

ARTICLE V
GENERAL PROVISIONS

SECTION 5.01. ADJUSTMENT OF NET ESUs.

(A) Petitions for review of the number of Net ESUs attributed to any Tax Parcel shall be submitted to the Director, who shall have authority to correct any errors made in applying the provisions of Article III hereof to the Tax Parcel. The following procedures shall apply to all petitions.

(1) Each petition shall be made to the Director by the Owner of the Tax Parcel or such Owner's authorized agent.

(2) The petition shall be in writing and set forth, in detail, the grounds upon which adjustment is sought.

(3) The petition must be filed with the Director within 30 days of the notice required by Section 4.03 of this Resolution and shall be reviewed within 30 days of the filing date. Filing of a petition shall not extend the time for payment of any Stormwater Service Assessment or affect the amount of any discount for early payment. If the number of Net ESUs is adjusted for any Tax Parcel, the Stormwater Service Assessment shall be corrected in accordance with Section 86-45 of the Assessment Ordinance. If the Stormwater Service Assessment has been paid prior to adjustment of the number of Net ESUs, the Tax Collector shall refund the amount by which the Stormwater Service Assessment has been reduced, adjusted for any early payment discount taken by the owner.

(4) The petitioner shall be required, at petitioner's own cost, to provide supplemental information to the Director including, but not limited to, survey data approved by a professional land surveyor and/or engineering reports approved by a professional engineer. Failure to provide such information will result in the denial of the petition.

(5) The Director shall respond to each petition in writing.

(B) The Director may initiate adjustments to the number of Net ESUs attributed to any Tax Parcel. If the number of Net ESUs is reduced for any Tax Parcel, the Stormwater Service Assessment shall be corrected in accordance with the Assessment Ordinance. In such event, if the Stormwater Service Assessment has been paid prior to adjustment of the number of Net ESUs, the Tax Collector shall refund the amount by which the Stormwater Service Assessment has been reduced, adjusted for any early payment discount taken by the owner. If the number of Net ESUs is increased for any Tax Parcel, the adjustment shall become effective for Stormwater Service Assessments in subsequent Fiscal Years.