

**Document Code No.:** FIN 8-5-1-PR

**Title:** Surface Water Management (SWM) Fee Protocols

**Effective Date:** 30 days after filing with ARMMS

**Authorities:** King County Code

**Keywords:** applicant, SWM fee rate adjustment, grant program for reducing impervious surface

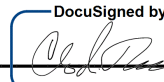
**Sponsoring Agency:** Water and Land Resources Division / Stormwater Services Section



**King County**

**Signature:**

**Date signed:**

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## I. Purpose

To adopt the 2020 SWM Fee Protocols, attached as Appendix A to this Rule, which establish standards and procedures for calculation of SWM fees, approval of SWM fee rate adjustments, and awards of grants for reducing the stormwater runoff impacts of developed parcels within unincorporated King County. These SWM fee is authorized by King County Code (KCC) 9.08, Surface Water Management Program.

**Applicability and Audience** This policy applies to landowners and residents of unincorporated King County, applicants for SWM fee rate adjustments, and the King County Department of Natural Resources and Parks (DNRP) Water and Land Resources Division (WLRD).

## II. Definitions

**Applicant:** A property owner, or any person or entity designated or named in writing by the property owner to be the Applicant, applying for a SWM fee rate adjustment or incentive for reducing impervious surface.

**DNRP:** The King County Department of Natural Resources and Parks or its successor agency.

**Director:** The director of DNRP or their designee.

**Incentive for Reducing Impervious Surface:** Monetary, technical, or other assistance offered by SWS to encourage and assist owners of non-residential parcels in unincorporated King County.

**Surface Water Management Fee:** The annual fee charged to the owners of developed parcels in unincorporated King County to pay for surface and storm water management services provided by King County's Surface Water Management Program as set forth in King County Code (KCC) Chapter 9.08.

**SWM Fee Protocols:** The standards and procedures for SWM fee calculation and processing of SWM fee rate adjustments and incentives for reducing impervious surface that are being adopted by the Rule and are attached as Appendix A. The SWM Fee Protocols are available here: <https://www.kingcounty.gov/depts/dnrp/wlr/surface-water-mgt-fee.aspx>.

**SWM Fee Rate Adjustment:** A WLRD-approved change in the amount of a parcel's annual SWM fee as authorized by KCC 9.08.080 and implemented by this Rule.

### III. Policy

#### A. SWM Fees

1. KCC 9.08 allows DNRP to charge developed parcels a fee to fund King County's efforts to reduce the impacts of stormwater runoff. The fees are based on the amount of impervious surface on a parcel as a percentage of its total area.

#### B. SWM Fee Rate Adjustments

1. Any individuals or entities billed a SWM fee may request a rate adjustment from WLRD within three years of the date the bill was sent. Filing a request does not extend the due date for payment of the fee.
2. Requests for SWM fee rate adjustments may be granted or approved by the Director only when one or more of the conditions identified and described in KCC 9.08.080 B.1 through B.10, as implemented by this Rule, exists.

#### C. SWM Fee Protocols

1. The SWM Fee Protocols provide the Director's interpretation of KCC Title 9 and its impacts on the SWM fee program. The protocols provide further explanation of the processes and methods the DNRP uses to administer the requirements of KCC Title 9.
2. The SWM Fee Protocols are available from WLRD (<https://www.kingcounty.gov/depts/dnrp/wlr.aspx>) here: <https://www.kingcounty.gov/depts/dnrp/wlr/surface-water-mgt-fee/swm-fee-protocols.aspx>.

#### D. Liberal Construction

1. This Rule shall be liberally construed to give full effect to the object and purposes for which it was adopted.

### IV. Implementation Plan

- A. This policy becomes effective for DNRP on the date that it is signed by the Executive. DNRP is responsible for implementation of this policy.
- B. DNRP is responsible for communicating this policy to the management structure within the agency and other appropriate parties.

### V. Maintenance

- A. This policy will be maintained by WLRD, or its successor agency.
- B. This policy will automatically expire five (5) years after its effective date. A new, revised, or renewed policy will be initiated by WLRD, or its successor agency prior to the expiration date.
- C. The Director, or their agent, shall review the SWM Fee Protocols and revise them as needed.

### VI. Consequences for Noncompliance

- A. Interest accrues on delinquent service charges that may result in tax lien foreclosure on the parcel as detailed in KCC 9.08.100.
- B. SWM fees are the main source of funding for King County's Surface Water Management Program. If SWM fees are not calculated, they cannot be collected.

Appendices: SWM Fee Protocols (2020)