

**RESOLUTION NO. 94-29**

**DECLARING THE POLICY OF  
THE CITY OF ALBEMARLE  
CONCERNING EXTENSION OF THE WATER AND SEWERAGE SYSTEM OF  
THE CITY**

Councilmember Hartley introduced and read the following resolution and moved its adoption:

**WHEREAS** growth of the City of Albemarle in a safe and sanitary manner requires a complete system of water and sanitary sewer lines to serve each and every residence, industry, and commercial establishment, and,

**WHEREAS** the City Council of the City of Albemarle is not in a financial position either through property taxes or water and sewer revenue to provide a continuing sanitary system for the people of this City without additional sources of capital funds, and,

**WHEREAS** the General Assembly of the State of North Carolina did during the 1969 session pass a law to provide alternate methods for assessing the cost of extending water and sewer lines as Chapter 592, to permit the establishment of costs to be charged upon completion of each project.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Albemarle, North Carolina, that the following shall be the official policy regarding extension and construction of water and sanitary sewer lines which will be connected to the City of Albemarle water and sewerage systems.

**ARTICLE I - ASSESSMENT PROVISIONS**

**Section 1. Initiation of Projects:** Projects to be assessed by this policy under G.S. 160A-216 through 237 and/or Chapter 592 of Session Laws of 1969 General Assembly may be initiated by either of the following: The City Council, the Public Utilities Department through the City Manager, or any landowner not now served by either water and/or sewer lines adjacent to his property. Initiation by other than the City Council shall be a "Request" in writing by the initiating party or parties addressed to the City Council. (Request forms furnished by Public Utilities Department).

**Section 2. Approval of Projects:** The order for construction or extension of either the water or sewer system shall be in compliance with G.S. 160A-

216 through 237. In addition to these requirements, the City Council after passing a resolution calling for the improvements as requested shall set a date in the resolution on which it will hold a public hearing within 30-days but no sooner than the seventh day after the first date of publication in a newspaper as required by G.S. 160A-216 through 237. All property owners who will be served by the facility or ultimately assessed for its costs shall be given every opportunity at the public hearing to present their views in regards to the construction of the new facility. If after the hearing is completed the City Council finds that the project is feasible, can be financed, and is necessary for the present and future health, safety and welfare of the citizens of the City, then it shall order the construction of the project to begin.

New subdivisions shall be required to provide a guarantee of water and sewer improvements as outlined in the subdivision regulations of City's Code of Ordinances.

**Section 3. Assessment of Costs:** The assessment of costs of the project shall be as outlined in G.S. 160A-216 through 237 and Chapter 592 of the Session Laws of 1969. The costs to be assessed shall be set by motion of the City Council and shall be assessed equally on all projects. As permitted in Chapter 592 of Session Laws of 1969, the cost of right-of-way needed for a particular project shall not be included in the assessment cost. All assessed costs are in addition to normal service connection (tap) fees.

**Section 4. Term of Installment Payments:** Property owners assessed for improvements under this policy shall be permitted three (3) options for payment:

(1) The owner may pay the total amount in cash, within thirty (30) days after the final assessment notice as required in G.S. 160A-232 without interest and receive a ten-percent (10%) discount.

(2) The owner may make a partial payment within the 30-day period without interest on the amount of the partial payment with no discount and the remainder in ten equal annual installments with interest stipulated in G.S. 160A-232.

(3) The owner may pay the assessment in ten equal annual installments with interest as stipulated in G.S. 160A-232.

## ARTICLE II - WATER LINES

**Section 5. Applicable Areas of this Policy:** The terms of this resolution shall apply to the extension and construction of water lines to serve any and all vacant land, houses, buildings or industry located within the City Limits not presently served with water.

**Section 6. Location of Facilities to be Assessed:** All water lines, regardless of size, which are constructed by the City or contracted for by the City which adjoins any property either on the front, rear or sides shall be assessed to that particular property on a footage benefit formula depending on the number of feet adjoining regardless of the side of the property on which the facility is constructed.

Where water lines on intersecting streets adjoin corner lots, the first line installed (primary service) shall be assessed for the total footage and the line which is installed second, (secondary service) shall be exempt from assessment for the amount of footage assessed on the primary service or 150', whichever is less.

When any water line ends and does not cross the full width of a lot, but the building(s) on that lot are served by the water line, then that lot shall be assessed for 75-feet or the full width of the lot abutting that street where the water line is located, whichever is less.

**Section 7. Size of Facilities to be Assessed:** The minimum size water line which the City will construct or permit to be constructed shall be one of the following:

- A. Eight (8) inches on dead-end lines which will provide fire protection.
- B. Six (6) inches on looped lines which will provide fire protection.
- C. Two (2) inches in cases of a platted subdivision where a cul-de-sac extends off a collector street for no more than 250 feet and serves no more than six (6) houses or 100 gallons per minute to a commercial or industrial

establishment and that a fire hydrant is located within 500 feet of the end of the proposed line.

The necessary valves and fire hydrants shall be installed as required by good engineering practice and fire regulations and included in the assessed cost.

**Section 8. Extent of Project:** The City Council shall determine by official motion, duly approved, the scope of each extension or construction and the Engineering Department shall prepare for the Council a suitable assessment map or drawing showing:

- A. The street name of all street(s) included in the area to be served.
- B. The size and general location of the pipe to be installed and any proposed future main connections to the line.
- C. The location of abutting property, the frontage in each ownership, and the name of the last known owner.
- D. The general location of all other utilities on the street including appurtenances noting whether or not they have already been constructed or are proposed for the concurrent or future construction.

### **ARTICLE III - SANITARY SEWER LINES**

**Section 9. Applicable Areas of this Policy:** All the conditions of Section 5 above shall apply to sanitary sewer lines, also additionally, the Director of Public Utilities shall keep a list of facilities needed to serve existing unsewered developed property; the City Council shall from time-to-time assign priorities to these projects, and they shall be constructed as directed by the City Council.

**Section 10. Elevation of Facilities to be Served:** The sewer lines shall be installed to a reasonable depth, as required by good engineering practice, to serve the anticipated main floor of any existing or future facility, excluding basements. If

this depth is determined insufficient to serve the main floor, it shall be the customer's responsibility to furnish and maintain sewage pumps to discharge into the gravity sewer system installed by the City.

**Section 11. Location of Facilities to be Assessed:** All the conditions of Section 6 above also apply to sanitary sewer lines. In addition, if topography necessitates routing a sanitary sewer line across a property in order to provide service to it, the assessment shall be for one side of the line, only; however, if the property is large enough that it is reasonable to believe it may be subdivided, resulting in a building lot (per the City Zoning Ordinance) on either side of the sewer line, then the assessment shall be for both sides of the line. Acquisition of easements to accommodate such sewer lines shall be considered separately by City Council.

**Section 12. Design of Facilities to be Assessed:** All facilities to be assessed shall be designed and constructed according to the requirements set forth in Section 02H.0219 of the North Carolina Administrative Code.

**Section 13. Interceptor or Trunk Sewer Lines:** The City may elect to construct larger sewer lines than the minimum if and when it feels that it is necessary to provide additional services for any reason. Interceptor sewers constructed on street rights-of-way shall be assessed at the same cost per foot as other lines as set forth in this resolution. Interceptor sewer lines constructed along rights-of-way or easements not in any street may or may not be assessed at the discretion of the City Council.

**Section 14. Extent of Project:** All the conditions of Section 8 above shall also apply to sanitary sewers. The provisions for both water and sewer lines may be satisfied on the same map even though both projects may not be constructed and assessed at the same time so long as the correct owner's names are shown for the applicable project.

## **ARTICLE IV - COSTS**

### **Section 15.**

A. Water lines shall be assessed at a cost of \$7.00 per foot for each line for property abutting the lines on each side and installed after January 1, 1992.

B. Sewer lines shall be assessed at a cost of \$8.00 per foot for each line for property abutting the lines on each side and installed after January 1, 1992.

C. The assessed cost for any request for a water or a sewer line received prior to January 1, 1992 shall be \$5.00 per foot for each line for the property abutting the line on each side.

**Section 16. Service Connection Fees:** Under the conditions stipulated in the Resolution, the cost of water and sewer service connections (taps) are not part of the assessed cost.

A. All service connections paid for after January 1, 1992 shall be at the following rates:

| <b>Water Taps Size</b> | <b>Cost</b> |
|------------------------|-------------|
| 5/8" x 3/4"            | \$ 575.00   |
| 1"                     | \$ 725.00   |
| 1-1/2"                 | \$ 850.00   |

The cost of water taps made above 1-1/2" will be the actual cost incurred in making the tap and connection.

| <b>Sewer Taps Size</b> | <b>Cost</b> |
|------------------------|-------------|
| 4" Tap                 | \$ 575.00   |

The cost of sewer taps made above 4" will be the actual cost incurred in making the tap and connection.

B. All service connections paid for after January 1, 1992 and outside the Corporate Limits of Albemarle shall be at the following rates:

| <b>Water Taps Size</b> | <b>Cost</b> |
|------------------------|-------------|
| 5/8" x 3/4"            | \$1,150.00  |
| 1"                     | \$1,450.00  |

1-1/2" \$1,700.00

The cost of water taps made above 1-1/2" will be the actual cost incurred in making the tap and connection.

| <b>Sewer Taps Size</b> | <b>Cost</b> |
|------------------------|-------------|
| 4" Tap                 | \$1,150.00  |

The cost of sewer taps made above 4" will be the actual cost incurred in making the tap and connection.

The following conditions shall exist and provisions accepted by the customer prior to a service connection being made outside the corporate limits:

1. Any person owning land adjacent to an existing City water or sewer line may obtain a water or sewer connection on condition that the connection shall serve only one residence or facility and the unit served shall be totally disconnected from any well system so that there is no possibility to cross connect, or switch from City water to well water by turning valves or inserting short lengths of pipe.
2. All requests for water or sewer service outside the corporate limits where there is an existing water or sewer line shall be fully investigated by the Public Utilities Director to determine the capacity of existing facilities to handle the anticipated usage. The Public Utilities Director has the authority to approve these service connections (taps) where there are existing lines.
3. Any person obtaining outside water or sewer service by such application as above shall also sign an intent to be annexed to the City at such time as City determines it to be a prudent and reasonable expansion of the City corporate limits.

4. Any person obtaining outside water or sewer service by such application as above shall pay the necessary connection cost and most recent adopted rates for out-of-City customers, and that failure to keep all bills current may be grounds for permanent disconnection.

5. Any request for water or sewer service for out-of-City customers where there are no existing water and/or sewer lines will be investigated by the Public Utilities Director and a recommendation made to City Manager and City Council for their consideration and approval before said services can be provided.

C. The City shall not sell a water or sewer tap unless the property is adjacent to the service line. If the property is not adjacent to the service line, the customer shall be required to have a recorded easement or encroachment across the lands not owned by the customer. The lines on the above easement or encroachment shall be installed and maintained by the customer.

D. All Resolutions and parts of Resolutions in conflict with this Resolution are hereby repealed.

The Resolution hereby established shall be effective July 1, 1994.

Councilmember Neel seconded the motion and upon a vote, all councilmembers voted for the motion. No one voted against the motion and the motion was declared passed and the resolution adopted.