

Issue Analysis Form



Date: April 6, 2020

Item: TABLED ITEM - proposed amendments to Chapter 82 of the County Ordinance – Utility Connection Fees

Lead Department(s): Engineering & Utilities

Contact Person(s): Frank Haltom, Director

Description and Current Status

A public Hearing was held on March 10, to amend Chapter 82 of the County Ordinance to clarify requirements to pay water and sewer connections fees for existing uses along newly constructed water and sewer lines.

Following the public hearing the Board requested the language be revised to better define the phrase “no longer adequate,” which would determine when an existing well or septic system would be required to connect to the public utility. The language has been revised to state “no longer able to serve the premises in accordance with federal, state and local requirements.” In addition, language has been added to allow for a prior approved reserve system to also be utilized before connection is required for a single family home.

Sec. 82-313. - Continuation of individual system; fees.

Where an existing individual water supply system is providing adequate service to a premises single-family home, such a system may continue in service as long as the system is operated at all times in strict accordance with federal, state and local requirements. The applicable availability fee and user fees ~~must still be paid in accordance with section 82-110 and section 82-262, respectively~~ **are not required until such a time the existing individual water supply system, or a prior approved reserve system, is no longer able to serve the premises in accordance with federal, state and local requirements**, at which time the property owner must connect to the available public water supply.

Where an existing individual water supply system is providing service to any multifamily residences, condominiums, townhouses, motels, hotels, trailer, mobile home or manufactured home parks and commercial establishments, such a system may continue in service as long as the system is operated at all times in strict accordance with federal, state and local requirements. The applicable availability fee and user fees must still be paid in accordance with section 82-110 and section 82-262, respectively.

Article III. Wastewater Service

Division 7. Private Wastewater Disposal

Subdivision II. Individual Wastewater Disposal Facilities

Sec. 82-595. - Continuation of individual system; fees.

Where an existing individual on-site wastewater disposal system is providing adequate service to a ~~premises single-family home~~, such a system may continue in service as long as the system is operated at all times in strict accordance with federal, state and local requirements. The applicable availability fee and user fees ~~must still be paid in accordance with section 82-429 and section 82-537, respectively~~ are not required until such a time the existing on-site wastewater disposal system, or a prior approved reserve system, is no longer able to serve the premises in accordance with federal, state and local requirements, at which time the property owner must connect to the available public wastewater collection system.

Where an existing individual on-site wastewater disposal system is providing service to any multifamily residences, condominiums, townhouses, motels, hotels, trailer, mobile home or manufactured home parks and commercial establishments, such a system may continue in service as long as the system is operated at all times in strict accordance with federal, state and local requirements. The applicable availability fee and user fees must still be paid in accordance with section 82-429 and section 82-537, respectively.

Government Path

- Does this require IDA action? Yes No
- Does this require BZA action? Yes No
- Does This require Planning Commission Action? Yes No
- Does this require Board of Supervisors action? Yes No
- Does this require a public hearing? Yes No

If so, before what date? Public hearing held on March 10

Recommended Motion: I move that the Board of Supervisors approve the Ordinance, as revised, to amend the Code of Prince George County by amending § 82-313 and § 82-595 to modify requirements related to payment of utility connection and user fees.

Fiscal Impact Statement

Amendment will reduce the utility fund revenues by \$3,000 water and \$4,000 sewer connection fees for each applicable parcel; and approximately \$800 - \$1,000 of usage fees per year for each applicable parcel, assuming both water and sewer fees are not required.

County Impact

None.

Notes

None.

**ORDINANCE TO AMEND “THE CODE OF THE COUNTY OF PRINCE GEORGE,
VIRGINIA”, 2005, AS AMENDED, BY AMENDING § 82-313 AND 82-595 TO MODIFY
REQUIREMENTS RELATED TO PAYMENT OF UTILITY CONNECTION AND USER
FEES.**

BE IT ORDAINED by the Board of Supervisors of Prince George County:

(1) That The Code of The County of Prince George, Virginia, 2005, as amended, is amended by amending § 82-313 and 82-595 as follows:

Article II. Water Service

Division 9. Private Water Sources

Subdivision II. Individual Water Supply Facilities

Sec. 82-313. - Continuation of individual system; fees.

Where an existing individual water supply system is providing adequate service to a premises **single-family home**, such a system may continue in service as long as the system is operated at all times in strict accordance with federal, state and local requirements. The applicable availability fee and user fees ~~must still be paid in accordance with section 82-110 and section 82-262, respectively~~ **are not required until such a time the existing individual water supply system, or a prior approved reserve system, is no longer able to serve the premises in accordance with federal, state and local requirements, at which time the property owner must connect to the available public water supply.**

Where an existing individual water supply system is providing service to any multifamily residences, condominiums, townhouses, motels, hotels, trailer, mobile home or manufactured home parks and commercial establishments, such a system may continue in service as long as the system is operated at all times in strict accordance with federal, state and local requirements. The applicable availability fee and user fees must still be paid in accordance with section 82-110 and section 82-262, respectively.

Article III. Wastewater Service

Division 7. Private Wastewater Disposal

Subdivision II. Individual Wastewater Disposal Facilities

Sec. 82-595. - Continuation of individual system; fees.

Where an existing individual on-site wastewater disposal system is providing adequate service to a premises **single-family home**, such a system may continue in service as long as the system is operated at all times in strict accordance with federal, state and local requirements. The applicable availability fee and user fees ~~must still be paid in accordance with section 82-429 and section 82-537, respectively~~ **are**

not required until such a time the existing on-site wastewater disposal system, or a prior approved reserve system, is no longer able to serve the premises in accordance with federal, state and local requirements, at which time the property owner must connect to the available public wastewater collection system.

Where an existing individual on-site wastewater disposal system is providing service to any multifamily residences, condominiums, townhouses, motels, hotels, trailer, mobile home or manufactured home parks and commercial establishments, such a system may continue in service as long as the system is operated at all times in strict accordance with federal, state and local requirements. The applicable availability fee and user fees must still be paid in accordance with section 82-429 and section 82-537, respectively.

(2) That this Ordinance shall be effective immediately upon adoption.