

**THE CITY OF BESSEMER CITY
WATER AND SEWER EXTENSIONS**

Section 1. General Principles of Water and Sewer Line Extensions

- a. No sewer line or water main may be connected to the City's water or sewer system unless such line or main
 1. is properly designed and constructed to service the properties intended to be served directly by such line or main; and
 2. is of a size and design sufficient to accommodate any necessary expansion of the water and sewer system to serve other properties, including fire protection.
- b. The City shall own and control any and all water mains, sewer lines and related facilities connected to and serviced by its water or sewer system, except for those water mains, sewer lines or facilities of other public bodies connected to and serviced by the City's water or sewer system under contracts approved by the City Council between the City and other public bodies.
- c. Because the extension of water mains or sewer lines to certain properties benefits the owners of such properties by raising property values, the cost of such extension shall be borne by the owners of such properties except in instances when the City Council makes a determination that the City is obligated to extend such utilities or otherwise when it determines that it is in the best interest of the City to do so.
- d. To comply with municipal obligations imposed by North Carolina statutes, or in cases of emergency where it is found to be in the public interest or necessity to protect the public health, the City Council may authorize, at its discretion, extensions of water and/or sanitary sewer into specific areas.
- e. All extensions, expansions, and new facilities must be deemed by the City Council to be economically feasible, and must be constructed in accordance with City engineering criteria, standards, and specifications and in conformity with any existing or future policies and plans which are adopted by the City.
- f. Effective upon the adoption of these policies, no new wells or septic tanks within the corporate limits shall be allowed unless the development is outside of the City Service Area.
- g. All contracts between the City and an applicant for City water and/or sewer service shall be conditional on the

applicant complying with all land use regulations in effect in the applicant's jurisdiction. If the applicant violates any provisions of the contract, the City shall declare all rights under the contract forfeited and shall also have the right to remove and disconnect any connections that may have been made to the City's water or sewer system.

- h. Installation of all utilities shall be completed within a 24-month period following the execution of the contract. Any extensions of the contract must be approved by the City Manager and supplied to the applicant in writing.
- i. The City may require oversized facilities (i.e. water or sewer lines in excess of eight inches in width) to be installed to provide for the future expansion of the City's water and sewer system. Should this be the case, the City will reimburse the applicant the difference between the costs of the oversized of the oversized facilities required by the City and the costs of the facilities required by the applicant. The City will not refund any such difference if the oversized facilities are required to serve the property intended to be served by the application.
- j. Applicants may install water and sewer taps in which case all fees will be waived. All taps must be inspected and approved by Public Works Director.
- k. All property owners inside the city limits and City Service Area are required to hook on to the City's water and/or sewer lines within a grace period of 90 days of the lines being placed into service. Serviceable structures within 200 linear feet of a water line or lots crossed by or abutting a sewer line will be charged availability fees if hook ups are not completed after a grace period of ninety (90) days from the date the line went into service.

Section 2. Definitions

Unless otherwise specifically provided, or unless otherwise clearly required by the context, the words and phrases defined in this section shall have the meaning indicated when used in this Article.

- a. **Availability Fee.** Minimum monthly water and sewer fees.
- b. **Development Services Fee.** Fee to offset the effect of new development on the utility network.
- c. **Large Main.** Any main larger than six (6) inches in diameter, serving an area, sized and located so that additional service connections beyond the limits of any associated development can be made without lowering the level of service.

- d. **Reimbursement.** That portion of the project cost qualified for reimbursement to the applicant according to the stipulations in this Article.
- e. **Extension.** Any water main or sewer line lengthening required to connect a water service to a large main or sewer lateral to an outfall sewer or major trunk sewer
- f. **City's Service Area.** All areas inside and outside the corporate limits of the City of Bessemer City serviced by the City's water or sewer system and any future extensions thereof; except areas serviced by water mains or sewer lines of other public bodies connected to and serviced by the City's water or sewer system shall not be included in the City's service area as shown in Appendix A.
- g. **Serviceable Structure.** Any residential, governmental, institutional, commercial, or industrial structure which is designed for human occupancy or use on a regular basis and which is designed to be serviced by a water and/or sewer system.

Section 3. Voluntary Annexation (Satellite)

- a. The applicant, or group of applicants, shall be responsible for financing the total cost of constructing the water and/or extension lines required to serve the annexation area.
- b. All property owners in the annexation area shall be required to hook on to the new water and/or sewer lines within a period of 90 days of the lines being placed into service.
- c. All new and existing serviceable structures in the annexation area must be served by the new water and/or sewer facility extensions.
- d. Property owners in the annexation area who do not hook on to the new water and/or sewer lines within the 90-day grace period are required to pay to the City monthly Availability fees.
- e. Water and sewer customers are assessed Tap Fees and Development Services Fees by the City at the time each customer taps on to the new water and/or sewer lines if those fees have not been previously paid to the City by an applicant or other third-party.
- f. The applicant(s) shall be reimbursed the installation costs of the water and/or sewer line, at the time of installation, of the portion of the line abutting each property that has tapped on to the water and/or sewer system.

- h. Line cost reimbursements scheduled to be paid during a given fiscal year will be aggregated by the City and paid to the applicant who installed the taps once annually on the first day of the following fiscal year.
- g. The reimbursement may not exceed the amount financed by the applicant.
- h. Reimbursements are to be made within five (5) years of the effective date of the annexation ordinance.

Section 4. Voluntary Annexation (Contiguous)

- a. The applicant(s) shall be responsible for financing the total cost of constructing all water and/or sewer extension lines required to serve the annexation area.
- b. Water and sewer customers shall be assessed Tap fees by the City at the time each customer taps on to the new water and/or sewer lines if those fees have not been previously paid to the City by an applicant or other third-party.

Section 5. Involuntary Annexation

- a. Water and/or sewer lines shall be extended and financed by the City to serve all serviceable structures of record within the service area in the annexation area within two (2) years of the effective date of the annexation ordinance.
- b. The City will have the option to pay to maintain the existing septic systems of property owners whose property is located inside the annexation area but outside of the City Service Area.
- c. Water and sewer customers are assessed Tap fees and Development Services fees by the City at the time each customer taps on to the new water and/or sewer lines if those fees have not been previously paid to the City by an applicant or other third-party.
- d. Property owners who do not hook on to the new water and/or sewer lines within the grace period are required to pay to the City the prevailing monthly Availability fees.

Section 6. Extension of Utility Lines Outside Corporate Limits Without Annexation

- a. The applicant, or group of applicants, will be responsible for financing the entire cost of the proposed water and/or sewer extensions necessary to serve all of the lots in the petition area to the City.
- b. No reimbursements to the applicants will be made by the City.

Section 7. Line Extensions Within Corporate Limits

- a. The total cost of the water or sewer extension is shared by the City and the Applicant. The City shall be responsible for paying the initial 200 feet of the extension, measured from the existing City-maintained water or sewer facilities. The applicant will be made responsible for paying for the remainder of the total cost of extensions.
- b. The applicant will be responsible for financing and installing all water and sewer taps. The applicant must also pay all associated Development Services fees at the time tap-on has occurred.
- c. The applicant will be reimbursed the installation costs of the portion of the line abutting each property that has tapped on to the water and/or sewer system.
- d. Line cost reimbursements scheduled to be paid during a given fiscal year will be aggregated by the City and paid to the applicant who installed the taps once annually on the first day of the following fiscal year.
- e. No reimbursements shall be made if applicant sells outstanding lots to another party.
- f. Reimbursements shall be made within five (5) years of the line going into service. The City will no longer be responsible for reimbursing tap fees to the applicant on that date.

Section 8. Payment Of Fees For City Property Owners Who Do Not Choose To Hook Onto A Water Or Sewer Line Financed By The City

- a. All property owners who are, as of the adoption date of this policy, within the City limits have one year from the approval date of the policy to hook on to the City's water or sewer facilities and pay the applicable fees in Schedule A.
- b. After the one year grace period, property owners must pay fees on Schedule B.

- c. If property owners do not hook on to City water or sewer facilities within two (2) years of the approval date of this policy, those property owners will be assessed the prevailing fees.

Adopted this the 9th day of June, 2008

William Hovis; Mayor

Attest: Janice Costner; City Clerk