

ORDINANCE NO. \_\_\_\_\_

BE IT ORDAINED BY THE TOWN OF MOUNTAIN CITY, TENNESSEE:

Section 1. **Water and sewer main extensions.** Sections §18-107, Water and sewer main extensions and §18-108 Variances from and effect of proceeding section as to extensions, of the Mountain City Code are deleted and replaced by:

**§18-107. Water and Sewer main extensions and service permissive.** The authority to make water and/or sewer main extensions and to provide water and wastewater service inside or outside the city by Mountain City is permissive only and nothing contained therein shall be construed as requiring the city to make such extensions or to furnish service to any person or persons.

**§18-108. Fees and Costs.**

(1) Application Fee. Persons, businesses, or developers desiring water or wastewater utility service must make application with the City Recorder and pay a non-refundable residential or commercial application fee. The Superintendent shall investigate the feasibility of providing that service and report to the applicant with clear instructions regarding the city's requirements for providing that service.

(2) Tap Fees.

(a) Before a new connection is made to the water or sewer system or an existing customer increases service requirements by expansion of the original served facilities, a tap fee shall be assessed and collected by the city. The tap fee is composed of two parts: a connection charge and, if applicable, an installation charge.

(b) The connection charge is for the purpose of enabling the city to periodically upgrade its facilities as required by the addition of new customers. The connection charge is assessed whenever a new connection is made to the city system or an expansion of change is made to the original facilities served, which increases the demand on the sewer system.

(c) The installation charge is to cover the cost of tapping the main line and extending it to the property line for connection to the customer's service line. Service lines are installed by the customer to the city's specifications and must be inspected by the Superintendent or his designee.

(d) Costs related to the extension of water and sewer mains and appurtenances are generally to be borne by the developer or the abutting property owners.

Section 2. §18-109, Water and sewer main extensions, and §18-110, City to comply with state design criteria, are added to the Mountain City Municipal Code to read as follows:

**§18-109. Water and sewer main extensions.**

(1) Existing Inside Lots. The city may extend a main along an improved public street or highway within the city for the benefit of applicants who have property abutting on the street or highway along which the main is being extended, and whose property after the extension will be contiguous to said main. Such extensions will be made on application of one or more applicants and only after the applicant has made a deposit equal to the estimated cost of the extension. All extensions shall be at the expense of the applicant or applicants. When the city desires a main larger than that required for the applicants needs, the city will be responsible for the difference between what is needed to serve the applicant and the desires of the city. The city may also

participate in main extensions when warranted by high volume consumption, favorable return on investment, overall economic impact on the community, or where there is a threat to public health. When sewer mains are extended abutting houses, buildings, or properties used for human occupancy, employment, recreation, or other purposes situated within the service area and abutting on any street, alley, or public right-of-way must connect to the sewer according to 18-202, Connection to public sewers, of the Mountain City Code.

(2). Inside and Outside Development.

(a) Developers desiring water and/or sewer main extensions must pay all of the cost of making such extensions. When the city desires a main larger than that required for the development, the city will reimburse the applicant for the difference between the two. Recovery of costs related to installation of mains along public streets and highways between existing city mains and developer's property line must be negotiated and agreed upon prior to construction approval.

Developers desiring water and/or sewer main extensions must make application to the Water and Wastewater Superintendent prior to any design or construction for the purpose of determining availability of lines and treatment capacity to serve the purposed extensions. The Superintendent shall give the Applicant a written statement stating the line and treatment capacity status of the system in the desired area, and where new lines may be connected into the existing system. If capacity is available for the requested extension, the Applicant must then follow the details of this extension ordinance and other policies established by the Utility Department. If capacity is unavailable the Mayor and Board of Aldermen may require the applicant to bear all costs associated with capacity improvements imposed upon the city by the applicant's development.

(b) The Applicant must secure the service of an engineer registered in Tennessee to draft plans and specifications. Submit those to the Tennessee Department of Environment and Conservation for compliance with the appropriate Design Criteria as required by state law or regulation.

(c) The Superintendent shall then approve or disapprove the extension plan. He may request additional requirements but cannot allow construction at lower standards than the appropriate Tennessee Design Criteria. The Superintendent shall then make his recommendation to the Mayor and Board of Aldermen, who may approve the plan or request additional requirements but may not relax Design Criteria requirements.

(d) When the Developer has TDEC and City approval, construction may begin under the following procedures:

1. TDEC Design Criteria must be strictly followed

2. Construction located on private property shall have a utility easement to the city

3. The city reserves the right to inspect all lines and appurtenances including service lines and deny service to the development or customer in cases of substandard construction or materials.

4. The design engineer must certify to the city:

- (a). Construction fully complies with all TDEC Design Criteria.

- (b). All materials and construction have been fully inspected, tested and passed according to Design Criteria, with results of all pressure, vacuum and, mandrel testing provided.

5. Accurate as-built drawings must be provided as part of Certification.

6. Upon satisfactory completion of the extension, the city will give written notice of acceptance. Twelve (12) months following the date of acceptance, said main will become the property of the city. Within that twelve (12) month period the applicant will be liable for all maintenance and repairs on said main(s) that are the result of defective materials and /or workmanship. A performance bond no less than 10% of the value of the main construction must be posted assuring repairs are performed during the warranty period.

7. Final tapping of developer lines to city lines will be made only by city personnel or under the direct supervision of the superintendent.

8. Water or wastewater utility service will be provided to the new extension only after full compliance with these requirements.

9. Taps may be made by the developer to prevent future pavement cuts, but only under the following conditions:

(a). All equipment has been specifically approved by the Superintendent. This includes meter sets, meter boxes, and other and all materials or equipment.

(b). Water meter boxes must be well marked and protected from damage.

(c). Sewer taps must be extended onto the property with a cleanout installed within five feet of the property line, and they must be marked and protected from damage.

(d). As built drawings clearly identify tap locations.

(e). As service lines are connected to taps:

(1) Superintendent or his designee must inspect the connection and service line installation

(2) Only City Employees will install water meters when full billing information has been established.

(3) City will charge installation fees if developer installed taps must be located, excavated, or moved.

(3). Sewer Service without Mountain City Water Service. Wherever sewer service is requested and water service is provided by another Utility, a billing, collecting, and cutoff agreement must be in place prior to approval of sewer line construction.

**§18-110. City comply with State Design Criteria.** The City and all subcontractors of the City will also follow all the requirements of utility construction set forth by the Department of Environment and Conservation.

The remaining sections of title 18, chapter 1 shall be renumbered as follows:

Existing §18-109, entitled Meters., shall become §18-111; and

Existing §18 -110, entitled Meter Tests., shall become §18-112, continuing through

Existing §18-124, entitled Damages to property due to water pressure., which shall become §18-126.

Section 3. This ordinance shall take effect from and after its passage, the welfare of the Town requiring it.

Passed first reading this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_

Passed second reading this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_

Attested \_\_\_\_\_

(Mayor)

Attested \_\_\_\_\_

(Recorder)