

ORDINANCE NO. 4257

AN ORDINANCE to amend Division 1 (GENERAL PROVISION) of Article B (SEWAGE DISPOSAL AND DRAINS), Chapter 6 (WATER AND SEWER), Title 5 (TRANSPORTATION AND ENVIRONMENTAL SERVICES) of The Code of the City of Alexandria, Virginia, 1981, as amended, by adding thereto a new Section 5-6-25.1 (SEWER CONNECTION PERMITS AND SERVICE FEES; CONSTRUCTION COSTS; CONSTRUCTING SEWERS BY OWNERS RATHER THAN CITY; ADDITIONAL CONNECTIONS).

THE CITY COUNCIL OF ALEXANDRIA HEREBY ORDAINS:

Section 1. That Chapter 6 of Title 5 of The Code of the City of Alexandria, Virginia, 1981, as amended, be, and the same hereby is, amended by adding new section 5-6-25.1 to read as follows:

Sec. 5-6-25.1 Sewer connection permits and service fees; construction costs; constructing sewers by owners rather than city; additional connections.

(a) Any person who is required, or who desires, to provide a connection for sewer service from his property, through any sewer constructed by or belonging to the city or any sewer serving the area annexed to the city in 1952, but belonging to a county, by direct connection at a city sewer main, trunk or lateral, shall, before starting to make such connection, apply to the director for a permit to make the connection, and the director shall issue a permit for the sewer connection when and after the person shall have paid to the department of finance the sum hereinafter provided.

(1) For each single family dwelling, townhouse dwelling or dwelling unit in a two-family dwelling, the amount of \$4,200.

(2) For each multifamily dwelling, an amount equal to the product of the number of dwelling units in the multifamily dwelling, multiplied by fifty percent (50%), multiplied by \$4,200.

(3) For each nonresidential property, an amount determined in accordance with the following fee schedule based on the size of each water meter which serves such nonresidential property:

Meter Size (inches)	Max. Capacity (GPM)	3/4" Meter Equiv.	Fee
3/4 or smaller	30	1.00	\$4,200
1	50	1.67	\$7,000
1 1/2	100	3.33	\$14,000
2	160	5.33	\$22,400
3	320	10.76	\$45,200
4	500	16.67	\$70,000
6	1000	33.33	\$140,000
8	1600	53.33	\$224,000

10	2300	76.67	\$322,000
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(4) For each mixed use property, where such property includes both residential and nonresidential uses, an amount equal to the sum of the fee determined for the residential portion of such property, in accordance with this section, plus the fee determined for the nonresidential portion of such property, in accordance with this section; provided, however, if the residential portion and nonresidential portion of such property are served by a single water meter, the fee shall be an amount determined by the director in his reasonable discretion.

(5) On July 1 of each of fiscal years 2004 and 2005, the foregoing fees shall increase by three percent (3%) over the fee for the preceding fiscal year. The fees applicable to each fiscal year are subject to annual review by city council.

(b) Extension of service; credits.

(1) A person required or desiring to provide extension of sewer service to his property shall construct or have constructed such extension at his own expense. The person shall execute a satisfactory agreement with the city, as prescribed by the city manager, agreeing to construct such sewer or sewers in accordance with plans and specifications approved by the director and the person shall in addition furnish such guarantee of performance and maintenance to the city as the city manager may require. Such sewers shall become the property of the city upon completion and acceptance of the work.

(2) If, pursuant to a written requirement of the director, the person constructs such extension in a manner that exceeds the requirements to provide service to the property of such person, a credit shall be available to be applied to the fees otherwise due under this section, in an amount equal to the difference between the cost of such extension, constructed in accordance with the written requirement of the director, and the cost of such extension, constructed as originally proposed by the person, such amount to be determined by the director. The amount of the credit shall be estimated by the director prior to commencement of construction, and an interim fee shall be paid by the person in an amount equal to the fees otherwise due under this section minus the estimated credit; provided, the minimum interim fee shall be for each single family dwelling, townhouse dwelling or dwelling unit in a two-family dwelling residential unit, \$100, for each dwelling unit in a multifamily dwelling, \$100, and for each floor of a nonresidential property, \$100 or eight cents (\$0.08) per square foot of floor space, whichever is greater.

(3) Upon satisfactory completion of the work, the actual amount of the credit shall be determined by the director based on certified bills submitted to and approved by him. The final fee to the person shall be an amount equal to the fees otherwise due under this section minus the amount of the actual credit; provided, the minimum final fee shall be for each single

family dwelling, townhouse dwelling or dwelling unit in a two-family dwelling residential unit, \$100, for each dwelling unit in a multifamily dwelling, \$100, and for each floor of a nonresidential property, \$100 or eight cents (\$0.08) per square foot of floor space, whichever is greater. Any difference between the interim fee and the final fee shall immediately be paid to or refunded by the department of finance.

(4) If the amount of the credit estimated under subsection (b)(2) above exceeds the amount of the fees otherwise due under this section without regard to the minimum fee calculated under subsection (b)(2) of this section, prior to the commencement of construction, the city shall agree to pay the person an amount equal to such excess or shall withdraw the written requirement of the director for construction of such extension in a manner that exceeds the requirements to provide service to the property of such person.

(c) Exclusions and exemptions.

(1) Notwithstanding anything to the contrary contained in this section, no fee shall be charged to connect a sewer system or sewage disposal system which serves exclusively a fire sprinkler system, installed pursuant to section 906.0 of the Virginia Uniform Statewide Building Code, as amended, a fire standpipe system, installed pursuant to section 915.0 of the Virginia Uniform Statewide Building Code, as amended, or a yard hydrant, installed pursuant to section 917.0 of the Virginia Uniform Statewide Building Code, as amended.

(2) Notwithstanding anything to the contrary contained in this section, no fee shall be charged to connect a sewer system or sewage disposal system which serves property owned by the Alexandria City Public Schools, the Alexandria Redevelopment and Housing Authority, or an entity in which the Alexandria Redevelopment and Housing Authority holds an ownership interest and the purpose of such entity is to develop property using federal low income tax housing credits.

(3) The fees established and imposed by this section shall not apply to a connection where (i) such connection is within the limits of a coordinated development district approved by city council, (ii) the main or trunk line to which such connection will be made extends from such coordinated development district directly to the publicly owned treatment works of the Alexandria Sanitation Authority, without connection at the time of its construction to any city sewer, unless such a connection is made pursuant to a written requirement of the director and exceeds the requirements to provide service to the coordinated development district, (iii) such main or trunk line was constructed totally at private expense, and (iv) the application for such connection is submitted within fifteen (15) years of the date of issuance of the first building permit subsequent to April 1, 2002, within such coordinated development district. Upon satisfaction of the foregoing criteria, a permit for the sewer connection shall be issued upon payment of a fee for each single family dwelling, townhouse dwelling or dwelling unit in a two-

family dwelling residential unit, of \$100, for each dwelling unit in a multifamily dwelling, of \$100, and for each floor of a nonresidential property, of \$100 or eight cents (\$0.08) per square foot of floor space, whichever is greater; provided, however, in the event construction of the improvements to be served by such permitted connection has not substantially commenced within sixteen (16) years of the date of issuance of the first building permit subsequent to April 1, 2002, within such coordinated development district, the permit for the sewer connection issued shall expire and thereafter the fees established and imposed generally by this section shall apply.

(d) If the city manager finds that construction of an extension by a person would constitute a hardship on such person, by reason of his inability to secure a satisfactory contract, or otherwise, the city manager may direct that the construction be done by or for the city; provided, however, that the cost to the city shall not exceed the fees paid by such person less for each single family dwelling, townhouse dwelling or dwelling unit in a two-family dwelling residential unit, \$100, for each dwelling unit in a multifamily dwelling, \$100, and for each floor of a nonresidential property, \$100 or eight cents (\$0.08) per square foot of floor space, whichever is greater. Costs in excess of such fees shall be paid by the person prior to making any connection to such sewer.

(e) The total sum to be paid to the department of finance for sewer service at the city sewer main, trunk or lateral for any property in the city, the sewage of which will be transported from such property through sewers constructed previously by private parties into sewers constructed or belonging to the city, except for such sewers as may have been constructed by private parties under the control or supervision of the city or other public authority, shall be as provided generally in this section for each such property so connected.

(f) Any person desiring additional sewer service connection to any property shall make application to the director for permission to construct such connection and shall pay to the department of finance the sum as provided generally in this section for each additional connection prior to the issuance of the permit for the sewer connection.

(g) Nothing in this chapter shall be construed to prevent the city sanitation authority from making a service charge for collecting and treating sewage.

Section 2. That the provisions of section 5-6-25.1 shall become effective on July 1, 2002, and shall apply to all applications for permits for sewer connections which may be filed after such date; provided, however, that:

(a) With respect to any property for which a preliminary site plan was filed with the city and determined by the Director of Planning and Zoning to be complete prior to April 1, 2002, the applicable fee shall be determined in accordance with section 5-6-25, with the exception of any credit, which shall be determined not in accordance with subsection (e) of section 5-6-

25, but in accordance with subsection (b) of section 5-6-25.1; provided, however, in the event construction of the improvements to be served by such permitted connection has not substantially commenced prior to April 1, 2004, the permit for the sewer connection issued shall expire and thereafter the fees established and imposed by section 5-6-25.1 shall apply, without any adjustment.

(b) With respect to any property for which a preliminary site plan is filed and determined by the Director of Planning and Zoning to be complete from April 1, 2002, until September 30, 2002, the fee shall be the product of the fee determined in accordance with section 5-6-25.1, multiplied by fifty percent (50%); provided, however, in the event construction of the improvements to be served by such permitted connection has not substantially commenced prior to April 1, 2004, the permit for the sewer connection issued shall expire and thereafter the fees established and imposed by section 5-6-25.1 shall apply, without any adjustment.

(c) With respect to any property for which a preliminary site plan is filed or determined by the Director of Planning and Zoning to be complete from and after October 1, 2002, the fee shall be as provided in section 5-6-25.1, without any adjustment.

Section 3. That section 5-6-25 of The Code of the City of Alexandria, 1981, as amended, be, and the same hereby is, repealed, effective as of April 1, 2004.

Section 4. That, except as provided in sections 2 and 3 above, this ordinance shall become effective upon the date and at the time of its final passage.

KERRY J. DONLEY

Mayor

Introduction:	06/11/02
First Reading:	06/11/02
Publication:	06/13/02
Public Hearing:	06/15/02
Second Reading:	06/15/02
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