of the stormwater management program.

5.3 DOWNSPOUT DISCONNECTION

*CREDIT AVAILABLE TO SINGLE FAMILY HOME PROPERTIES ONLY

The Authority will grant SFR customers up to a 10% Credit if all downspouts are disconnected from directly discharging into a stream, channel, stormwater inlet, stormwater conveyance pipe, driveway or other surface conveyance feature, including all IA.

Disconnected downspouts should have a minimum amount pervious land separation from the nearest down gradient impervious surface as defined in the SEPA SWA Residential SCM Manual to qualify for Credit.

5.4 NATIVE TREE & SHRUB PLANTING

*CREDIT AVAILABLE TO SINGLE FAMILY HOME PROPERTIES ONLY

The Authority will grant up to a 15% Credit for those Owners who complete a tree planting project on their property with native species. **A planting guide will be provided with approved species.**

Below are the minimum number of trees and/or shrubs that are needed to receive credits. The Credit can contain any combination of trees and shrubs at a rate of 4 shrubs for 1 tree. The Credit can contain any combination of existing and new plantings. Existing plantings must comply with the approved species list in the planting guide.

Number of TREES per ERU	Credit
3	5%
6	10%
12	15%

Number of SHRUBS per ERU	Credit
12	5%
24	10%
48	15%

To maintain credit, approved participants will submit annual documentation by September 30 that complies with the owner's operation and maintenance plan. The Authority reserves the right to conduct a site visit to verify compliance.

5.5 PUBLIC PARTICIPATION

*CREDIT AVAILABLE TO SINGLE FAMILY HOME PROPERTIES ONLY

The Authority believes a strong Stormwater Management Program is predicated on public participation and education to help address water quality issues. Authority customers who participate in events to promote water quality and stormwater management principles will be eligible for Credit.

Eligible participation activities must occur within the Township or be otherwise pre-approved by the Authority. The Authority will maintain a list of pre-approved activities that will be updated as needed.

Examples of Public Participation include:

- Environmental clean-up such as a stream or roadside.
- Tree planting in public areas
- Stormwater Education class

Credits are earned for every hour served. One (1) Credit hour is equal to $1.00 per billing cycle, with a maximum of $10.00 per billing cycle. Public Participation Credits can only be applied to the participant's primary address, which must be in Upper Chichester Township to receive the credit. Public participation Credits are valid for one (1) year from the day of attendance and will be applied to the next stormwater bill.

5.6 RAIN BARREL REBATE

*CREDIT AVAILABLE TO SINGLE FAMILY HOME PROPERTIES ONLY

Installation of a rain barrel to capture stormwater from a downspout can qualify for a one-time rebate waving the fee for two billing cycles.

5.7 EDUCATION CREDIT

*CREDIT AVAILABLE TO **ALL PRIVATE AND PUBLIC-SCHOOLS RECOGNIZED BY THE STATE OF PENNSYLVANIA**

The education institution must provide their students with a regular and continuing program of education concentrating on stewardship of water resources. Educational programs may include participation in water resource-themed student poster session or science fair, take-home materials, classroom lessons, field trips, etc. **The educational program/materials must be preapproved by the Authority.**

Education administration may apply on behalf of all institutions under their jurisdiction. Eligible education institutions may be granted up to a 20% Credit. Education Credits are valid for one (1) year but will be renewable each year the curriculum is taught.

5.8 LOW IMPACT PARCEL CREDIT

*CREDIT AVAILABLE TO ALL PROPERTY TYPES

A parcel is considered a Low Impact Parcel if its Total IA is less than or equal to 10% of the total parcel area. If a parcel meets this condition, it is eligible for a credit of 15%.

5.9 NPDES PERMIT CREDIT

*CREDIT AVAILABLE TO ALL PROPERTY TYPES WHO HOLD A VALID NPDES PERMIT

By complying with NPDES Industrial Stormwater Permit requirements for industrial facilities, participating Owners are assisting the Authority by addressing stormwater issues onsite. Any property covered under the NPDES Industrial Stormwater Permit, and in compliance with all applicable requirements during the prior twelve (12) months, is eligible for a 15% Credit for those portions of the property covered under the NPDES Industrial Stormwater Permit. To be eligible for the Credit, the Authority must be provided with a copy of the active NPDES Industrial Stormwater Permit and a copy of the Discharge Monitoring Report from the current year when the Credit Application is submitted.

5.10 PARTNERSHIP CREDIT

*CREDIT AVAILABLE TO ALL PROPERTY TYPES

Customers are encouraged to propose other means to improve their property and our community through the use of innovative stormwater technologies. If a stormwater customer has an idea for a project that could be worth stormwater credits, the Authority encourages the customer to submit the project idea under the Stormwater Partnership Credit. Credit will be based upon benefit analysis proving actual cost reduction to be realized by the Authority.

5.11 STRUCTURAL BEST MANAGEMENT PRACTICE FOR PEAK RATE & VOLUME CONTROL

*CREDIT AVAILABLE TO ALL PROPERTY TYPES

Structural BMPs that control the rate, volume, and water quality of stormwater generated on the property are eligible for credit. The maximum credit for peak rate and volume control is 30%.

Peak Rate Credits for the installation of an approved control system per the Upper Chichester Township Stormwater Management Ordinance will be eligible for up to 15% credit for the 100-year event. This is in addition to any volume control credit as noted below.

Any system designed for volume control in accordance with the Upper Chichester Township Stormwater Management Ordinance will be awarded up to a 15% credit. This is in addition to any peak rate control noted above. The system must provide for the required Water Quality Volume, which is the storage capacity needed to treat stormwater runoff equivalent to a minimum of the National Oceanic and Atmospheric

Administration precipitation frequency estimate for the 2-year, 24-hour storm at the time of application. Land developers shall maintain annual groundwater recharge consistent with pre-development conditions, by infiltrating an amount of runoff equal to the "Recharge Volume" (based on the average annual infiltration rate based on the prevailing hydrologic soil groups present at a site). The recharge volume may be part of the water quality volume. Approved volume system control systems may be but are not limited to infiltration basins, infiltration trenches, and rain gardens. See the Pennsylvania Stormwater Best Management Practice Manual section 6.4 for more information on the listed systems as well as other options. BMP sediment reduction effectiveness will be considered in evaluating the actual credit percentage.

Existing BMPs can be retrofitted to provide new functions and would be eligible for credits for the existing and new functions. The credits only apply to the IA controlled by the BMP. Peak Rate Control, Volume Control, and water quality calculations shall be in compliance with the applicable Ordinance of Upper Chichester Township. Previously installed control systems may also apply for this credit assuming they are in proper working order and are approved by a Pennsylvania licensed professional engineer. Credits will be prorated to the amount of IA managed relative to total IA on site.

A detailed inspection schedule and maintenance schedule shall be developed and included with the Maintenance Agreement described within Attachment D. The maintenance schedule should include a detailed step-by-step procedure on how the control system shall be maintained in order to work in perpetuity. Include contact information of the person responsible for the Operation and Maintenance in accordance with the Upper Chichester Township Stormwater Management Ordinance; any changes in such contact information shall be provided to the Authority within 30 days of said changes. Inspection and maintenance logs should be maintained. All control systems shall be contained within a minimum twenty-foot (20') wide Stormwater Management easement. Access to the Stormwater Management easement shall be provided from the nearest public right-of-way.

5.1.1 MAINTENANCE POLICIES

All who receive credits will be required to sign an Operation and Maintenance Agreement, which references an Operation and Maintenance Plan outlining all maintenance that will be required to continually qualify.

The basic minimum maintenance requirements that should be listed in an Operation and Maintenance Plan are, but not limited to:

- Sediment shall be removed when approximately 30% of storage volume of the facility is filled.
- Any sinkholes shall be repaired.
- Trash shall be removed.
- No woody vegetation shall be allowed to grow on embankments unless called for in the facility's design.
- Debris shall be removed from the inlet, outlet, and any other structures that have the potential to clog. All systems should be checked at minimum 4 times per year and within 48 hours after any major rain events of more than 1".
- Documentation of inspections must be submitted by July 1st of each year.
- Provide previous year's maintenance log; it must be submitted by July 1st of each year.
- Control structures shall remain unaltered, intact, and functioning as originally designed.
- See Pennsylvania Stormwater Best Management Practice Manual for system specific inspection details.

The Authority has the right to inspect all systems to ensure they are working properly. If a system is found to be operating inadequately, the Owner will be notified in writing of the deficiencies. If the Owner does not make the necessary corrections **within 45 days, any and all credits may be revoked**. If Owner fails to submit annual reporting documentation by deadline listed above, credits may be revoked.

6.0 APPLYING FOR A CREDIT

The following section describes how to apply for credits that have been adopted by the Authority.

6.1 DESIGN STANDARDS

All proposed BMPs shall comply with the applicable design standards set forth in the municipal ordinances for which the property is located and Pennsylvania Stormwater Best Management Practices Manual including, but not limited to, the use of appropriate professionals, such as Professional Engineers, Professional Geologists, Landscape Architects, Soil Scientists, etc. when required. Any professional used must be licensed in the Commonwealth of Pennsylvania. When applicable, karst hazards, soil investigations, infiltration testing, or other pertinent site-assessment activities should be conducted.

6.2 CREDIT APPLICATION PROCESS

In order to receive credit, all Property Owners must follow the subsequent application process. Application forms are available by contacting the authority or are located on the website.

All initial submissions must be mailed or dropped off:

MAIL	**DROP OFF**
SOUTHEASTERN PA SWA	TOWNSHIP BUILDING
PO BOX 1898	8500 FUREY RD
UPPER CHICHESTER, PA 19061	UPPER CHICHESTER, PA 19014
	OPERATIONS: M-F 8A-4P

Properly submitted applications will be reviewed by the Authority within 60 days of submission, unless extended by good cause shown. Based on the information submitted in the credit application, the authority and its representatives will determine if a meeting and/or a field visit is required. The Authority will contact the Owner to schedule a mutually agreeable meeting date and time.

- The applicant will be notified of the Authority's review of the application.
- Applicants have 60 days for resubmission before their application is terminated.
- Once approved, applicants will receive information on applicable credit agreements that must be signed and returned to the Authority within 60 calendar days.
- Credits are only applied to future billing cycles.
- If the requested material is received less than 30 days before the end of each billing cycle, this may affect the implementation of your credit for the next billing cycle.
- Failure to submit the requested material within 60 days will terminate the credit(s).

6.3 SUBMISSION REQUIREMENTS

Please note that additional documentation not listed in this section may be required at the request of the Authority.

ANY AND ALL CREDITS ARE SUBJECT TO THE UPPER CHICHESTER TOWNSHIP CODE OF ORDINANCES. YOU MAY BE REQUIRED TO REACH OUT TO UPPER CHICHESTER TOWNSHIP BEFORE ANY CREDITS CAN BE APPROVED - UPPERCHI.ORG FOR CONTACT INFO.

Applications will NOT be evaluated unless all material is submitted.

The following credits are for Single Family Residential (SFR) properties ONLY.

6.3.1 ADOPT A PRIVATE INLET:

a. Credit Application & Fee
b. Proof of Ownership (deed)
c. Proof that the inlet is owned by and on the applicant's property.
d. Meets PENNDOT standard specifications.

6.3.2 BMP EASEMENT

a. Credit Application & Fee
b. Proof of Ownership (deed)
c. The credit will be automatically applied to the account after the easement has been signed and recorded

6.3.3 DOWNSPOUT DISCONNECTION

a. Credit Application & Fee
b. Proof of Ownership (deed)
c. Photographs from before and after disconnection. Authority staff will schedule a site visit with property owner to ensure compliance.

6.3.4 NATIVE TREE & SHRUB PLANTINGS

a. Credit Application & Fee
b. Proof of Ownership (deed)
c. Documentation verifying that:
   Each **tree or shrub** is a native species identified in the Native Planting Guide.
   Each **tree** is at least one (1) inch in diameter at breast height (DBH).
   Each **shrub** is planted in a 3-gallon container, minimally
d. Owner's Operation and Maintenance:
   Applicants MUST sign an owner's operation and maintenance plan in accordance with the maintenance schedule outlined in the planting guide.

6.3.5 PUBLIC PARTICIPATION

a. Credit Application & Fee
b. Proof of Ownership (deed)
c. Proof of attendance (e.g., sign-in sheet, certificate, or other verification).
d. Verification that the activity occurred within the Township or received prior approval from the Authority.

6.3.6 RAIN BARREL REBATE

a. Pictures of installed rain barrel
b. Credit Application & Fee
c. Proof of Ownership (deed)
d. Copy of purchase receipt or something showing material of barrel
e. If needed, site visit from authority staff to ensure proper installation.

The following credits are for Single family homes (SFH) and Non-single family homes (NON-SFH).

6.3.7 EDUCATION CREDIT

a. Escrow Fee & Agreement
b. Credit Application & Fee
c. Proof of Ownership (deed)
d. Copy of educational materials/plans.
e. Education plan by grade level.

6.3.8 LOW IMPACT CREDIT (WHERE CREDIT WAS NOT AUTOMATICALLY APPLIED):

a. Documentation of changes made to property resulting in Low Impact Credit qualification.
b. Credit Application & Fee
c. Proof of Ownership (deed)

6.3.9 NPDES PERMIT CREDIT

a. Credit Application & Fee
b. Proof of Ownership (deed)
c. Copy of NPDES Permit and any applicable reports.

6.3.10 PARTNERSHIP CREDIT:

a. Escrow Fee & Agreement
b. Credit Application & Fee
c. Proof of Ownership (deed)
d. Meeting(s) with Authority professionals must be conducted before credit application submission.
e. Any additional documents discussed during pre-application meeting(s).

6.3.11 PEAK RATE/STRUCTURAL BEST MANAGEMENT PRACTICE CREDIT:

a. Credit Application & Fee
b. Proof of Ownership (deed)
c. Escrow Fee & Agreement
d. Photographs of the site showing layout, inlets, outlets, etc.
e. Owner's Operation and Maintenance Plan.
f. Record of maintenance undertaken.
g. Design documentation - as built and/or construction drawings
h. Engineering analysis from a Pennsylvania licensed professional, if applicable
i. If applicable, certified documentation that the facility is in proper working order from a Pennsylvania licensed engineer

7.0 APPEALS

The following section describes the appeal options that have been adopted by the Authority.

7.1 APPEAL OF IMPERVIOUS AREA ASSESSMENT

If a property owner feels that their impervious area (IA) estimate is incorrect, they may appeal it. Similarly, any property owner who believes stormwater fees have been assessed for a parcel they do not own shall notify the Authority in writing.

Please note that review of the IA can cause the assigned estimate to decrease OR increase as a result of the appeal.

Appeals approved 90 days prior to the next billing cycle will be retroactive to that billing cycle. Appeals approved on days 91 – 120 of a billing cycle will have any changes applied in the next billing cycle.

Each stormwater account is able to submit **ONE free appeal application** from 07/01/2025 until 12/31/2028. Any additional applications per account during this period are subject to application and/or escrow fees.

Applications for appeal submitted after December 31, 2028, are subject to application and escrow requirements. Fees are subject to adjustment by resolution at any time.

All initial submissions must be mailed or dropped off:

MAIL	**DROP OFF**
SOUTHEASTERN PA SWA	TOWNSHIP BUILDING
PO BOX 1898	8500 FUREY RD
UPPER CHICHESTER, PA 19061	UPPER CHICHESTER, PA 19014
	OPERATIONS: M-F 8A-4P

7.2 OTHER APPEALS

No other assessment appeal has been adopted at this time by the Southeastern Pennsylvania Stormwater Authority.