

AN ORDINANCE AMENDING, RESTATING AND REORDAINING SECTION 92-23 OF ARTICLE V(A), PART 2 OF CHAPTER 92, SEWERS, OF THE CODE OF CAROLINE COUNTY, VIRGINIA, TO ESTABLISH A TIER RATE STRUCTURE BASED ON USE; INCREASE THE RATES FOR SEWER USE FEES, INCLUDING ADDING A CAPACITY FEE; PERMIT THE USE OF WINTER WATER USE TO CALCULATE SUMMER SEWER USE; AND CHANGE THE METHOD FOR DETERMINING AVAILABILITY FEES

WHEREAS, the Board of Supervisors of Caroline County (the “Board”) has determined that all the fees and rates set forth below are, as nearly as the Board deems practical and equitable, uniform for the same type, class and amount of use or service; and

WHEREAS, the Board has reviewed the fees set forth below and has determined that all such fees are fair and reasonable; and

WHEREAS, a public hearing duly noticed and advertised as required by §§ 15.2-107 and 15.2-1427 of the *Code of Virginia*, 1950, as amended, has been held on March 10, 2009, regarding this ordinance and the increase of certain rates for sewer service as set forth below.

NOW, THEREFORE, BE IT ORDAINED by the Board as follows:

1. Section 92-23 of Article V(A), Part 2, of Chapter 92, Sewers, of the Code of Caroline County, Virginia is hereby amended, restated and reordained to read as follows:

§ 92-23. Tiers, use, availability, and Connection Fees for County General System(s).

A. The tiers to calculate Use Fees are defined as follows:

	5/8 meter	
Tier 1	0 gal.	4,000 gals.
Tier 2	4,001 gals.	8,000 gals.
Tier 3	8,001 gals.	10,000 gals.
Tier 4	10,001 gals.	+ gals.
	1" meter	
Tier 1	0 gal.	10,000 gals.
Tier 2	10,001 gals.	20,000 gals.
Tier 3	20,001 gals.	25,000 gals.
Tier 4	25,001 gals.	+ gals.

1.5" meter	
Tier 1	0 gal. 20,000 gals.
Tier 2	20,001 gals. 37,000 gals.
Tier 3	37,001 gals. 46,250 gals.
Tier 4	46,251 gals. + gals.

2" meter	
Tier 1	0 gal. 53,400 gals.
Tier 2	53,401 gals. 92,500 gals.
Tier 3	92,501 gals. 115,625 gals.
Tier 4	115,626 gals. + gals.

3" meter	
Tier 1	0 gal. 192,240 gals.
Tier 2	192,241 gals. 309,875 gals.
Tier 3	309,876 gals. 387,344 gals.
Tier 4	387,345 gals. + gals.

4" meter	
Tier 1	0 gal. 948,384 gals.
Tier 2	948,385 gals. 1,384,108 gals.
Tier 3	1,384,109 gals. 1,730,135 gals.
Tier 4	1,730,136 gals. + gals.

6" meter	
Tier 1	0 gal. 1,461,024 gals.
Tier 2	1,461,025 gals. 2,076,163 gals.
Tier 3	2,076,164 gals. 2,595,203 gals.
Tier 4	2,595,204 gals. + gals.

B. Using the tiers set forth in subsection A, sewer Use Fees should be calculated based on consumption of each customer as measured by a water meter or as measured by a raw sewage flow recorder. Residential and consumer sewer Use Fees will be calculated as follows:

- Tier 1** \$8.25 per 1,000 gallons or portion thereof;
- Tier 2** \$8.50 per 1,000 gallons or portion thereof;
- Tier 3** \$8.75 per 1,000 gallons or portion thereof;
- Tier 4** \$9.50 per 1,000 gallons or portion thereof.

In addition, as part of the Use Fee for each residential water connection, there will also be a capacity charge of \$14.00 per connection per month. For each commercial sewer connection, there will be a capacity charge as part of the Use Fee based on the following:

5/8" meter	\$18.00 per month;
1" meter	\$45.00 per month;
1½" meter	\$81.00 per month;
2" meter	\$129.00 per month;
3" meter	\$194.00 per month;
4" meter	\$283.00 per month;
6" meter	\$331.00 per month.

C. Sewer use shall be based on 100% of the water consumption as determined by the County-owned water meter or private-owned water meter, unless the customer installs, at his own expense, a raw sewage flow recorder that will actually record only the wastewater flow allocable to the subject property/connection. Any raw sewage flow recorder will be subject to the approval of the Director. The maintenance of ownership of such recorder will remain that of the property owner(s); provided, however, that the County shall at all times have access to said recorder and/or flow data. Sewer Use Fees for the months of June, July and August will be based on each customer's monthly water use average for the months of December, January and February of the same calendar year plus 25% or the actual water use during the months of June, July and August, whichever is less.

Customers that obtain all or part of their water supply from approved private sources other than the water distribution system of the County shall provide a water meter for each private source in order to determine the quantity of wastewater for the total metered water consumption; both County and private supply shall be provided and maintained to produce an accurate record of the actual quantity of water used for sewer Use Fees. All cost of meter installation, calibration and maintenance shall be borne by the user. The type of meter shall be acceptable to the Director and the meter shall be accessible at all times for inspection by the County.

Billings for multiple business, industry, commercial or public units on one water meter shall be 100% of the water consumption for the meter or 100% of sewage flow recorder data. Payment will be the responsibility of the designated party at the time of service initiation. Billing shall not be less than if all parties were billed separately.

D. Availability Fees will be calculated as set forth below:

The single family residential unit Availability Fee shall be \$7,000. All other Availability Fees shall be calculated based on the single family residential unit fee and using the multipliers as set forth below:

Meter Size	Water	Sewer	Multiplier
5/8-3/4" meter	\$7,000	\$7,000	1
1" meter	\$17,500	\$17,500	2.5
1½" meter	\$35,000	\$35,000	2
2" meter	\$56,000	\$56,000	1.6
3" meter	\$112,000	\$112,000	2
4" meter	\$179,200	\$179,200	1.6
6" meter	\$358,400	\$358,400	2

The Availability Fees are assessed for all new connections to the County sewer system. The Availability Fees shall be recalculated whenever there is a change in use or expansion requiring more capacity. Such recalculated Availability Fee shall be the difference between the previously paid Availability Fee and the current Availability Fee for the larger meter. For example, if a customer pays a sewer Availability Fee of \$17,500.00 for a one inch (1") meter and later expands and requires a two inch (2") meter, assuming the current Availability Fees are the same as set forth above, the Availability Fee would be \$38,500.00.

E. Connection Fees shall be as follows:

1. For a single family residence, mobile home not located in a mobile home park, or townhouse, the greater of \$750 or the actual cost of connection plus 20% of said cost to reimburse the County for its administrative expenses, not included in the cost but associated with the connection.
2. For Multi-family dwellings (built containing three or more units) the greater of \$750 multiplied by the number of single family residential equivalents or, if only one master meter is used, multiplied by the number of building connections or actual cost of connection plus 20% of said cost to reimburse the County for its administrative expenses, not included in the cost but associated with the connection.
3. For Mobile home parks, the greater of \$750 per connection or actual cost of connection plus 20% of said cost to reimburse the County for its administrative expenses, not included in the cost but associated with the connection.
4. For all commercial, industrial, office space, business and public facility service and other non-residential uses the greater of \$750 per unit or actual cost of connection plus 20% of said cost to reimburse the County for its administrative expenses, not included in the cost but associated with the connection.

5. For any situation not addressed above the greater of \$750 of actual cost of connection plus 20% of said cost to reimburse the County for its administrative expense not included in the cost but associated with the connection.

F. Connection Fees are charged for all new connections to the County sewer system and represent the cost the County incurs per connection.

G. No Availability or Connection Fees shall be changed over to another customer or parcel without permission of the Director.

H. Refunds shall be made on Availability Fees and Connection Fees in conjunction with policies established by the Board of Supervisors.

2. In all other respects, the provisions of Chapter 92, Sewer, of the Code of the County of Caroline, Virginia, shall remain the same.

3. The foregoing shall be effective immediately; however, Use Fees shall first be in effect for the billing period beginning April 1, 2009. Bills for this period would usually be received by customers in May 2009.