



**City of New Castle
Lawrence County, Pennsylvania**

**Stormwater Program and
User Fee Appeals Manual**

Prepared for:

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230 N. Jefferson Street
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**CITY OF NEW CASTLE, LAWRENCE COUNTY, PENNSYLVANIA
STORMWATER PROGRAM AND USER FEE
APPEALS MANUAL**

1. Introduction

The City of New Castle has established policies and procedures with regard to the appeal of the stormwater fee. The primary goals of the City’s appeals program is to establish a process to address inaccuracies and challenges to the stormwater fee calculation.

The process provides owners the ability to appeal their stormwater fee(s) in order to address errors in the billing and residential side yard parcels(s).

2. General Appeal Policies

2.1. Billing Error Appeal

Errors in billing include, but are not limited to the following:

- Incorrect parcel information;
- Incorrect parcel classification as Single Family Detached (SFD) or Non-Single Family Detached (NSFD);
- Inaccurate impervious area information/Equivalent Residential Units (ERUs); and
- Human error(s).

2.2. Residential Side Yard Appeals

Residential Side Yard Appeals address specific situations where a SFD parcel owner also owns a separate parcel located immediately adjacent to their residence/SFD parcel, and the parcels have the same owner. This adjacent parcel is referred to as a “residential side yard.”

2.3. Eligibility

Any owner may appeal their stormwater fees with regard to errors or inaccuracies within the billing system.

Residential side yard appeals are only applicable to parcels located directly adjacent to a separate parcel which has been designated as a single-family detached residential parcel for stormwater fee billing purposes. Additionally, the side yard parcel(s) must be deeded to the same owner as the single-family detached residential parcel. *The side yard parcel must be used by the owner for residential related purpose(s).* Any accessory buildings such as, but not limited to, garages or service buildings used for commercial, industrial or institutional purposes adjacent to a residence

cannot be granted a residential side-yard appeal. Note: This policy may be extended to additional contiguous side yard parcels provided they are deeded to the same owner as the single-family detached residential parcel and are used for residential purpose(s).

2.4. Application

For all appeals, the parcel owner (or an approved representative thereof) must submit an application as outlined in Section 3 to the City of New Castle regarding the nature of the appeal. Applications and documentation requirements are detailed in the following sections.

3. Application Procedures and Review Process

3.1. Application Form

The application form is provided in Appendix A.

Hard copies may be obtained at the City of New Castle, 203 N. Jefferson Street, New Castle, PA 16101.

3.2. Application Deadline

All credit requests must be received by September 30th to be considered for a credit during the current calendar year. Applications received after September 30th will be reviewed and any credits approved will be applied in the next calendar year.

3.3. Application Fee

There is no fee for an appeal with regard to errors or inaccuracies within the billing system or residential side yard appeals.

3.4. Documentation Requirements

At the time of appeal, the property owner(s) will need to provide the following documentation:

- Completed and Signed Application Form; and
- Written statement regarding the nature of the appeal.

For appeals related to the amount of imperviousness/ERU value, the applicant must provide the following:

- A plot plan, map, aerial image or similar information detailing actual impervious surfaces currently on-site.

- A requested value, in the applicant's opinion, for the correct impervious area/ERU value associated with the property for which an appeal is being requested.

For residential side yard appeals, the property owner must provide the following:

- Complete and Signed Application Form;
- Written statement regarding the parcels and associated usage for which the owner is applying of an appeal.

3.5. Application Submission

The completed application and supporting documentation must be submitted to:

City of New Castle
230 N. Jefferson Street
New Castle, PA 16101
Attn: Stormwater Fee Appeal

3.6. Appeal Determinations

The City or its Engineer will review the required documentation and a written approval or denial of the appeal application will be issued.

3.7. Appeal of Determinations

In accordance with the adopted ordinance, any person aggrieved by any decision of the City, may appeal to the Lawrence County Court of Common Pleas within thirty (30) days of receipt of such written decision.

3.8. Billing Error Corrections

Following approval of a billing error appeal, the City will correct the associated billing information.

3.9. Residential Side Yard Billing Adjustments

If a property owner's side yard appeal is approved, the fee associated with the parcel which has been designated as a side yard will be eliminated. The reduction will only be applied to the impervious area associated with the side yard parcel. Note: separate sale of the side yard parcel(s) or changes in use may invalidate this appeal.

3.10. Administration of Appeals

The City will reimburse approved appeals in the form of a rebate. As payments are made on a monthly basis, the rebate will be applied proportionately to any of the previous payments received within the calendar year prior to approval of the appeal and any remaining payments may be adjusted accordingly. Credits will not be issued for calendar years prior to the year of credit approval, (i.e. credits approved in 2019 will only be retroactive to January of 2019). If the owner has paid in-full their annual stormwater fee prior to the approval of an appeal, a rebate for the full credit amount that calendar year will be issued.

APPENDIX A:
STORMWATER FEE APPEAL FORM



Stormwater Fee Appeal Form

Return form to: City of New Castle, 230 N. Jefferson Street,
New Castle, PA 16101 Attn: Stormwater Fee Appeals

Owner/Applicant Contact Information:

Name: _____

Mailing Address: _____

Daytime Phone Number: _____ Email: _____

Appeal Property Information:

Site Address: _____

Account No.: _____

Reason for Appeal:

Incorrect Property Owner / Correction: _____

Incorrect Property Classification: _____

Incorrect Impervious Area Calculation

Owner shall provide supporting documents, such as a plot plan, map, aerial image or similar information detailing actual impervious surfaces currently on-site. All measurements are subject to verification by the City of New Castle and/or Municipal Engineer.

Residential Side Yard Appeal

Multiple side-yard parcels may be included if associated with the same Single Family Detached parcel. If you own more than one Single Family Detached (SFD) parcel to which this policy may apply, please complete a separate application for the side-yard parcels associated with each separate SFD parcel.

Side Yard Parcel(s) Information:

Address _____

Parcel ID No.(s) _____

Account No. _____

(if different than associated Single Family Detached)

Note: Residential side yard appeals are only applicable to parcels located directly adjacent to a separate parcel which has been designated as a single-family detached residential parcel for stormwater fee billing purposes. Additionally, the side yard parcel(s) must be deeded to the same owner as the single-family detached residential parcel. The side yard parcel must be used by the owner for residential related purpose(s). Any accessory buildings such as, but not limited to, garages or service buildings used for commercial, industrial or institutional purposes adjacent to a residence cannot be granted a residential side-yard appeal. This policy may be extended to additional contiguous side yard parcels provided they are deeded to the same owner as the single-family detached residential parcel and are used for a residential purpose(s).

