

ORDINANCE 20140918
REVISING WATER AND SEWER CONNECTION CHARGES

WHEREAS, water and sewer connection charges should be set at a level sufficient to finance the anticipated capital cost of necessary system capacity; and

WHEREAS, future growth will necessitate expansion of system capacity; and

WHEREAS, the need for system capacity is driven by water consumption demand; and

WHEREAS, the current method of calculating Class II commercial connection charges does not bear a consistent relation to water consumption demand; and

WHEREAS, improvement of this methodology will correct this situation and alleviate an unnecessary barrier to development of new small businesses; and

WHEREAS, it is appropriate to establish connection charges that are fair and reasonable; now

THEREFORE BE IT ORDAINED by the Town Council of Cape Charles, this 18th day of September, 2014, that Sections 70-35 and 71-42 of the Town Code be revised per the attached.

Adopted by the Town Council of Cape Charles on September 18, 2014.

By: _____
Mayor

ATTEST:

Town Clerk

Sec. 70- 35. Connection Charges.

- (a) Connection charges shall consist of a connection fee and a facility fee. The connection fee contributes to the costs associated with maintaining the waterworks. The facility fee covers the capital cost of creating waterworks capacity.
- (b) Class I - The connection fee shall be \$875 and the facility fee shall be \$4,000, for a total charge of \$4,875. For residences having fewer than two bedrooms, the charge shall be one-half of that amount.
- (c) Class II – The connection fee shall be \$875. The facility fee shall be calculated on a consumption based formula as follows: Class I facility fee x residential equivalent x 75%. Residential equivalent shall be the estimated daily water consumption rate for the building, as shown below, divided by the residential daily water consumption rate of 125 gallons per day. For buildings with a proposed use not shown below, and for water incorporated into a manufactured or processed product, the Town Manager will develop an estimated daily water consumption rate for approval by the Town Council. In no case shall the facility fee be less than a Class I fee for a residence having fewer than two bedrooms.

<u>Building Use</u>	<u>Gallons Per Day</u>
Food and Beverage, principally sit down	10 per seat
Food and Beverage, principally carry out	115
Lodging	45 per lodging room
Retail Sales	20 up to 5,000 sq. ft., 4 per 1,000 sq. ft. above 5,000
Office	25 up to 5,000 sq. ft., 5 per 1,000 sq. ft. above 5,000
Medical Office	50 per provider
Manufacturing*, Distributing, Servicing	135 up to 30,000 sq. ft., 5 per 1,000 sq. ft. above 30,000

*excluding water incorporated into a product

For buildings qualifying under chapter 66, article VIII of this Code, the facility fee used in the consumption based formula shall be \$1,375, rather than the Class I facility fee, if construction activity is commenced after the submission of the application or within the ten-year period of tax exemption. For buildings being converted to a different use, a new facility fee shall be calculated and the increment shall be either charged if higher or refunded if lower than the previous use.

- (d) Such charges, plus \$100 for inspection and review fees, shall be paid to the Building Department at the time of building permit issuance, or to the Town Treasurer pursuant to any payment programs authorized by Town Council, prior to the initiation of connection related construction activities.

Sec. 71- 42. Connection Charges.

- (a) Connection charges shall consist of a connection fee and a facility fee. The connection fee contributes to the Town's costs associated with maintaining the treatment works. The facility fee covers the capital cost of creating treatment works capacity.
- (b) Class I - The connection fee shall be \$875 and the facility fee shall be \$6,600, for a total charge of \$7,475. For residences having fewer than two bedrooms, the charge shall be one-half of that amount.
- (c) Class II – The connection fee shall be \$875. The facility fee shall be calculated on a consumption based formula as follows: Class I facility fee x residential equivalent x 75%. Residential equivalent shall be the estimated daily water consumption rate for the building, as

shown below, divided by the residential daily water consumption rate of 125 gallons per day. For buildings with a proposed use not shown below, and for water incorporated into a manufactured or processed product, the Town Manager will develop an estimated daily water consumption rate for approval by the Town Council. In no case shall the facility fee be less than a Class I fee for a residence having fewer than two bedrooms.

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- (d) Such charges, plus \$100 for inspection fees and review fees, shall be paid to the Building Department at the time of building permit issuance, or to the Town Treasurer pursuant to any payment programs authorized by Town Council, prior to the initiation of connection related construction activities.



Municipal Corp. of Cape Charles

The undersigned Clerk of the Council of the Town of Cape Charles, Virginia (the “Town”), hereby certifies that:

1. A meeting of the Council of the Town (the “Council”) was duly called and held on September 18, 2014 (the “Meeting”).
2. Attached hereto is a true, correct and complete copy of Ordinance 20140918 (the “Ordinance”) of the Town entitled as recorded in full in the minutes of the Meeting, duly adopted by a majority of the members of the Council present and voting during the Meeting.
3. A summary of the members of the Council present or absent at the Meeting and the recorded vote with respect to the foregoing Resolution as set forth below:

Member Name	Present	Absent	Voting		
			Yes	No	Abstaining
George Proto, Mayor	X				
Chris Bannon	X		X		
Steve Bennett	X		X		
Charles Brown	X		X		
Tom Godwin	X		X		
Joan Natali	X		X		
Frank Wendell	X		X		

4. The Ordinance has not been repealed, revoked, rescinded or amended and is in full force and effect on the date hereof.

Witness my signature and the seal of the Town of Cape Charles, Virginia this 19th day of September 2014.

Clerk of the Council
Town of Cape Charles, Virginia

(Seal)