



# Fort Wayne City Utilities Residential Rain Garden Program

## INCENTIVE APPLICATION/AGREEMENT

City Utilities has developed an incentive program to encourage property owners to install and maintain rain gardens on their property. A rain garden is a landscaped area that collects rain water during a storm and helps the water soak into the ground rather than running off into a storm or combined sewer. City Utilities is providing incentives to property owners who install and maintain rain gardens. The incentive consists of a direct cash payment that may be used to offset any expenses related to the planning, planting and maintenance of the rain garden. The incentive is based on the size of the rain garden. The incentive will be paid at a rate of \$2 per square foot of garden installed and will not exceed \$250. Incentives can only be given to properties that are located inside the Fort Wayne City limits and only one incentive is provided per property regardless of the number of rain gardens that may be located on that property.

As a participant in the Fort Wayne City Utilities' Residential Rain Garden Incentive Program, the undersigned assert and affirm that I/we are the sole owners of the real estate located at (address):

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 (the "Property"), that there is no lease or other agreement or restriction concerning the Property that prohibits the installation and maintenance of a rain garden, and I/we have completed each of the following steps required to receive an incentive payment.

Initial completion of:	
Completed and submitted the Residential Rain Garden Program Incentive Application/Agreement (this form)	-----
Attended a rain garden instructional workshop provided by City Utilities on (date) _____ or watched the rain garden workshop video (if property ownership is in the name of more than one person, only one owner is required to attend the workshop)	-----
Read and reviewed Ch. 99 STREETS AND SIDEWALKS; TREES AND SHRUBS and Ch.100 NUISANCES to assure rain garden is in compliance with ordinance guidelines.	-----
Provided a completed W-9 Form to City Utilities.	-----
My/our rain garden will be _____ square feet and is located on _____ side of the property.	-----
We/I have completed and attached the sizing calculations (and design) documentation	-----

*This project is undertaken in connection with the settlement of an enforcement action by the United States and the State of Indiana concerning Combined Sewer Overflows.*

**Further, by completing this Application/Agreement and signing below I/we agree to the following terms and conditions:**

1. If receiving a cash incentive as outlined on page one of this Agreement/Application, I/we agree to use the cash to offset costs associated with installing or maintaining a rain garden on my/our property following a layout provided by City Utilities or designed by me/us or by someone else on my/our behalf.
2. I/ we understand that the amount of the cash incentive shall not exceed \$250.00 and shall be paid based on the square footage of the garden at a rate of \$2.00 per square foot and that completing this Application/Agreement alone does not entitle me/us to receive a rain garden incentive cash payment.
3. The rain garden shall be completed by (date) \_\_\_\_\_.
4. At least 3 inches of double shredded hardwood mulch shall be applied to all areas of the rain garden.
5. The rain garden shall be clearly defined within the property. This can be accomplished by adding a border made of rocks, brick, fencing, or similar or a clean hand-spaded bed edge.

6. I/ we shall maintain my/our rain garden according to the maintenance information provided by City Utilities for a minimum of 3 years or longer if the rain garden remains on the property. If I/we sell the property before 3 years post-installation of the rain garden, I/we will inform the buyer of the maintenance requirement and notify City Utilities of the sale of the property.
7. I/We will submit a yearly monitoring report on the Fort Wayne City Utilities BMP app.
8. I/we agree to register my/our rain garden via the online registration form. I/we acknowledge that registration is only with the Fort Wayne City Utilities Residential Rain Garden Program, not with external registration programs and vice versa.
9. City Utilities may show the location of my/our rain garden on a map posted on the City Utilities website.
10. City Utilities or a representative may visit my/our rain garden and take pictures including the rain garden. City Utilities may publish photographs of my/our property including the completed rain garden.
11. I/we agree that if I/we request technical assistance in locating and planning a rain garden on my/our property, that I/we will allow an employee of City Utilities or a designee of City Utilities to access my/our property solely for the purpose of providing technical assistance, guidance and advice.
12. I/ we agree to release and hold City Utilities and its representatives harmless from any personal injury or property damage that may directly or indirectly arise in connection with design, installation or maintenance of a rain garden or its contents at the property.
13. If I/we am/are not using a rain garden design provided by City Utilities, I/we have attached a copy of the layout that I/we will be using including a proposed plant list.

*This agreement is not valid or enforceable until signed by all Property owner(s) and an authorized City Utilities' representative. The under- signed Property owner(s) agree to refund any received payment incentive if I/we fail to adhere to the above terms and conditions.*

**Owner(s) of the Rain Garden Property: (please print)**

\_\_\_\_\_  
First, Middle, Last Name

\_\_\_\_\_  
Street Address (if different from Rain Garden Property)

\_\_\_\_\_  
City/State/Zip

\_\_\_\_\_  
Day Phone

\_\_\_\_\_  
Evening Phone

\_\_\_\_\_  
Mobile Phone

\_\_\_\_\_  
Email Address (if applicable)

\_\_\_\_\_  
First, Middle, Last Name

\_\_\_\_\_  
Street Address (if different from Rain Garden Property)

\_\_\_\_\_  
City/State/Zip

\_\_\_\_\_  
Day Phone

\_\_\_\_\_  
Evening Phone

\_\_\_\_\_  
Mobile Phone

\_\_\_\_\_  
Email Address (if applicable)

\_\_\_\_\_  
Signature of Applicant

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Applicant

\_\_\_\_\_  
Date

\_\_\_\_\_  
Printed Name/Signature of Authorized City Utilities Representative

\_\_\_\_\_  
Date

\_\_\_\_\_  
Incentive Provided

\_\_\_\_\_  
Date