

**RESOLUTION NO R-22-13**

**CONSENT AND APPROVAL OF STORMWATER UTILITY CREDIT PROGRAM**

WHEREAS, the City Council on December 14, 2021, enacted an ordinance establishing a new Stormwater Utility within the municipal boundaries of the City (the "SWU"); and

WHEREAS, the SWU was enacted pursuant to the provisions of the Virginia Stormwater Management Act, codified at Virginia Code Title 62.1, Chapter 3.1, Article 2.3 (the "Act"); and


WHEREAS, the ordinance establishing the SWU, as required by the Act, obligates the City Council to adopt, by resolution, a system of SWU credits that meet the express requirements of new Section 102.205 of the City Code (created by the ordinance); and

WHEREAS, the City Council desires to consent to and approve the system of SWU credits and associated documentation relating to the SWU Credit Program.

NOW, THEREFORE BE IT RESOLVED, by the City Council of the City of Fairfax, Virginia, that it hereby consents to, and approves, the Stormwater Utility Credit Program as presented by staff and substantially of the form attached to this resolution as Attachment 1. This approval includes, but is not limited to, the list and delineation of creditable activities (the system of SWU credits) contained therein and the initial form of the Stormwater Utility Credit Program Manual and associated forms and materials contained therein.

IT IS FURTHER RESOLVED that the authority granted to the Director of Public Works, or designee, pursuant to Section 102-205(b) of the City Code shall include making any necessary and reasonable modifications to the language, layout and processing of the Stormwater Utility Credit Program Manual and associated forms. Notwithstanding the foregoing, any revision(s) to the adopted system of credits (to include the list of creditable activities) shall require the consent and approval of the City Council.

ADOPTED: April 12, 2022

  
\_\_\_\_\_  
Mayor

Attest:

  
\_\_\_\_\_  
City Clerk

The vote on the motion to approve was recorded as follows:

**VOTE:**

Councilmember Harmon	Aye
Councilmember Lim	Aye
Councilmember Miller	Aye
Councilmember Ross	Aye
Councilmember Stehle	Aye
Councilmember Yi	Aye