

Stormwater Adjustment Appeal Form

Appeal Instructions

This form is provided to LCWSA Regional Stormwater Management Program Property Owners who believe the Impervious Area (IA) calculation for their property is incorrect.

Property Owners should also use this form if it is believed that Stormwater fees have been assigned for a parcel they do not own.

Please fill out all sections of the form, except for the last section marked "For LCWSA Use Only." Applicant should note that by submitting this form, access to the property shall be granted to LCWSA to verify the conditions noted in the appeal

You may attach supporting documentation to the form. Please note that any submitted documentation will not be returned to the Property Owner. Please mail completed form to:

Lycoming County Water and Sewer Authority
380 Old Cement Road, PO Box 186
Montoursville, PA 17754

A LCWSA representative will review the Stormwater Adjustment Appeal Form for completeness within ten (10) business days of receipt; and has sixty (60) days in which to respond to the Appeal in writing following the technical review.

Approved adjustments will be applied to the Stormwater Fee in the next billing cycle.

Appeal Information

Appeal Type: IA Parcel/Property Boundary Ownership

For IA or Parcel/Property Boundary Appeals provide reason for adjustment or provide specific information as to what is being appealed

Property Owner IA Estimate (optional):

Property Owner Information

Name: _____ Date: _____

Email: _____ Telephone: _____

Account Number: _____ Parcel ID: _____

Billing Street Address: _____

Address Line 2: _____

City, State, Zip: _____

Additional Supporting Information: _____

For LCWSA Use Only

Date Received: _____ Appeal: Granted Denied

Date Reviewed: _____ Reviewer: _____

APPEALS

NOTE - APPEALS ARE DIFFERENT THAN CREDITS

Appeals

APPEALS SHOULD BE FILED WHEN A CUSTOMER BELIEVES THAT THE IMPERVIOUS AREA HAS BEEN INCORRECTLY CALCULATED OR APPLIED, OR WHEN PROPERTY OWNERSHIP OR BOUNDARY IS INCORRECT.

Credits are eligible actions for a customer/property owner to control stormwater and assist in meeting or minimizing the MS4 permit obligations of the Borough of Duboistown and/or Borough of South Williamsport.

The appeal must state the reasons for the appeal and be submitted using the form provided by the Authority for such purpose - Stormwater Adjustment Appeal Form.

If a customer believes that LCWSA's determination of the IA for their Property is erroneous, it is the customer's responsibility to provide information and documentation to demonstrate that LCWSA's calculation of IA is incorrect or inaccurate.

Property Owners may contact LCWSA to request the data used to calculate the Impervious Area (IA) and User Fee associated with their specific Property.

The Property Owner or its agent must provide the Property Owner's Name, Property Physical Location/Service Address/Tax Identification Number, and Account Number, as part of the request.

An appeal must be filed in writing with the Authority or its designee within thirty (30) days of the charge being mailed or delivered to the Property Owner.

Stormwater Adjustment Appeal Form

Any appeal must state the reasons for the appeal and be submitted using the forms provided.

By submitting the Stormwater Adjustment Appeal Form, the Owner shall grant LCWSA permission to enter the Property at reasonable times and without unreasonable disruption, to inspect the Property to ensure that the information provided in the adjustment appeal accurately represents the current parcel conditions.

There is a twenty-five (\$25.00) Dollar fee associated with submitting an adjustment appeal, in addition to any costs incurred in the preparation and submission of the adjustment appeal and all required appeal documentation.

This fee or a portion thereof may be waived for applications submitted within six (6) months of the initial bill for the SMP User Fee or at the Authority's sole and exclusive discretion.

The fee may be returned if the appeal results in a reduction in IA and an adjustment to the Tier designation.

Using information provided on the Application, LCWSA or its designee shall conduct a technical review of the conditions on the Property and respond to the appeal in writing within sixty (60) days of LCWSA's receipt of a complete appeal application.

LCWSA reserves the right to request additional information.

The information and documents provided in the appeal form must be satisfactory to the LCWSA.

In some circumstances, the LCWSA may require a licensed surveyor or engineering report as part of the appeal form.

In response to an appeal, the LCWSA may adjust the User Fees applicable to the Property in accordance with the provisions of the Rates, Rules and Regulations.

The Authority may at its sole and exclusive discretion, increase its determination of a User's IA, if information is obtained that indicates such an increase is necessary.

If the Authority fails to respond within sixty (60) days, the appeal shall be deemed a denial.

If the adjustment appeal results in a revised calculation of IA and Tier adjustment for Tiers 1,2,3, and 4, or, in the case of Tier 5 properties, a revised calculation of IA, then the User Fee will be corrected to reflect the revised IA determination and Tier for the next billing cycle.

Reassessments

In certain circumstance, Property Owners may make changes to their properties that result in changes to Impervious Area and thus, change the IA used for calculating the SMP Fee and/or change the Tier designation.

Owners should utilize the Stormwater Adjustment Appeal Form, and check the Type of Appeal as IA for submission.

It is the Owner/customer/designee's responsibility to provide information and documentation to demonstrate that the IA has been changed.

The Authority may at its sole and exclusive discretion, increase its determination of a User's IA, if information is obtained through means other than an Owner's Appeal or request (example – subdivision land development plans, zoning permits, building permits) that indicates a change has occurred and a modification to the properties IA, Tier assignment or SMP Fee is warranted.