

ORDINANCE 22-O-25 amending the Murfreesboro City Code, Chapter 33, Water Resources, Article V, Sewer Capacity, Section 33-82, Petition for Pre-Existing Apartment Development to Redevelop with Higher Unit Count, regarding an apartment bifurcation policy.

WHEREAS, it is in the City's best interest to reduce sewer discharge into the City's sewer system to allow for continued development; and,

WHEREAS, the proposed amendment would benefit the City by reducing sewer discharge by 10% to 15%; and,

WHEREAS, the proposed amendments allow for improvements to the aesthetic qualities of existing multi-family, residential developments; and,

WHEREAS, at its August 30, 2022 meeting, the Murfreesboro Water Resources Board voted to recommend the following City Code amendment to the City Council.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MURFREESBORO, TENNESSEE, AS FOLLOWS:

SECTION 1. Chapter 33, Water Resources, Article V, Sewer Capacity Allocation, of the Murfreesboro City Code, is hereby amended by adding a new Section 33-82 as follows:

Section 33-82 - Petition for Pre-Existing Apartment Development to Redevelop with Higher Unit Count.

(A) If the Water Resources Department determines that a project proposed by an applicant for sewer service is likely to decrease the maximum daily wastewater generation allowance established for the pre-existing development, the applicant may petition the City for a proposed development that would result in a reduction in bed count while potentially increasing the number of proposed apartment units. The City may authorize a project if:

- (1) The proposed project is, in the opinion of the City Council, consistent with the City's adopted land use plans and policies concerning growth and development; and
- (2) Any other factor identified in the Council's deliberations related to whether a particular application promotes public health or safety or the general welfare of the City and its residents.

(B) Council may condition its approval of a project on:

- (1) The owner or developer incorporating certain public infrastructure improvements into the project's site plan; and
- (2) The owner or developer replacing plumbing fixtures within the development with new low-flow fixtures as well as metering or sub-metering each building.

(C) In the event City Council approves the project with a higher unit count, the applicant shall remit, as provided in Section 33-50(a)(1), a one-time sanitary

sewer fee equal to \$2,550.00 for each additional unit plus any applicable special sanitary sewer assessment fees.

(D) In the event City Council approves the project with a higher unit count in the City's drinking water service area, the applicant shall remit, as provided in Section 33-2(a), a one-time drinking water fee equal to \$1,200.00 for each additional unit plus any other tapping applicable charges.

(E) Should the proposed development be determined to not likely decrease the maximum daily wastewater generation allowance established for the pre-existing development, the applicant may petition for the proposed development as described in City Code Section 33-80 - Petition for Additional Allowance; Fee Applicable to Exempt Land Classifications.

SECTION 2. That this Ordinance shall take effect fifteen (15) days after its passage upon second and final reading, the public welfare and the welfare of the City requiring it.

Passed:

1st reading September 22, 2022

2nd reading October 20, 2022

ATTEST:

Jennifer Brown
Jennifer Brown
City Recorder

Shane McFarland
Shane McFarland, Mayor

APPROVED AS TO FORM:

DocuSigned by:
Adam F. Tucker
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Adam F. Tucker
City Attorney

