



## Engineering

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## Stormwater Utility Billing Frequently Asked Questions

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### What is Stormwater Utility?

The City of Duluth Stormwater Utility fee was developed in 1998, as a method to provide dedicated funding to the City's storm sewer and drainage system. A Stormwater Utility is a legal entity which provides maintenance, improvements, planning, regulation, permitting and administrative functions for the stormwater collection system. A Stormwater Utility (like other City Utilities) will provide a method of generating revenues for these necessary activities through fees.

Maintenance of a storm water management system of public health and safety is a citywide responsibility. The City's storm water management system has been constructed and maintained for the health and safety of everyone in the city. The fee is billed to all developed properties within the City, including churches, schools, non-profits, government facilities, homes and businesses.

### What is an impervious surface?

Impervious surfaces include, without limitation, roads, parking lots, rooftops, buildings or structures, sidewalks, driveways, and other surfaces which prevent or impede the natural infiltration of stormwater runoff which existed prior to development.

### Examples of impervious surface areas for determining nonresidential billing

- Brick pavers
- Building footprints/Roof tops
- Concrete air conditioner pads
- Driveways (paved, gravel, compacted soil)
- Detached garages
- Parking lots (paved, gravel, compacted soil)
- Patios
- Sidewalks
- Sheds
- Storage areas

### What is stormwater runoff?

Since stormwater cannot be absorbed by impervious surfaces, the stormwater runs over the surface as stormwater runoff. Stormwater runoff must be managed through a stormwater collection system (pipes, culverts, ditches, swales, inlets, curb and gutter, detention ponds, etc.) to prevent standing water and flooding.

### Do all properties have to pay the fee? What properties are exempt?

All **developed** properties pay storm fees. Public right-of-way's, airport runways and taxiways are exempt from utility fees.

[www.duluthmn.gov](http://www.duluthmn.gov)

The City of Duluth is an Equal Opportunity Employer.

### **Why do I have to pay a stormwater fee?**

Everyone in the City benefits from the Stormwater Management Program. If stormwater runs off your property, the City must have a program and funding to manage the increase in runoff and pollutants.

The City's program includes:

- Operate and maintain Duluth's stormwater collection system infrastructure. Duluth's current stormwater system is made up of 415 miles of pipe, 11,204 catch basins, 5,216 manholes, and over 100 miles of ditches.
- Minimize flooding risks to streets, public/private property, and infrastructure.
- Protect our natural water resources from stormwater discharges.
- Ensure Duluth stays in compliance with the City's Municipal Separate Storm Sewer System (MS4) Permit set by the Minnesota Pollution Prevention Control Agency (MPCA).

### **Does this mean the city will take care of the drainage in my yard?**

Some drainage complaints the City receives are issues on private property. It is not legal for the City to perform replacements and repairs on private property.

### **What is an "ERU"?**

An "Equivalent Residential Unit" (ERU), is a measure of the average amount of impervious surface area for a single-family residential property located in the City of Duluth, and is used to assess stormwater fees.

### **How are rates approved?**

The Storm rates and fees are reviewed and approved by the Duluth Public Utilities Commission and City Council. You can find the current utility rates on the Comfort Systems website [here](#).

### **What is considered residential for stormwater billing?**

Per Article XI. Stormwater Utility System. Sec. 43-65. Definitions. Residential property is classified by the county assessor as land use types 1, 4 and 2a pursuant to the Minnesota Statutes Section 273.13.

#### **Residential**

Single-Family Dwellings

Two-Family Dwellings

Townhouses

Manufactured Dwellings in Park & Not in Park

Condominiums

3+ Unit Apartment Buildings

Senior Housing

Assisted Living

Cabins

Long Term Rentals

1 – 3 Unit Short Term Rentals

### **What is considered nonresidential for stormwater billing?**

Per Article XI. Stormwater Utility System. Sec. 43-65. Definitions. Nonresidential property is classified by the county assessor as property types 3 and 5 pursuant to Minnesota Statutes Section 273.13. Property that has a mixture of residential and nonresidential uses are considered nonresidential.

#### **Nonresidential**

##### **(Examples)**

Theatres

Dining & Drinking

Auditorium, gyms, museums

Arenas, Stadiums

Offices

Educational Institutes  
Clinics, Hospitals, Nursing Home, Memory Care  
Detox Centers  
Jails/Prisons  
Day Care Facilities  
Retail  
Hotels/Motels/4+ Unit Short Term Rentals  
Storage  
Parking Garages/Ramps  
Automobile Services  
Industrial Uses  
Cemeteries  
Mixed Uses  
Other uses not classified as residential

### **How are residential storm fees determined?**

Residential properties are billed based on the number of Equivalent Residential Units (ERU)s on a property. One ERU equals 2,228 square feet of impervious surface. 2,228 square feet is the average impervious surface area in Duluth for a residential dwelling unit. All residential buildings are billed 1 ERU per living unit/dwelling unit. You can find the current utility rates on the Comfort Systems website [here](#).

### **Are there any residential stormwater credits available?**

No. The City appreciates your efforts to capture and reduce stormwater runoff, but does not currently grant storm credit to residential properties. The City does grant credit for stormwater management for nonresidential properties that provide water quality or flood control benefits. Nonresidential properties generally have larger areas of impervious surface, and have greater impacts from the runoff generated from their properties.

### **How are nonresidential storm fees determined?**

Nonresidential (commercial/industrial) properties are billed based on the total square footage of impervious surface on the property (typically buildings and parking lots). The total impervious square footage of a commercial property is then converted to ERUs. For example, a medium-sized business might have a total impervious surface of 11,000 square feet.  $11,000 \text{ sq. feet} / 2,228 \text{ sq. feet per ERU} = 4.9 \text{ ERUs}$ . You can find the current utility rates on the Comfort Systems website [here](#).

### **Are there any nonresidential stormwater credits available?**

Yes. Please visit the [Nonresidential Storm Utility Credit](#) webpage for more information.

### **Why has my storm bill changed?**

The following are the main reasons why you could see a change on your bill:

1. Scheduled Stormwater Rate change. There is an approved scheduled rate change to occur every July from 2021 to 2026. You can find the current utility rates on the Comfort Systems website [here](#).
2. In 2023, 1 ERU increased from 1,708 square feet to 2,228 square feet. 2,228 square feet is the average impervious surface area in Duluth for a residential dwelling unit.
3. Change of Use to property, such as, property was converted from residential to nonresidential or vice versa. (Example: Single-Family Dwelling Unit was converted to Two-Family Dwelling).
4. During annual aerial review of nonresidential property, it was noted there was an increase or decrease in impervious surface.

**I have a nonresidential property, and have reduced the amount of impervious surface on site. Why has my storm bill not gone down?**

If you have reduced the amount of impervious surface on your nonresidential property, please contact Stormwater Utility Programs Coordinator, Laura Hoglund at 218-730-5084 or [lhoglund@duluthmn.gov](mailto:lhoglund@duluthmn.gov). Typically, site changes are noted and tracked with other city permitting, such as, demolition or wrecking permits with the Construction Services & Inspections Division. Increase or decrease of impervious surface is also reviewed annually when the city receives the annual aerial image. If city permitting was not required for the reduction of impervious surface, be sure to notify Laura. Laura will perform a site visit and review the aerial imagery of your site to determine a more accurate storm bill going forward.

**Why do I have to pay if my roof drains onto my grass?**

Even if all of the runoff from your property is directed to pervious surfaces (such as grass), it is highly unlikely that during a 100-year rain event all of the runoff can be absorbed without discharging any to adjacent driveways, sidewalks or streets. During a 100-year rain event even the grassy areas will have runoff, so they would not be effective in absorbing runoff from impervious areas.

**All other utilities are shut off, why is my storm bill still active?**

Storm utility accounts stay active, even when other utilities are inactive and shut off. Storm utility accounts only become inactive once all impervious surfaces are removed from the entire site, and the entire site has reached permanent stabilization/restoration.

**How can I appeal a decision regarding my stormwater bill?**

If you wish to appeal a Public Works & Utilities/Comfort Systems finding, please visit the PUC or Appeal webpage [here](#) or call 218-730-5200.

**Where can I find the Stormwater Utility Ordinance?**

City of Duluth Legislative Code [Chapter 43 Article XI. Stormwater Utility System](#).

**I have additional questions. Where can I find more information?**

If you have any questions or concerns about your stormwater bill, please contact Stormwater Utility Programs Coordinator, Laura Hoglund at 218-730-5084 or [lhoglund@duluthmn.gov](mailto:lhoglund@duluthmn.gov).