

11-17-2021 Town Council Meeting
Responses to Council Questions

ITEM #6: Amend the Stormwater Management Utility Advisory Board Membership to Include Renters of Single-Family Residential Property within Chapel Hill

Council Question:

Is there a statutory provision against allowing any and all renters (not just single-family renters) to serve? It seems that this would be more equitable.

Council Question:

Why is the amendment for SMUAB restricted to renters of only single-family homes? It is possible to include all renters?

Council Question:

If I am understanding correctly even with this change (which is progress!), we still don't allow a community member living in a condo or apartment to serve on the board? Why would that be?

Staff Response:

Staff is unaware of any legal barriers to adding them to membership. Adding condo unit owners, condo renters, and apartment renters (i.e., owners or renters of "units" within a multi-family structure) would also require a redistribution of the membership since these types of residents are not currently described in the board representation language of the ordinance.

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ITEM #6: Amend the Stormwater Management Utility Advisory Board Membership to Include Renters of Single-Family Residential Property within Chapel Hill

Council Question:

The new ordinance allows renters of single-family residences to be on the board. Are apartment renters eligible for membership now? If not, why weren't they added to this update?

Town Attorney Response:

The current membership includes owners of the buildings/structures that form the basis for calculation of the fee – so, owners of single-family properties and company owners of multi-family properties. It does not currently include owners of individual condos or apartments within multi-family buildings. If the Council would like to allow renters of these individual units, Council could first consider whether to allow owners of the individual units. These changes would also entail a discussion of how to reallocate the 9 members among the categories. Below is the existing ordinance (with the current proposed change to allow renters of single-family properties), and a link to the Town's information about the stormwater fee schedule:

Sec. 23-12. Membership qualifications and terms.

*The stormwater management utility advisory board shall consist of nine (9) members appointed by the town council. Board representation shall include five (5) members who are owners **or renters** of single-family residential property within Chapel Hill, three (3) members who are owners or employees of companies owning property within Chapel Hill used for multi-family, business, commercial, or non-profit purposes, and one (1) member employed by the University of North Carolina at Chapel Hill.*

The terms of board members shall be a maximum of three (3) years. The terms of the original members may be staggered so that all terms do not expire simultaneously. Vacancies shall be filled only for the remainder of the unexpired term of the vacant position. Members of the board shall demonstrate interest in support for the efficiency, effectiveness, goals and mission of the town's stormwater management program. Board members shall serve without compensation, but may be reimbursed for actual expenses incidental to the performance of their duties within the limit of funds available to the board and identified by the town council for such purposes.

(Ord. No. 2004-06-14/O-9, § 1; Ord. No. 2004-12-06/O-5, § 1; Ord. No. 2008-10-27/O-1, § 1; Ord. No. 2021-)

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<https://www.townofchapelhill.org/government/departments-services/business-management/fee-schedules/public-works-stormwater-management-division-fee-schedule>