

ORDINANCE NO. 361 (08-31-2020)

A MUNICIPAL ORDER OF THE CITY OF TAYLOR MILL IN KENTON COUNTY, KENTUCKY APPROVING THE PARTICIPATION OF THE CITY OF TAYLOR MILL IN SD1 STORMWATER PRIVATE COST SHARE PROGRAM.

WHEREAS, Sanitation District No. 1(SD1) offers cities a Private Cost-Share-Program to help fund solutions to remedy private storm water issues that may have a public impact; and

WHEREAS, City Commission of the City of Taylor Mill has determined that it would be beneficial to the City and the owners of property therein for the City to participate in the Private Cost-Share-Program of SD1, but with some limitations;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF TAYLOR MILL, IN KENTON COUNTY, KENTUCKY, AS FOLLOWS:

Section 1.0 — Program Participation

The City of Taylor shall participate in the Private Cost-Share-Program offered by SD1; but only in conformity with reasonable guidelines established by the City Administrator and approved by the City Commission, with the City’s monetary participation therein limited to Twenty Thousand Dollars (\$20,000) during each fiscal year.

Section 2.0 — Provisions Severable

This ordinance shall be effective as soon as possible according to law.

Section 3.0 — Publication

This ordinance shall be published in summary pursuant to K.R.S. 83A.060 (9).



DANIEL L. BELL, Mayor

Attest: 

KRISTY WEBB, City Clerk

Date: 8/31/2020

First Reading: 8/12/2020
Second Reading: 8/31/2020
Publication: 9/19/2020

The logo for SD1, consisting of the letters 'SD1' in a bold, blue, serif font.

Managing Northern Kentucky's
Wastewater and Storm Water



Frequently Asked Questions

Storm Water Private Cost-Share Program

What is SD1's private cost-share program?

Long before SD1 assumed control of the region's storm water management, cities and counties owned and maintained storm water infrastructure; regulations were less stringent; drainage plans were not always a priority; and storm pipes were often inadequate or never formally dedicated to public ownership. The result is a storm system that has a mix of privately and publicly owned infrastructure that can become overwhelmed by wet weather events in some areas. Depending on a neighborhood's topography, that could lead to excessive storm water that ends up in yards or inside buildings. To address these concerns, SD1 offers local cities and counties (called Co-Permittees because they share responsibility for state and federal storm water regulation compliance) a Private Cost-Share Program to help fund solutions to remedy private storm water issues that may have a public impact. SD1 allocates funding through the program to help Co-Permittees address such storm water issues.

Who may apply to participate?

Only Co-Permittees can apply to participate in the program, and each Co-Permittee determines its own level of service. Property owners who experience private storm water issues must contact their city or, if they live in an unincorporated part of the county, their county, to request that the Co-Permittee apply. A Co-Permittee contact list is available at http://www.sd1.org/Resources/Co-Permittee_Contact_List.pdf. The intent of the program is to form a partnership between SD1, Co-Permittees and property owners to address private storm water issues. SD1 will enter into an agreement only with the Co-Permittee.

How can a Co-Permittee apply?

Applications are available to Co-Permittees at www.sd1.org under the Programs and Outreach tab, under "Storm Water Assistance Programs." Co-Permittees may also request an application by contacting SD1 at (859) 578-7450 or info@sd1.org.

How are private cost-share projects prioritized?

In general, projects are funded on a first-come, first-served basis while funds are available.

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When is funding released for approved projects?

The amount of funding available for this program is determined each fiscal year as part of SD1's budgeting process, and the cap for a project is currently one-third of the project cost, with SD1's share not to exceed \$10,000. SD1 currently provides funding as a reimbursement. To receive approved funding, a participating Co-Permittee must enter into an agreement with SD1 and the project must begin within 12 months of the application's approval. Once a project has been approved for the Private Cost-Share Program, any changes to the project scope that will impact the cost of the project must be approved by SD1 in advance, or only the original agreement amount will be reimbursed.

Throughout construction, SD1 may inspect project improvements to ensure they meet design and specifications. Upon completion of the project, the Co-Permittee must submit a request for reimbursement that includes copies of invoices and payment receipts.

Upon completion, who is responsible for the new improvement?

SD1 will not own or be responsible for the maintenance of the new improvement, once completed. SD1 is simply providing funding for the project. All improved assets will remain private property and the system will remain a private system.

Who should I contact with questions?

Property owners who experience private storm water issues should contact their city, or if they live in an unincorporated part of the county, their county, to request participation. See Co-Permittee contact list at http://www.sd1.org/Resources/Co-Permittee_Contact_List.pdf. Other questions regarding the program can be directed to SD1 at (859) 578-7450 (Monday through Friday, 8 a.m.-4:30 p.m.) or info@sd1.org.

Thank you for your cooperation and support as we work together to protect public health, property and the environment by providing reliable wastewater and storm water services.



Storm Water Private Cost-Share Program Policy

Version: 1	Effective Date: 10/15/2019
Owner: Engineering	Approved by: Board

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1.0 Purpose

As part of our commitment to meeting the needs of our region through effective storm water management, Sanitation District No. 1 (SD1) has developed various cost-share and technical assistance programs to provide regional storm water services in partnership with our partner cities and counties (Co-Permittees). This program creates a three-way partnership between SD1, a Co-Permittee and private property owners to address private property drainage issues. Storm water projects that will address non-public drainage issues or non-public infrastructure improvements are eligible.

2.0 Scope / Persons Affected

This policy is intended to help Co-Permittees assist property owners within their jurisdiction and SD1's storm water service area. The intent of the program is to form a partnership between SD1, Co-Permittees and property owners to address private property drainage issues. This is an opportunity for Co-Permittees to determine their own level of service for solving these individual private drainage issues.

3.0 Policy

3.1 Program Eligibility. Co-Permittees are eligible to participate in the Cost-Share Program for projects that will address a non-public drainage issue or non-public infrastructure issue that can be corrected by an improvement or repair. The flooding or drainage issue must be in the SD1 storm water service area. Co-Permittees must apply and receive approval for the Cost-Share Program prior to initiating the project. Co-Permittees must be in good standing and in compliance with all of SD1's Rules and Regulations.

3.2 Problem Identification. Property owners are responsible for identifying the issue and potential solution and then contacting their municipality, or county if the property is in unincorporated part of the county (Co-Permittee). The property owner is responsible for all costs associated with the investigation.

3.3 Solution Identification/Determination. SD1 will review the identified issue and proposed solution for the limited purpose of approving the solution. SD1 does not and will not warrant the effectiveness of the solution.

3.4 Documentation / Agreement. Co-Permittee shall be responsible for submitting the following:

3.4.1 Request for Assistance. Co-Permittees must be the applicant. Co-Permittee shall submit to SD1 a Request for Assistance identifying the drainage issue, completing the application to the best of their ability. SD1 reserves the right to ask for additional supporting

information if the application is deemed incomplete or it is known that additional information related to the drainage issue exists.

3.4.2 Cost-Share Agreement. Co-Permittee and property owner shall execute and submit the signed Cost-Share Agreement within seventy-five (75) calendar days from the approval date by SD1.

3.4.3 Warranty and Release. To receive the financial contribution, Co-Permittee must secure the Warranty and Release attached hereto as an Appendix to the Cost-Share Agreement.

3.4.4 Project Commencement. The project must commence construction within three hundred sixty-five (365) calendar days from the execution date of the Cost-Share Agreement and report the achievement of continuous and reasonable progress until completion. If this requirement is not met, the project approval is rescinded and the Co-permittee must then re-apply. SD1 may inspect the project improvements during construction.

3.5 Financial Contribution. Upon completion of the project, Co-Permittee shall submit a request for reimbursement that includes copies of invoices and payment receipts along with the Warranty and Release executed by the property owner, and SD1 shall provide funding as a reimbursement for up to one-third (1/3) of the total cost of the project.

3.6 Ownership and Responsibility. Upon completion of the project, neither SD1 nor the CoPermittee shall own nor be responsible for the maintenance of improvements constructed as part of the project. The property owner shall be responsible for ownership and maintenance of the improvements. If Co-Permittee keeps the improvements as a public system, it shall not be transferable to SD1 in the future. SD1 is simply providing a contribution to the project and is not responsible for any other part of the project.

4.0 Funding

Each fiscal year, SD1 will allocate a specified amount to fund this program, depending on existing priorities of the storm water utility. SD1 will consider the total number of anticipated applications and the benefits these projects provide as factors in determining the annual budget for this program. Requests are funded on a first-come, first-served basis while funds are available.

SD1 currently provides funding as a reimbursement up to \$10,000 for one-third (1/3) of the project costs. The property owner shall be responsible for the remainder cost of the project. Co-Permittee shall also contribute to the project costs through either payment or reasonable in-kind service expenses toward the development of the project. Upon completion of the project, Co-Permittee must

submit a request for reimbursement that includes supporting documentation of the project costs.

5.0 References

On March 20, 2018, the SD1 Board of Directors approved the Scope of the Storm Water Utility which included the Storm Water Private Cost-Share Program. This policy shall determine the terms of this program.

6.0 Revisions History

Date	Rev. No.	Revised By:	Description	Reference Sections