



Gaithersburg RainScapes Rewards Property Owner Agreement

This Agreement is between City of Gaithersburg, Maryland (the “City”), a municipal corporation of the State of Maryland, and _____ (“Participants” or “Property Owners”), owners of the property located at _____ (the “Property”) in Gaithersburg, Maryland. This Agreement becomes effective once the designated representatives of both the Participant(s) and the City (collectively, the “Parties”) have signed it.

The purpose of the Agreement is to specify the general terms and conditions of the Property Owner’s participation in the City of Gaithersburg’s RainScapes Rewards Program (the “Program”).

Definitions

Rain barrel means a container that holds at least 50 gallons or more of precipitation for landscape irrigation or other non-potable uses.

Cistern means a container that holds at least 250 gallons or more of precipitation for landscape irrigation or other non-potable uses.

Rain Garden is a planted shallow depression that uses water-tolerant native plants and landscaping to treat stormwater flowing from downspouts or hard (impervious) surfaces.

Conservation Landscaping is the removal of turf grass, impervious surface, and/or non-native invasive species and replacement with plant species that have more extensive, deeper root systems.

Tree Canopy is the installation of native trees.

Pavement Removal means the removal of hard (impervious) surfaces and replacement with pervious and/or native surfaces.

Permeable Pavers refers to a system of interlocking concrete pavers, installed in such a way that allows water to filter through the gaps between the pavers to the specially prepared gravel layers and infiltrate into the ground.

Soil testing is used to determine the fertility, health, and quality of soil.

Background

1. The Mayor and City Council has authorized the creation of a rebate program to be administered through the Environmental Services Division (ESD). The purpose of the rebate program is to provide financial and other appropriate incentives to property owners to encourage the use of environmentally sensitive, low-impact stormwater runoff control techniques to reduce the impact of uncontrolled stormwater runoff and improve stream water quality in Gaithersburg.
2. Under the Gaithersburg RainScapes Rewards Program, the City makes rebate payments available to owners of properties that do not currently have on-site stormwater management controls, and who utilize approved stormwater management techniques as outlined in the Instructions and Design Guidelines for each practice.

Mutual Agreements:

The Parties agree as follows:

1. The Property Owner shall be responsible for all maintenance associated with any project receiving funding through the Program (the “Project(s)").
2. The Property Owner shall allow representatives of the City to enter the Property to inspect the Project(s) at all reasonable times.
3. The Property Owner shall comply with all applicable regulations, criteria, guidelines, and equipment

warranties associated with the Project(s), including obtaining any necessary permits and approval of Homeowners Associations (HOAs).

4. The City may make public the results of any program evaluation or data collection, including any photographs, images, or recordings, undertaken by the City in connection with the Program.
5. The Participant must promptly notify ESD of any change in ownership of the Property after the Parties have executed this Agreement.
6. The Property Owner, by participating in the RainScapes Rewards Program, hereby releases the City of Gaithersburg and its agents, officers, directors, employees, or any other persons acting on its behalf from any liability for damages or injuries resulting from its participation in the Program. The Property Owner agrees to indemnify and hold The City of Gaithersburg harmless for any injuries, damages, or claims arising from the Program.
7. The Parties further agree that the City and other interested persons may, after reasonable notice to the owner(s), enter the premises cited above for the limited purpose of demonstrating the Project(s) to those interested in pursuing a similar project elsewhere in the City.
8. The property owner acknowledges that eligible properties can receive up to a total of \$5,000 per property owner in RainScapes rebates. If an existing property owner received \$2,500 in RainScapes rebates and sells the property, the new property owner is still eligible for \$5,000 in RainScapes rebates.

For Property Owner(s)

Property Owner Signature

Date

For Installer/Contractor

Provide a signature from the person or company that will be installing the RainScape practice. If you sign you agree to review the City of Gaithersburg's RainScapes fact sheets and guidelines to ensure practices are installed correctly.

Name

Email/Phone

Qualifications: _____

Address: _____

Signature

Date

For City of Gaithersburg, Maryland

The Property Owner(s) has met all applicable eligibility requirements, qualifications, and project standards and criteria as outlined in the Gaithersburg RainScapes Rewards Application and the associated application has been approved by ESD.

City of Gaithersburg's Signature

Date

Return completed application to:
The Chesapeake Bay Trust, City of Gaithersburg RainScapes Rebate Program,
108 Severn Avenue, Annapolis, MD 21403 or email to gaithersburgrebate@cbtrust.org.
For more information, call 410-974-2941.