



Best Management Practice (BMP) Hand-Off Meeting - Bulletin for HOA

What is a Stormwater Best Management Practice (BMP) Hand-off Meeting?

A stormwater Best Management Practice (BMP) facility hand-off meeting is a meeting between the development Homeowners Association (HOA), the Developer and County staff. This meeting occurs after approval of the BMP as-built drawings. This meeting serves the following purposes:

- ❖ Memorialize the transfer of the BMPs from the Developer to the HOA and inform the HOA of their responsibilities vis-a-vis the facility(ies).
- ❖ Provide the HOA with basic information relating to BMPs, Inspection and Maintenance agreements, HOA responsibilities and obligations with respect to BMPs, and County requirements.

What is a Stormwater Best Management Practice?

Devices that are designed to remove pollutants from stormwater runoff before reaching local waterways and reduce stormwater flows are referred to most commonly as stormwater Best Management Practices. These devices may also be referred to as Environmental Site Design (ESD) features/practices, ponds. The most common BMPs include rain gardens, impervious disconnection (rooftop and non-rooftop disconnection), bio-retention areas, dry extended detention basins, wet detention basins, sand filters, bioswales/ grassed swales, and proprietary devices. Each BMP is unique, and has an individual identification number (STORMID). BMP facilities can be constructed individually/separately, in parallel, or in series with multiple other facilities.

What is Inspection and Maintenance Agreement (I&M) for Private Stormwater Management?

An I&M is a legally-binding agreement that carries with the property, between the Owner and the County. It clearly defines the responsibilities of the parties. Some key responsibilities specified in the agreement are listed in the table below

Responsibility	Responsible Party
Installation of SWM facilities	Owner
Post 2-yr Warranty Security during warranty period ¹	Owner
Routine Maintenance and Repairs and reconstruction of the facility / (ies)	HOA
Triennial Inspection	County
Provide access to the facility for inspection by County or agent or contractor	HOA
Ensure all costs associated with maintenance, repairs or reconstruction are set aside	HOA
Maintain inspection records	HOA

What is the Stormwater Management Warranty Security?

Where BMPs to be owned or maintained by homeowner’s association are proposed, the County requires the developer responsible for the installation of approved stormwater management facility(ies) to post a 2-yr warranty security. Any repair or restoration other than routine maintenance and upkeep during the warranty period shall cause the warranty to run for one additional year beyond the original two-year period.

¹ 2-yr Warranty requirement applies to any new application for a grading permit, or any application for a major revision to a pending or issued grading permit, filed on or after January 01, 2021.

When Does the Responsibility for Stormwater Management Facility Transfer to the HOA?

The HOA is created by the developer as a corporation through the State and by the recording the Declaration of Covenants and Restrictions in the land records. Therefore, the developer represents both the Owner and the HOA during construction of the entire project. Upon completion of the project construction project, the developer's engineer submits as-built drawings to the County for review and approval. Upon approval of the as-built drawings, the County requires a 2-yr warranty security to be posted prior to release of the Grading and Sediment Control Bond for the project. This 2-year warranty shall be released upon expiration of the warranty period and final inspection approval by the county, including approval of any repairs or restorations by the developer during the warranty period.

What is Hand-off Meeting Packet?

At the time of the HOA Hand-off meeting, a packet will be provided to the HOA by the Developer, which has the following information:

1. BMP As-builts;
2. Facility Inventory Map with facilities identified;
3. Facility inventory table (SWM Summary table);
4. Maintenance Sheets² with basic information on schedules, suggested maintenance actions, troubleshooting issues; and
5. BMP Costs information related to maintenance

What are the HOA Responsibilities for every Stormwater Management Facility?

The HOAs responsibilities for each BMP include perpetual maintenance, maintaining an adequate budget, repairs, and reconstruction when necessary. A general description of the responsibilities is provided below:

1. **Perpetual Maintenance:** Each Facility must be routinely maintained so that it continues to function as intended, to its design capacity County and to ensure public safety. Basic information is included with the Hand-off packet and provided on as-built plans. The Maryland Stormwater Design Manual, Volume 1 and 11 at <http://bit.ly/MDESWDM> and county website https://www.aacounty.org/departments/public-works/wprp/bmp_maintenance/index.html
2. **Inspections:** Every Facility requires triennial inspections as required by County code. The HOA shall maintain inspection records for every facility and supply them to the County every three (3) years or upon request.
3. **Major Repairs and Reconstruction:** After the completion of the warranty period, whether initiated by the HOA or determined by the County, the HOA must reconstruct or make repairs to its Facilities when necessary so that each Facility will continue to function properly. The HOA must also provide written reports to the county when major repairs or reconstruction are necessary to allow the construction and inspection to be performed in accordance with approved plan in file. This will most often occur in connection with the inspection described above.
4. **Budgeting:** The HOA should include amounts in its annual budget for upkeep and reconstruction of the stormwater management practices. The HOA should consider having two (2) distinct line items in its budget. One of the line items should be for routine maintenance and minor repairs. The second line item should be for reconstruction and major repairs. The county recommends that these amounts be increased annually to account for Consumer Price Index changes or other price index, economic factors, inflation, etc. The HOA may

² This maintenance guidance is intended to provide property owners with routine maintenance suggestions of BMPs they are responsible for maintaining and not intended to replace professional maintenance and inspection of a facility. Be sure to follow all manufacturer's recommendations where applicable.

also set aside a set percentage increase every year at its discretion.

What if I have additional questions?

Additional information regarding the Stormwater management facilities maintenance is available at:

1. https://www.aacounty.org/departments/public-works/wprp/bmp_maintenance/index.html
2. BMP layer at <http://gis-world3.aacounty.org/HTML5Viewer/index.html?viewer=WPRP> Check "Utilities" and "Stormwater BMP," the layer will turn on. and as-built programs is available on the Anne Arundel County's website at www.aacounty.org/ip
3. For specific questions regarding Stormwater management inspections, As-built for SWM facilities or other information described in this document, please contact the Inspections and Permits by phone at (410) 222- 7790 or by email at ipmailbox@aacounty.org