

## ORDINANCE NO. (2025) 710

### AN ORDINANCE TO MAKE CITY CODE CONSISTENT WITH REVISIONS TO THE CITY OF RALEIGH PUBLIC UTILITIES HANDBOOK REGARDING CONNECTIONS TO ONE UTILITY WITHOUT THE OTHER AND TO REMOVE THE OBSOLETE FEE IN LIEU OF CONSTRUCTION

Whereas, the City Council of the City Raleigh recently updated the City of Raleigh Public Utilities Handbook, effective January 18, 2025, to be known as the Raleigh Water - Public Utility Design Manual (the "Design Manual") and where certain revisions to Part 8, Sections 2063 and the deletion of Part 8, Section 2065 are needed to make City Code consistent with the Design Manual modifications.

#### BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF RALEIGH, NORTH CAROLINA that:

**Section 1.** Section 8-2063(b) of the Raleigh City Code is hereby amended to add the underlined language where noted below and to delete the language shown as stricken through:

##### **(b)Water and sewer lines required.**

No private water line, lines or system within ~~any greater than two-acre~~ development ~~or subdivision~~ outside the corporate limits shall be approved for connection with the water system of the City, nor will the City accept any dedication of the same nor will the City agree to furnish water service to consumers within any such development ~~or subdivision~~, unless, at the same time, there is connected with the City sewerage system and dedicated to the City sewer a sewerage system laid and constructed to City standards sufficient to make available adequate sewerage services for each of the lots within such development ~~or subdivision~~. No private sewer line, lines, or system within any ~~greater than two-acre~~ development ~~or subdivision~~ outside the corporate limits shall be approved for connection with the sewer system of the City, nor will the City accept any dedication of the same, nor will the City agree to furnish sewer service to consumers within any such development ~~or subdivision~~, unless, at the same time, there is connected with the City water system and dedicated to the City a water system laid and constructed to City standards sufficient to make available adequate water services for each of the lots within such development ~~or subdivision~~. ~~On lots greater than two (2) acres that have existing buildings that are having well and septic tank problems, [these] would be able to use one (1) utility without the other if both utilities are not available to the site.~~

~~In such case where both utilities are not available to a particular tract of land and the property owner wishes to connect to the one that is available, the property owner will be allowed to connect to the particular utility that is~~

available.—A lot that has an existing residential dwelling that has well problems, may connect to the water system of the City and not to the sewer system only if sewer is not available to the lot. The property owner must also dedicate a sewer easement across such property for future sewer services pursuant to the standards in the Raleigh Public Utilities Handbook. Available for the purpose of this paragraph shall be defined to mean that the utility is located within one thousand (1,000) feet of the nearest point on the property infrastructure, easement, or right-of-way is at the property line and the utility infrastructure is accessible via previously dedicated public right-of-way and/or across applicable City water or sanitary sewer easements. A lot that has an existing residential dwelling and a failed, irreparable septic system may connect to the sewer system of the City and not to its water system pursuant to the current Sewer-Only Account Management Policy adopted by the Council.

Cross reference: Property owners located outside City limits which connect to one (1) or more City utilities must submit a voluntary petition annexation, Resolution No. 1993-208. On May 7, 2024, the Council updated the City's Sewer-Only Account Management Policy to address eligibility and requirements for sewer only service.

**Section 2.** Section 8-2065, Fee In Lieu of Construction, of the Raleigh City Code is repealed.

**Section 3.** All laws and clauses of laws in conflict herewith are hereby repealed to the extent of said conflict.

**Section 4.** If this ordinance or application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the ordinance which can be given separate effect and to this end the provisions of this ordinance are declared to be severable.

**Section 5.** This ordinance shall become effective upon its adoption.

**ADOPTED:** February 4, 2025

**EFFECTIVE:** February 4, 2025

**DISTRIBUTION:** Management Team

*This ordinance prepared by the Raleigh City Attorney's Office*