

What is TMC Chapter 13.25?

TMC Chapter 13.25 consists of Topeka's stormwater utility code sections declaring the City's responsibility for operating the City's stormwater management system and financing necessary system repairs and improvements. The code regulates stormwater drainage fees for residential and nonresidential developed properties and describes stormwater drainage fee adjustments. Currently, the code allows fee adjustments for stormwater **quantity** best management practices (BMPs) only.

Why is Topeka revising TMC Chapter 13.25?

The current language in TMC Chapter 13.25 that describes the stormwater drainage fee adjustments is not clear, often causing confusion when determining the appropriate fee adjustment for a particular site. In addition, it does not include adjustments for stormwater **quality** BMPs. These BMPs are now an important piece of Topeka's stormwater program requirements and goals. A fee adjustment for compliance and implementation of stormwater quality BMPs is warranted.

What revisions to TMC Chapter 13.25 are proposed?

The proposed revisions to Chapter 13.25 are confined to in Section 13.25.090 which establishes stormwater drainage fee adjustments for stormwater BMPs. In addition to proposing new fee adjustments for stormwater quality BMPs, various other revisions were made to the text to eliminate confusion about fee adjustment calculations. All revisions proposed are in keeping with the goals of Topeka's stormwater management program and the proposed improvements to stormwater quality and quantity requirements in TMC Chapters 13.35 and 13.40. The maximum total fee adjustment for a site will remain at 40%, which is the current maximum adjustment. The proposed fee adjustments are shown in the table below.

Code Change?	Description of Stormwater BMP Design	Fee Adjustment
No change	The property meets Topeka's stormwater quantity requirements for volume control. Runoff is fully retained onsite.	30%
No change	The property drains to a stormwater system that is not owned and operated by the City of Topeka	30%
Revised	The property meets Topeka's stormwater quantity requirements for peak flow control.	5% for each design storm event achieved, up to a maximum of 30%
New	The property meets Topeka's stormwater quality requirements.	10%
New	The property exceeds Topeka's stormwater quality requirements by 5% or more.	10%

All fee adjustments are subject to proper maintenance and operation of the stormwater BMPs. This means that the fee will be discounted in keeping with the table above so long as property owners protect, inspect, and maintain the BMPs on their property in keeping with the requirements of TMC Chapter 13.40 and the new *Property Owner's Guide to Stormwater BMP Maintenance*.