

Issue Analysis Form



Date: January 10, 2023
Ordinance Authorizing the Board of Supervisors to Give a Refund for Unutilized Water and Wastewater Capacity

Item:

Lead Department(s): County Attorney/Utilities

Contact Person(s): Dan Whitten/Frank Haltom

Description and Current Status

Sections 82-261 and 82-536 state that refunds shall not be made for any unutilized water and wastewater capacity after connection fees have been credited to the property owner's account when connecting new meters.

The amendment to Sections 82-261 and 82-536 will allow the property owner that paid the connection fees a refund for unutilized water and wastewater capacity if the Board of Supervisors authorizes the refund by a resolution.

A draft ordinance is attached for consideration; a motion approving authority to advertise the ordinance for a public hearing on February 14, 2023, is requested.

This Ordinance shall be effective immediately.

Sample Motion: I move that the Board approve advertisement of an Ordinance for a public hearing on February 14, 2023 authorizing the Board of Supervisors to give a refund for unutilized water and wastewater capacity to property owners that paid the original connection fee after the connection fee is paid.

Government Path

- | | | |
|---|---|--|
| Does this require IDA action? | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| Does this require BZA action? | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| Does This require Planning Commission Action? | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| Does this require Board of Supervisors action? | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No |
| Does this require a public hearing? | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No |
| If so, before what date? | <input type="checkbox"/> Yes | <input type="checkbox"/> No |

Board of Supervisors
County of Prince George, Virginia

Resolution

At a regular meeting of the Board of Supervisors of the County of Prince George held in the Boardroom, Third Floor, County Administration Building, 6602 Courts Drive, Prince George, Virginia, this 10th day of January, 2023:

Present:

Floyd M. Brown, Jr.
Alan R. Carmichael
Donald Hunter
Marlene J. Waymack
T. J. Webb

Vote:

A-3

On motion of _____, seconded by _____, which carried unanimously, the following Resolution was adopted:

**RESOLUTION; AUTHORITY TO ADVERTISE AN ORDINANCE TO AMEND
“THE CODE OF THE COUNTY OF PRINCE GEORGE, VIRGINIA,”
AS AMENDED, BY AMENDING §§ 82-261 AND 82-536 TO AUTHORIZE
THE BOARD OF SUPERVISORS TO GIVE A REFUND TO PROPERTY
OWNERS FOR UNUTILIZED WATER AND WASTEWATER CAPACITY
AFTER THE CONNECTION FEE IS PAID**

NOW, THEREFORE, BE IT RESOLVED, that the Board of Supervisors of the County of Prince George this 10th day of January, 2023, does hereby authorize the advertisement of a public hearing on February 14, 2023 for an Ordinance to Amend “The Code of the County of Prince George, Virginia,” as amended, by amending §§ 82-261 and 82-536 to authorize the Board of Supervisors to give a refund for unutilized water and wastewater capacity to property owners that paid the original connection fee after the connection fee is paid.

A Copy Teste:

Jeffrey D. Stoke
County Administrator

ORDINANCE TO AMEND "THE CODE OF THE COUNTY OF PRINCE GEORGE, VIRGINIA", 2005, AS AMENDED, BY AMENDING § 82-261 AND § 82-536 TO AUTHORIZE THE BOARD OF SUPERVISORS TO GIVE A REFUND TO PROPERTY OWNERS FOR UNUTILIZED WATER AND WASTEWATER CAPACITY AFTER THE CONNECTION FEE IS PAID.

BE IT ORDAINED by the Board of Supervisors of Prince George County:

(1) *That The Code of the County of Prince George, Virginia, 2005, as amended, is amended by amending § 82-261 and § 82-536 as follows:*

CHAPTER 82 UTILITIES

ARTICLE II. – WATER SERVICE

DIVISION 8. – FEES AND CHARGES

Sec. 82-261. - Connection charge schedule.

(a) For residential customers using a standard three-quarter inch service pipe and a five-eighths inch meter, the connection fee shall be \$4,000.00. Connection fees for meters larger than five-eighths inch shall be in accordance with subsection (b) of this section.

(b) Connection fees for customers requiring ten-inch or smaller meters shall be based upon the installed meter size according to the following schedule:

EXPAND

Meter Size	Connection Fee
5/8"	\$4,000.00
3/4"	4,000.00
1"	11,230.00
1½"	23,420.00
2"	38,670.00
3"	80,840.00
4"	133,610.00
6"	259,930.00

Meter Size	Connection Fee
8"	559,970.00
10"	839,960.00

Connection fees for customers requiring larger than ten-inch meters shall be determined on a case by case basis and established by contract, but in no case shall be less than the capacity fee for a ten-inch meter.

For meter sizes ten-inch and smaller, if an existing customer desires to redevelop and replace an existing meter with a single or multiple meters, the value of the connection fee associated with the existing meter shall be determined based on the fee schedule above and credited for use on the property. For customers with meters larger than ten inches, the property will be credited the value of a ten-inch meter connection fee unless documentation of payment of a greater connection fee is provided, in which case the connection fee credited shall be the actual amount paid. Once a connection fee has been credited to a property, the amount of the credit is fixed and available for use on the property. **The Board of Supervisors may, by resolution, authorize refunds for unutilized amounts, but the refund shall only be made to the property owner that paid the original connection fee.** ~~Refunds shall not be made for any unutilized amount.~~

Notes:

1. For single-family dwellings served by a private water supply at the time a newly constructed utility line is completed, a discount in the list connection charges may be offered, subject to the conditions of [section 82-110](#).
2. Developer-installed charge shall be assessed for each single-family residential unit, as defined in [section 82-31](#), included in the development connecting to a line installed by the developer or any subsequent owner of the lot or premises within the development. Commercial or industrial uses included in any development shall be assessed at the charges listed in the schedule. Developer-installed connection charges shall be subject to the credits provided for in [section 82-73](#).
3. If the service connection has not been installed during the initial construction, the lot owner would be responsible for the installation costs as well as the connection fee listed.

ARTICLE III. WASTEWATER SERVICE

DIVISION 6. – FEES AND CHARGES

Sec. 82-536. - Connection charge schedule.

The following schedule of charges shall apply for the connection of an applicant's premises to the public utility system, in accordance with all applicable provisions of this article:

Meter Size	Connection Fee
5/8"	\$5,000.00
3/4"	5,000.00
1"	12,500.00
1½"	25,000.00
2"	40,000.00
3"	87,500.00
4"	155,000.00
6"	325,000.00
8"	700,000.00
10"	1,049,670.00

(2)

Connection fees for customers requiring larger than ten-inch meters shall be determined on a case by case basis and established by contract, but in no case shall be less than the capacity fee for a ten-inch meter.

For meter sizes ten-inch and smaller, if an existing customer desires to redevelop and replace an existing meter with a single or multiple meters, the value of the connection fee associated with the existing meter shall be determined based on the fee schedule above and credited for use on the property. For customers with meters larger than ten inches, the property will be credited the value of a ten-inch meter connection fee unless documentation of payment of a greater connection fee is provided, in which case the connection fee credited shall be the actual amount

paid. Once a connection fee has been credited to a property, the amount of the credit is fixed and available for use on the property. **The Board of Supervisors may, by resolution, authorize refunds for unutilized amounts, but the refund shall only be made to the property owner that paid the original connection fee.** ~~Refunds shall not be made for any unutilized amount.~~

Notes:

1. For single-family dwellings served by a private wastewater disposal system at the time a newly constructed utility line is completed, a discount in the listed connection charges may be offered, subject to the conditions of [section 82-429](#).
2. Developer-installed charge shall be assessed for each single-family residential unit, as defined in [section 82-351](#), included in the development connecting to a line installed by the developer or any subsequent owner of each lot or premises within the development. Commercial or industrial uses included in any development shall be assessed at the charges listed in the schedule. Developer-installed connection charges shall be subject to the credits provided for in [section 82-393](#).
3. If the service connection has not been installed during the initial construction, the lot owner would be responsible for the installation costs as well as the connection fee listed.

(2) That this Ordinance shall be effective upon adoption.