



City of Charleston, SC

Stormwater Management Utility Fee Appeals Manual

January 1st, 2026

Table of Contents

Glossary of Terms.....	3
1.0 General Information	5
1.1 Overview	5
1.2 Stormwater User Fee Determination	5
1.2.1 Stormwater Property Classifications.....	6
1.2.1.1 Single-family Residential Properties	6
1.2.1.2 Condominium Unit Properties.....	6
1.2.1.3 Non-residential Properties	7
1.2.1.4 Undeveloped Properties	7
2.0 Stormwater User Fee Appeals.....	8
2.1 Objectives	8
2.2 Eligibility.....	10
2.3 Stormwater User Fee Appeals Policies	10
2.4 Stormwater User Fee Appeal Application Requirements	13
2.5 Stormwater User Fee Appeals Application Submission	15
Appendix - A: Stormwater User Fee Appeal - Example Calculations.....	16
A.1 Impervious Area Change (Non-residential)	16
Appendix - B: Application Forms	17
A-1 Stormwater Property Classification	
A-2 Impervious Area Adjustment	
A-3 Condominium Stormwater User Fee Distribution Adjustment	
A-4 Homestead Exemption Adjustment	
AD-1 Authorized Designee	
RR-1 Request for Reconsideration of Appeal Determination	

Glossary of Terms

This section provides definitions of key terms relating to the stormwater management utility fee determination appeals process ("appeals process") described in this manual. See also the definitions in section § 27-134 of the City Code.

- i. **Appellant:** Refers to the utility customer (i.e., parcel owner) or authorized designee who files an application for a stormwater management utility fee adjustment appeal.
- ii. **Base rate:** The annual stormwater management utility fee charged per equivalent residential unit¹.
- iii. **City:** The City of Charleston.
- iv. **Condominium Property:** The developed property that serves the primary purpose of providing permanent condominium units and their collectively owned common elements.
- v. **Condominium Units:** An individually owned parcel in a multiunit developed property where unit owners collectively own common elements such as parking, lobby grounds, and similar features.
- vi. **Developed Property:** Real property, which has been altered from its natural state by the addition of any improvements such as buildings, structures, or other impervious or semi-pervious surface area.
- vii. **Dwelling Unit:** shall mean a single unit providing complete, independent living facilities for one family, including permanent provisions for living, sleeping, eating, cooking and sanitation.
- viii. **Equivalent Residential Unit (ERU):** The total impervious area of a typical single-family residential property; and is defined as the median impervious area of a representative sample of all residential properties in the flat rate single-family category. The equivalent residential unit is two thousand two hundred (2,200) square feet.
- ix. **Fee:** The annual amount charged to a property owner for the services provided by the stormwater management utility. Within the context of this manual, the fee is also referred to as the stormwater user fee or stormwater user charge.
- x. **Homestead Exemptions:** An exemption from stormwater user fees applicable to

¹ The annual base rate per equivalent residential unit is one hundred thirty-two dollars (\$132.00).

customers who are sixty-five (65) years of age or older and certain persons who are totally and permanently disabled or are legally blind pursuant to S.C. Code Ann. § 12-37-250 (1976).

- xi. Impervious Surface Area:** A surface which is compacted or covered with material that is resistant to infiltration by water, including, but not limited to, most conventional surfaced streets, roofs, sidewalks, parking lots, and other similar structures.
- xii. Non-Residential Property:** Developed property that is not single-family residential property or condominium property. Such property shall include, but not be limited to, multi-family residential properties (other than condominium units), commercial properties, industrial properties, parking lots, recreational, institutional and cultural facilities, hotels, offices, and churches.
- xiii. Revenues:** All fees, assessments or other income received by the stormwater management utility, including but not limited to, amounts received from the investment or deposit of monies in any fund or account and all amounts received as gifts, donations and the proceeds from the sale of bonds to finance the stormwater management program.
- xiv. Single-Family Residential Property:** shall mean property designated as a single parcel on the Berkeley or Charleston County tax maps, containing only one (1) principal dwelling unit and that does not share a ceiling or floor with another dwelling unit. The presence of an Accessory Dwelling Unit does not disqualify a property from this classification.
- xv. Stormwater Management Facilities:** may include ditches, swales, channels, canals, ponds, lakes, pipes, culverts, grates, weirs, inlets, outlets and other structures that exist for the collection, storage, conveyance and treatment of stormwater runoff.
- xvi. Undeveloped:** In the context of the stormwater management utility fee, any residential or non-residential property that has less than ten (10) percent of the equivalent residential unit of impervious surface area or any property operating solely as a cemetery without a collocated additional use.
- xvii. Utility customer:** The person or entity that is the property owner, and such person or entity shall receive the annual billing for the stormwater management utility fee.

1.0 General Information

This Stormwater User Fee Appeals Manual (Manual) is intended as a reference guide for the City of Charleston's (City) stormwater utility customers and/or their authorized designee to appeal certain aspects of their property's stormwater user fee if they have concerns regarding their property's stormwater user fee amount and/or stormwater user fee billing.

This Manual provides an overview of the City's stormwater user fee and describes the policies, technical requirements, and administrative procedures of the appeals process.

1.1 Overview

The City's Stormwater Management Department's purpose is to protect, maintain, and enhance water quality and the environment of the City and the short-term and long-term public health, safety, and general welfare of the citizens of the City (Chapter 27 Sec. 27-6). Accordingly, the Stormwater Management Department is responsible for providing stormwater services within City limits. The services include the following:

- Ongoing operations and maintenance (O&M) of the City's stormwater drainage systems, as well as routine system repair, and replacements;
- Master Planning;
- Planning, engineering, and construction of stormwater system improvements;
- Regulatory Compliance with the City's National Pollution Discharge Elimination System (NPDES) Municipal Separate Sewer System (MS4) Permit requirements;
- Coordination with other City Departments, County and State Agencies and other supporting entities;
- Overall program administration and management, as well as other related responsibilities.

The City established a stormwater management utility and associated stormwater user fees to recover the costs associated with stormwater management services and other stormwater related needs. The stormwater management expenditures and the utility fee revenues are accounted for in a separate Stormwater Utility Fund.

With changes adopted by City Council in June of 2025 via Ordinance 2025-083, effective January 2026, the City transitioned from monthly billing of stormwater user fees via the Charleston Water System's utility bill to annual billing via Charleston and Berkeley County tax assessment systems.

1.2 Stormwater User Fee Determination

The City's stormwater user fee is determined based on a property's impervious area as impervious

surfaces influence the amount of stormwater runoff that a property contributes to the City's drainage system and demand on stormwater management services. Using the aerial imagery, the City delineated various impervious surfaces (or improvements) such as buildings, parking lots, sidewalks, porches, sheds, decks, swimming pools and other improvements that exists in each property.

As described in section § 27-134 of the City Code, the City has defined 2,200 square feet of impervious area as one Equivalent Residential Unit (ERU) and the annual base rate is \$132.00 per ERU. The annual stormwater user fee is calculated based on applying the annual base rate to the number of ERUs determined for a property, in accordance with the property classifications as stated in section § 27-139 of the City Code.

The ERU and the ERU base rate are established by ordinance, by City Council, and may be amended in the future. Current ERU rate is available on the City's website at:

<https://www.charleston-sc.gov/2690/Stormwater-Service-Billing>

1.2.1 Stormwater Property Classifications

This section describes the classification of properties, as defined in City Code § 27-139, for the purpose of determining the annual stormwater user fee for each property. As defined in City Code, all properties in the City are classified as follows:

- a. Single-family Residential;
- b. Condominium unit;
- c. Non-residential; and
- d. Undeveloped.

For properties located within Charleston County, property class is designated based upon the land use type Charleston County assessor's office has assigned to a property. For properties located within Berkeley County, property class is designated based upon building improvement type Berkeley County assessor's office has assigned to a property.

1.2.1.1 Single-family Residential Properties

All single-family residential properties are charged a flat uniform annual fee equal to the base rate times one ERU, regardless of the size of the parcel or the improvements on the parcel.

Single-family residential customers may be eligible for a homestead exemption, if they meet the eligibility requirements, as defined in Section § 27-140 of the City Code.

1.2.1.2 Condominium Unit Properties

Condominium units are charged the base rate multiplied by the ERUs that are obtained by dividing the total impervious area square feet of the condominium property, as determined by the director of stormwater management or their designee, by one ERU (i.e., 2,200 square feet),

and then apportioning the ERUs to each individual condominium unit based upon an equal distribution.

Individual condominium unit ERUs are rounded to the nearest one-hundredth (0.01).

1.2.1.3 Non-residential Properties

Non-residential properties are charged the base rate multiplied by the ERUs that are obtained by dividing the total impervious area square feet of the property, as determined by the director of stormwater management or their designee, by one ERU (i.e., 2,200 square feet).

Non-residential property ERUs are rounded to the nearest one-hundredth (0.01).

1.2.1.4 Undeveloped Properties

Any residential or non-residential property, which has impervious area less than or equal to ten percent (10%) of the ERU, which is currently 220 square feet, is exempt from the annual stormwater utility charge².

² Any property operating solely as a cemetery without a collocated additional use is also considered exempt for the purposes of determining stormwater user fees.

2.0 Stormwater User Fee Appeals

2.1 Objectives

The objectives of the stormwater user fee appeals process are as follows:

- Provide a mechanism to address exceptions, if any, in parcel ownership and stormwater property classification designated to a parcel.
- Provide a mechanism to appeal a property's stormwater user fee, which is calculated based upon the City's assigned property classification and the impervious area associated with the respective property.

The City may periodically conduct an internal review, as may be necessary, of the billing data used in the determination of the annual stormwater user fee and adjust the impervious area and billing units, as appropriate. However, the City will initiate the stormwater user fee appeals process, in conformance with the policies and procedures described in this manual, when a customer or its authorized designee requests a review of the annual stormwater user fee.

A high-level overview of the steps included in the appeals process are included in Figure 2-1. Customers should follow the appeals application process outlined in this manual, complete and submit the necessary forms along with the required documentation to file an appeal.

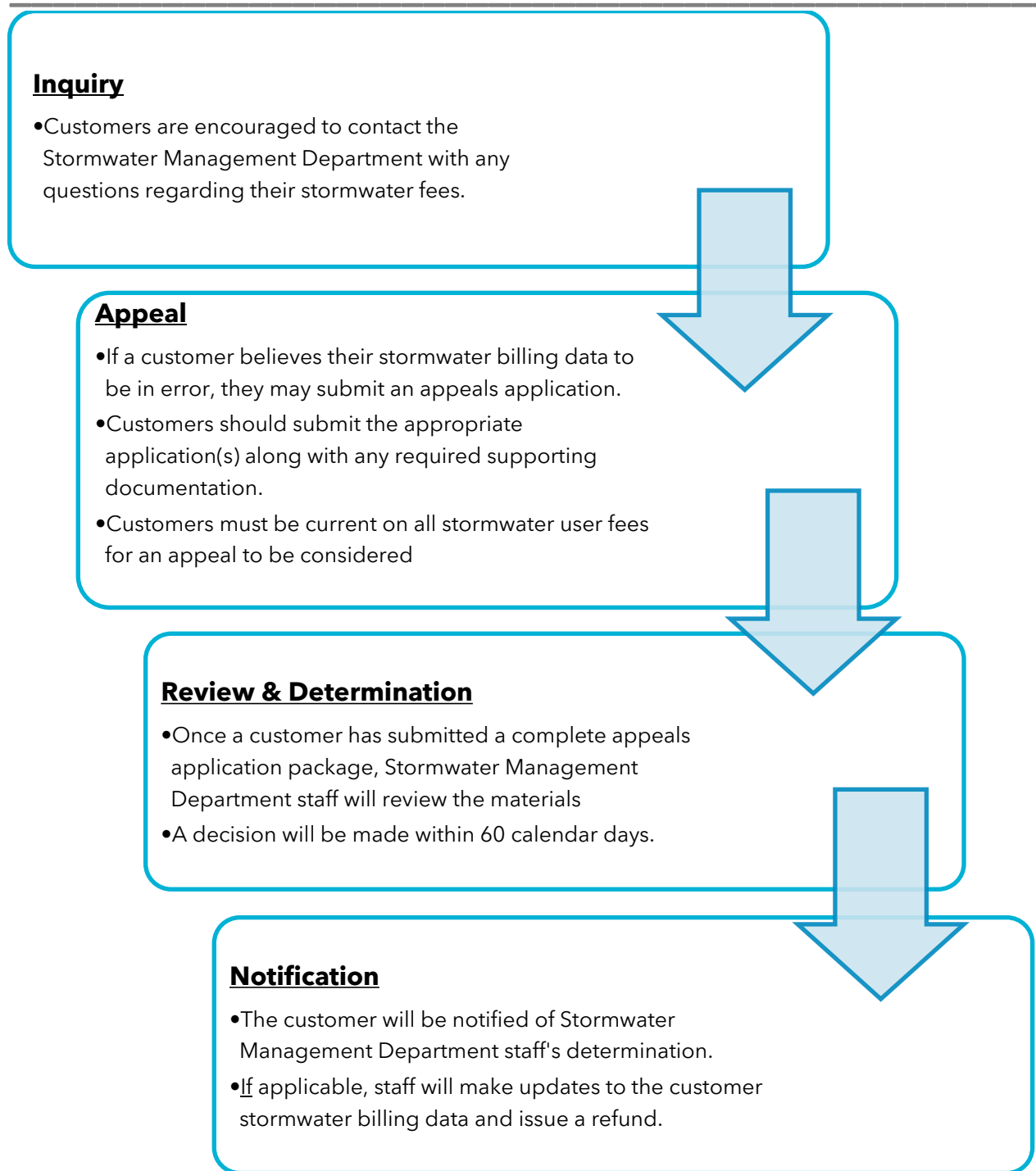


Figure 2-1 Appeals Process Overview

2.2 Eligibility

Stormwater User Fee Inquiries: Utility customers (i.e., property owners), or their authorized designees, can contact the City's Stormwater Management Department if they have any general inquiries regarding their stormwater user fee and/or desire to submit a stormwater user fee appeal to the City.

Stormwater User Fee Appeal: Only utility customers or its authorized designee is eligible to submit a stormwater user fee appeal. If an authorized designee is submitting an appeal on behalf of the utility customer, the utility customer must submit a signed statement authorizing the designee to engage with the City regarding the stormwater user fee of one or more properties, which the customer seeks to appeal. The signed statement shall also provide contact information (name, phone, and email address) of the authorized designee.

In the context of the City's stormwater user fee appeals process, the property owner and the authorized designee are referred to as the "appellant."

2.3 Stormwater User Fee Appeals Policies

a) Reasons for Stormwater User Fee Appeal(s)

The appellant can file an appeal for one or more of the following reasons:

- i. **Property Classification Adjustment:** Request a change to the stormwater property classification that the City has designated for a property.
- ii. **Impervious Area Adjustment:** Request a change to the impervious area square footage and the associated ERUs that the City has determined for a property.
- iii. **Condominium Distribution Adjustment:** Request a change to the distribution of ERUs that the City has determined for the individual condominium units that are associated with a condominium property.
- iv. **Homestead Exemption Adjustment:** Request a homestead exemption for a single-family residential property.

b) Stormwater User Fee Appeal Application

The appellant must submit a Stormwater User Fee Appeal Application (appeal application) and all supporting documentation, including payment of the user fee, to the Stormwater Management Department. Stormwater User Fee Adjustments, if any, that are approved through the appeals process, will only be effective as stated in Section 2.3(j).

The following appeal application forms, as provided in the Appendix, must be used when filing stormwater user fee adjustment appeals:

- i. FORM A-1: Stormwater Property Classification Adjustment
- ii. FORM A-2: Impervious Area Adjustment

-
- iii. FORM A-3: Condominium Distribution Adjustment
 - iv. FORM A-4: Homestead Exemption Adjustment

An appeal application that is filed for one or more properties using Forms A-1, A-2, A-3, or A-4 will not be considered complete and will not be processed unless the following requirements are met:

- i. A separate Appeal Form is submitted for **each** parcel, for which the appellant wants to submit an appeal request, as defined in Section 2.4(a);
- ii. Any required application fee, for each appeal, as identified in Section 2.4(a) is included;
- iii. The Appeal Form is submitted along with the required supporting documentation as defined in Section 2.4(b);
- iv. The Appeal Form is signed by the appellant;
- v. The Appeal Form is submitted and all required documentation, associated with the appeal of the stormwater user fee, is deemed fully complete by the deadline as defined in Section 2.3(i); and
- vi. The property for which an appeal is submitted is not delinquent on any stormwater user fees including that of the most recent stormwater user fee issued to the property in the tax assessment bill.

Note: If an authorized designee submits the appeal on behalf of the property owner, the application must include a completed FORM AD-1: Authorized Designee.

e) Stormwater User Fee Payment

A pending appeal application on a property shall not constitute a valid reason for non-payment of the property's annual stormwater user fee. All stormwater user fees that are outstanding at the time of the appeal application submission must be paid in full prior to the City commencing the technical review. Any stormwater user fee that is received during the adjustment appeal application review process needs to be paid in full.

f) Documentation Costs

As explained herein, the appellant requesting the adjustment is responsible for all costs associated with preparing the necessary supporting documentation, as defined in Section 2.4(b).

The City will not reimburse any costs that the appellant incurs in the preparation of the required documentation and/or appeals application package.

g) Burden of Proof

The burden of proof shall be on the appellant to demonstrate the validity of the appeal by providing clear and convincing required supporting documentation.

h) Right-of-entry

Following submission of an appeal application, the City shall have an automatic Right-of-Entry into the property, following notice to the property owner, for the sole purpose of inspecting the facility/structure or other stormwater management systems in the parcel for which the stormwater user fee appeal is requested.

i) Appeal Application and Decision Schedule

- **Appeal Submission:** For any stormwater user fee appeal, pertinent to the 2025 stormwater user fee assessment, a property must submit an appeal application by April 30th, 2026. All required documentation must be submitted and deemed fully complete no later than June 30th, 2026. For any stormwater user fee appeal, beginning with the 2026 stormwater user fee assessment, a property must submit an appeal application by March 1st that immediately follows the issuance of the annual stormwater user fee assessment to the property. All required documentation, associated with an appeal, must be submitted and deemed fully complete no later than April 1st.

The City staff will strive to issue an appeal determination on a property's appeal application, within 60 calendar days of the receipt of a fully completed appeal application with all appropriate supporting documentation.

- **Reconsideration of Appeal Determination:** An appellant can submit a request for reconsideration of the appeal determination no more than thirty (30) calendar days from the date the determination is mailed. Such a request for reconsideration shall be submitted in writing utilizing Form RR-1 and filed with the Director of Stormwater Management or his designee within thirty (30) calendar days of the appeal determination date indicated in "Form N-1 Notice of Appeal Determination" letter. The request for reconsideration shall use the appropriate Form RR-1 and be accompanied by appropriate information as defined by the Director of Stormwater Management or his designee.

The Director of Stormwater Management or his designee shall review and issue a determination on the reconsideration request within fifteen (15) calendar days, of the receipt of fully completed reconsideration request with appropriate supporting documentation.

- **Further Appeals:** An appellant may file an appeal of the Director's decision with the Public Works and Utilities Committee (Committee) no more than thirty (30) calendar days from the date the determination is mailed. The Director of the Department of Stormwater Management will coordinate with the Clerk of Council's Office for the customer's further appeal.
 - The request must be made in writing and include a rationale as to why the appellant disagrees with the reconsideration determination.
 - Included with the written request the appellant must submit a fee of \$100 made payable to the City of Charleston.

- In the event that a further appeal request is successful, the \$100 fee shall be reimbursed.

The Committee hearings shall be scheduled within sixty (60) calendar days of the receipt of a formal written request to the Committee, unless continued by agreement. The Committee shall render its determination within sixty (60) calendar days of the completion of hearing. The Committee's determination is final.

Any person aggrieved by a final determination of the Public Works and Utilities Committee shall have the right to file an appeal with the court of common pleas in the county where their property is located, either the County of Charleston or Berkeley County, , no more than thirty (30) calendar days from the date the determination is mailed .

j) Stormwater User Fee Adjustments

For appeals which result in a decrease of a property's annual stormwater user fee, within 30 business days of the appeal determination notification date, the City will refund the party that was billed for the fee on the tax bill per the tax office records, any excess stormwater user fee that the property has paid.

The ERU adjustments and the associated revised stormwater user fee, if approved, will only be applicable to the property's most recent year stormwater user fee assessment, for which the appellant filed an appeal, consistent with the requirements defined in Section 2.3(b).

It is important to note that in the case of a Stormwater Appeal, based on City's review of all the supporting documentation that is submitted and any additional review the City may perform including an onsite visit to the property, an appeal may sometimes result in an increase in the subject property's impervious area square footage and the associated ERUs relative to the property's existing ERUs.

2.4 Stormwater User Fee Appeal Application Requirements

a) Application

The stormwater user fee appeal for a property must be initiated by the appellant, if the appellant wants a review of the annual stormwater user fee associated with their property.

The appellant must submit a fully completed separate appeal application (See Form A-1, A-2, A-3, or A-4 in the Appendix) accompanied by the appropriate supporting documentation, as defined in Section 2.4(b), for each parcel being appealed.

An appeal application that is submitted for a property may request a review for one or more appeal reasons, as appropriate, and as defined in Section 2.3.

A processing fee of \$100 is required, from a condominium property, for any request to

redistribute the condominium units annual stormwater user fee. Check should be made payable to the City of Charleston, SC.

"Form AD-1 Authorized Designee" (provided in the appendix) is required to be submitted along with the application form if an authorized designee is representing a property owner.

b) Supporting Documentation

The appellant must provide the following supporting documentation when filing for a stormwater user fee appeal:

- **Property Classification Change:** Appellant must provide a written statement regarding the property classification change that is being requested and why the assigned property type is not considered appropriate for the subject property.
- **Impervious Area Change:** Appellant must submit valid documentation to demonstrate the need for revising a property's impervious area, as assigned by the City, including the following:
 1. Aerial photographs of the subject property with parcel lines from the City's Geographical Information System (GIS) or other referenced source;
 2. Either of the following:
 - a. Construction Record or "As-Built" Construction Drawings signed and sealed by a professional engineer or surveyor; or
 - b. Impervious area calculations (in square feet) certified by a professional engineer or surveyor that has provided a plan view drawing or aerial photograph; and
 3. A signed statement that the submission is true to the best knowledge of the applicant.
- **Condominium User Fee Distribution Adjustment:** Appellant must provide the requested redistribution of stormwater charges associated with subject condominium by completing the associated application form.
 - In this case, the Appellant must either be a representative of the Condominium Owners Association and/or provide a written statement that the requested distribution is acceptable to all condominium unit owners impacted by the redistribution of stormwater charges.
 - The \$100 processing fee must be included.
- **Homestead Exemption:** A single-family residential property can submit a Homestead Exemption application to the City, if eligible. The City will verify the eligibility for Homestead Exemption with Charleston and Berkeley County, as appropriate.

- If the property is designated for Homestead Exemption in the tax records of Charleston or Berkeley County, the City will then exempt the property from the payment of annual stormwater user fee for future billing years.
- The current year's bill will still apply and not be reimbursed as billing occurred prior to the customer's application for the homestead exemption.
- An exception to this is if a property has applied for the homestead exemption (and qualified for the exemption) prior to bills being sent out by the County Tax Office.

Survey data provided in support of the Impervious Area appeal must be prepared within or recertified within the most recent 12 months. Under certain limited hardship conditions, the Director of Stormwater Management may waive in writing the submission of one or more supporting documentation, as appropriate.

2.5 Stormwater User Fee Appeals Application Submission

The general procedures, defined herein, will be adhered to during the receipt, processing, and determination of the stormwater user fee appeals application.

The appellant can either download the appropriate Form A-1, A-2, A-3, or A-4 from the City's website or request Customer Service to mail the application form.

The completed appeal application, and supporting documentation, if any, must be submitted to:

Stormwater Utility Financial Account Manager
City of Charleston
Stormwater Management
2 George St
Suite 2100
Charleston, SC 29401

Appendix – A: Stormwater User Fee Appeal - Example Calculations

The following examples illustrate the calculation procedures that would be applied in determining the stormwater user fee if an appeal is approved for a parcel. In the examples presented below, the annual rate per ERU of \$132 is used in the stormwater user fee calculations.

A.1 Impervious Area Change (Non-residential)

The following example is based on a Non-residential parcel with an original 6,000 square feet of captured impervious area. The parcel requested an appeal of its impervious area due to the company removing part of the property's parking area, thus reducing their property's total impervious area.

- i. Original Impervious Area for the parcel: 6,000 square feet
- ii. $6,000 \text{ square feet} / 2,200 \text{ square feet/ERU} = 2.73 \text{ ERUs}$
- iii. Original 2025 annual stormwater assessment: $\$132 \times 2.73 \text{ ERUs} = \360.36
- iv. Revised Impervious Area for the parcel: 5,000 square feet
- v. $5,000 \text{ square feet} / 2,200 \text{ square feet/ERU} = 2.27 \text{ ERUs}$
- vi. Revised 2025 annual stormwater assessment: $\$132 \times 2.27 \text{ ERUs} = \299.64
- vii. Refund amount due to customer = $\$360.36 - \$299.64 = \$60.72$

Figure 1. Original Impervious Area

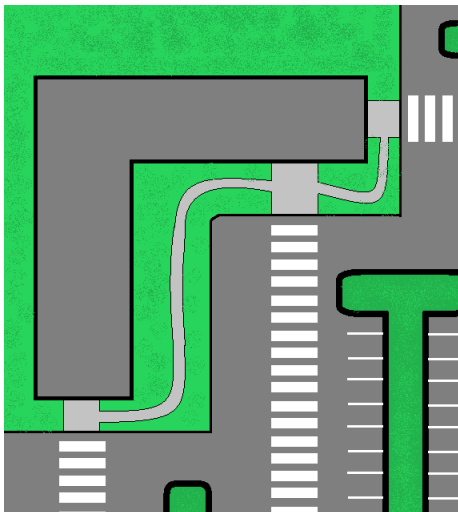
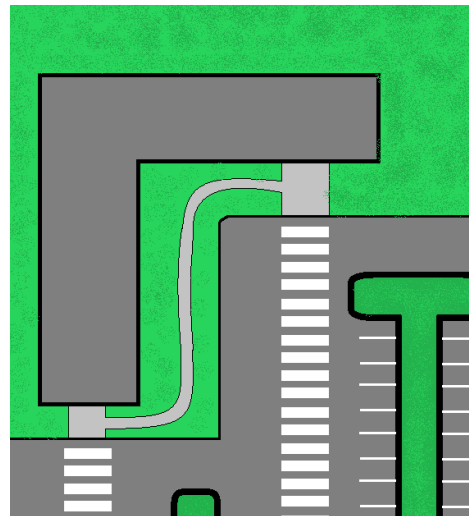


Figure 2. Updated Impervious Area



In this example, the property owner removed a portion of the impervious area surface relative to the original impervious area captured by the City, resulting in a lower ERUs and associated stormwater user fee.

Appendix - B: Application Forms