

**RESOLUTION OF THE TOWN OF CENTREVILLE  
REGARDING WATER AND SEWER ALLOCATION POLICY**

WHEREAS, Section 118-16.B.1 of the Code of Centreville provides that the Town Council may establish allotments for water and sewer service to reflect changes in market demands, development in activity and the needs of the community and town;

WHEREAS, the Town Council passed a Capacity Management Plan for its wastewater treatment facility in October 2004, which CMP was last revised in March 2005;

WHEREAS, the Capacity Management Plan provides that the Town can set forth an allocation policy;

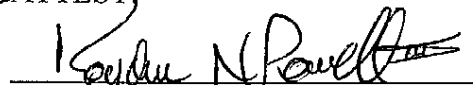
WHEREAS, the Town Council deems it advisable to establish an allocation policy that will serve the public and provide a better planning tool for the Town; and

WHEREAS, the Town Council believes that the Water and Sewer Allocation Policy attached hereto as Exhibit "A" is an appropriate Water and Sewer Allocation Policy.

NOW, THEREFORE, be it resolved by the Town Council of Centreville:

1. That the Town hereby adopts as its water and sewer allocation policy those policies set forth in the document entitled "Town of Centreville/Water and Sewer Allocation Policy" attached hereto as Exhibit "A."
2. The Policy set forth herein shall be effective on December 22, 2005.
3. Nothing herein shall be considered an amendment or change to the Town's allocation ordinance set forth in Section 18-14 et seq. of the Code of Centreville.

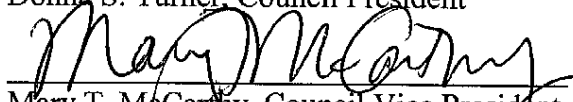
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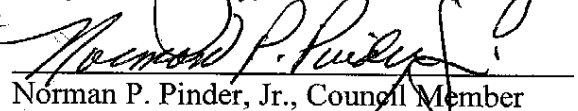
  
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Royden N. Powell, III, Town Manager

Date: DECEMBER 22, 2005

THE TOWN COUNCIL OF CENTREVILLE

  
\_\_\_\_\_  
Donna S. Turner, Council President

  
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Mary T. McCarthy, Council Vice President

  
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Norman P. Pinder, Jr., Council Member

# Town of Centreville

## Water and Sewer Allocation Policy

### I. PURPOSE

a. The purpose of this policy shall be to provide guidance for the allocation of available water and sewer capacity for the Town of Centreville. It is in the Town's best interest to establish a clear and orderly process for the distribution of available municipal infrastructure and to provide for the long term needs of the community.

b. On March 17, 2005, the Town adopted its Capacity Management Plan in an effort to establish priorities for sewer allocation and to provide quantitative commitments to specific categories of water and sewer users. This Plan was established on principles of equity, commitment, stewardship and community. The Capacity Management Plan forms the basis of this allocation policy and is incorporated by reference as "Exhibit A". The consistent application of a sound water and sewer allocation strategy will ensure public health, protect the environment and provide for the prospective needs of the community.

### II. DEFINITIONS

Unless otherwise defined in the Charter and Code of the Town of Centreville, the following terms shall be defined as follows:

- a. EDU (Equivalent Dwelling Unit) - a standard unit of measure equal to the estimated daily sewer flow related to a single family residential unit. The standard unit shall be equivalent to 200 gallons per day (GPD).
- b. existing lot – a recorded parcel of land, as of December 1, 2005, eligible for development according to prevailing and applicable zoning ordinances.
- c. existing subdivision – a parcel of land documented with a recorded plat having received final approval by the Centreville Planning Commission prior to December 1, 2005.
- d. water and sewer connection fees - collectable from the owner upon application for a building permit, these fees shall offset the operating and administrative expenses to the Town related to establishing new connections to the water and sewer systems of the Town. The fees shall be collected in accordance with each unit or utility billing account to be established related to the project.
- e. water and sewer allocation fees – collectable from the owner as described herein, these fees shall offset the current and planned capital expenditures related to providing water and sewer services to the Town of Centreville. These fees shall be established, calculated and collected as provided for in this chapter.
- f. allocation – the reserved commitment of water and sewer service for a proposed or planned project. The allocation shall be comprised of the number of EDUs required for a project and shall be based on a specific use and scope as indicated in the drawings and documentation submitted to the Town.

### III. CALCULATION OF EDU REQUIREMENTS

- a. The allocation for a single family residential unit shall require one EDU.
- b. For other than a single family residential unit, the number of EDUs required for a project shall be based on the specific use and scope as presented to the Town.
- c. Unless otherwise provided for below, the calculation of the number of EDUs required for a project shall be based on "MDE Guidelines for Estimating Water and/or Wastewater Flow"-Maryland Department of the Environment, July, 2005, attached as "Exhibit B".
- d. If a project is not adequately addressed in the table described in §c., above, the Town may consult its engineer or other technical resources to estimate the required EDUs.
- e. The Town may also consider historical or representative data from similar projects of like use and scope in calculating the required EDUs for a project.
- f. The calculation of the required EDUs shall result in whole numbers. If the division of total estimated flow by 200 GPD results in a fractional portion, the result shall be rounded to the nearest whole number.
- g. The Town shall monitor water consumption as an indication of actual sewer flow. Sewer flow shall be considered to be 85% of metered water consumption. If, after a minimum of one year, the required EDUs calculation underestimated or over estimated the required flow by 200 GPD or more, the Town shall be entitled or required to make the respective adjustment. If the Town is entitled to collect for additional allocation, the fee shall be calculated using the rate applicable at the time of the original approval. If the Town overestimated the required flow, the

owner shall receive a refund of the applicable allocation fee, less a 10% administrative fee, based on the rate applicable at the time of the original approval. Assessments for additional allocations or refunds are to be calculated using only whole numbered EDUs as described in §f. above.

#### IV. AUTHORITY

- a. The authority to approve the allocation of water and sewer capacity shall reside with the Town Council of Centreville.
- b. The Town Council may delegate the administrative functions related to water and sewer allocations to the Town Manager.

#### V. ADMINISTRATION

- a. The Capacity Management Plan and its amendments shall provide for the general distribution of available sewer capacity to be approved by the Town Council. The Plan divides available capacity into specific use categories to be available within a given period of time. Allocations shall be available within a given category on a "first come – first served" basis, subject to the provisions of this chapter.
- b. Projects shall generally be considered eligible to reserve water and sewer capacity in the time order in which they received final site plan or subdivision approval from the Planning Commission, including any contingent requirements as prescribed by the Planning Commission, exclusive of projects within a

Planned Business Development or Planned Redevelopment Area as prescribed in Section V. (d), (1).

c. Unless otherwise covered by a Public Works Agreement, projects receiving conditional final site plan or conditional final subdivision approval from the Planning Commission prior to December 1, 2005 shall be subject to the following:

1. Within 90 days of effective date of this policy, an owner may reserve the allocations required for their project by submitting an application to the Town Council.
2. The application for the required allocations shall include a non-refundable deposit 10% of the prevailing water and sewer allocation fees.
3. The water and sewer allocation shall be considered reserved for a period of one year from the date of approval by the Town Council.
4. The remaining balance due for water and sewer allocations shall be payable upon the submittal of an application for building permit.
5. Reserved water and sewer allocations shall expire if the related application for building permit is not received within one year of initial approval by the Town Council.
6. Expiration of reserved allocations shall not warrant a refund of the 10% deposit or interest which may have been generated from the payment of expired water and sewer allocations.
7. Prior to the issuance of a building permit, the Town Council may consider a request for a six month extension of allocations if such

requests are submitted in writing at least 30 days prior to expiration. An owner shall be eligible for one (1) six month extension for a project.

d. Allocations for projects receiving final site plan or subdivision approval from the Planning Commission after December 1, 2005 and having met all requirements as prescribed by the Planning Commission shall be available as follows unless otherwise provided for in a Public Works Agreement or Developers Rights and Responsibilities Agreement;

1. After 90 days from the effective date of this policy and upon approval of the Concept Plan, an owner may reserve the allocations required for the project by submitting an application to the Town Council. In the case of a Planned Business Development or a Planned Redevelopment Area, for which a master development plan has been approved by the Planning Commission, projects involving multiple buildings may reserve allocations predicated upon a Public Works Agreement or Developers Rights and Responsibilities Agreement approved and executed by the Town Council.
2. The application for the required allocations shall include a non-refundable deposit 10% of the prevailing water and sewer allocation fees.
3. The water and sewer allocation shall be considered reserved for a period of one year from the date of approval by the Town Council.
4. The remaining balance due for water and sewer allocations shall be payable upon the submittal of an application for building permit.

5. Reserved water and sewer allocations shall expire if the related application for building permit is not received within one year of initial approval by the Town Council.

e. During the first 90 days after the effective date of this ordinance, the Town Council shall ensure needs of prior approved projects described in §(c) above have been met in accordance with the Capacity Management Plan and §(c) above prior to the commitment of capacity for subsequent projects.

f. Unless previously secured as part of the processes described in §(c) or §(d) above, the application for the water and sewer allocation and related fees for a project shall be included with the application for the related building permit.

g. If the Town Council denies an application for reservation of water and sewer allocations, the 10% deposit may be refunded, except for a \$1,000 administrative fee and any interest that may have accrued.

h. Projects with approved building permits and having paid all applicable fees may be eligible for a refund of a portion of the applicable water and sewer allocation fees if the project is not completed. 10% of the applicable water and sewer allocation fees and any interest that may have accrued shall be considered non-refundable.

i. Building permit fees, related administrative fees and water and sewer connection fees for projects not completed shall be non-refundable.

j. In the case of multi-use, mixed used, "flex" or "shell" buildings or other situations where the final water and sewer requirements cannot be determined at the time of construction, the owner shall propose the most likely requirements

expected. Subject to approval of the Town, the proposed use shall determine the allocation fees to be collected in accordance with §(d) above. Upon application for the building permit for the tenant fit-out, the actual use and related water and sewer requirements shall be evaluated and adjusted as needed.

k. (1) The allocation for a pre-existing building shall be considered to include the flow associated with its previous use. The previous flow shall be determined using actual consumption data or as otherwise provided in III. above.

(2) This "grandfathered" flow shall be available for subsequent use of the parcel provided;

(a) the quarterly utility billing has been paid on a regular basis, and

(b) the façade of the pre-existing building generating flow is maintained

(3) "Grandfathered" flow shall not be available for subsequent uses when there has been no flow from the pre-existing building or facility within two years of application.

(4) There shall be no refunds where the previous flow requirements exceed the subsequent requirements of the new use.

## VI. TRANSFERABILITY

a. The award or approval of water and sewer allocations shall be considered specific to the related parcel of land, as well as the type and scope of project considered during the planning processes.

b. The water and sewer allocations approved related to a specific parcel are bound to that parcel and shall continue with such parcel upon change of ownership.

c. An owner may not transfer approved or reserved allocations to another project on the same or different parcel, regardless of ownership.

## VII. FEES

a. A water and sewer allocation fee shall be established by the Town Council and shall be considered to apply on a per EDU basis.

b. The total water and sewer allocation charges for a project shall be calculated by multiplying the number of required EDUs, as determined in Section III. above, times the water and sewer allocation fee.

c. The water and sewer allocation fee shall be reviewed annually in order to provide adequate revenue for related capital expenditures.

d. The water and sewer allocation fee established by the Town Council shall continue until modified by the Council.

## VIII. MONITORING

a. There shall be a review of water and sewer capacity by the Town Council that shall occur at least annually. The Council may request certain data more frequently in their role as the approval authority

b. Included in the annual review, the Town Council shall receive information on;

1. Year beginning and ending annual average daily flow, and

2. Total number of EDUs issued during the year, and
3. Available capacity, as of December 31<sup>st</sup>, and
4. Pending and approved projects which have not connected to the system, and
5. Other information deemed relevant to water and sewer capacity.

#### IX. APPLICABILITY

This policy is subject to the availability of water and sewer capacity. The Town is not responsible for any contingency that affects the timing or ability to connect to the Town's water and sewer systems which is beyond the control of the Town.

#### X. EFFECTIVE DATE

This policy shall be effective on the date of adoption by the Town Council.

Adopted by the Town Council on December 22, 2005

Resolution No. 05-18