

Issue Analysis Form



Date: February 14, 2023
Item: Ordinance Authorizing the Board of Supervisors to Give a Refund for Unutilized Water and Wastewater Capacity
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 the ordinance is requested.

This Ordinance shall be effective immediately.

Sample Motion: I move that the Board approve an Ordinance 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 type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
If so, before what date?	<input type="checkbox"/> Yes	<input type="checkbox"/> No

**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.

Ad Preview

NOTICE OF PUBLIC HEARING COUNTY OF PRINCE GEORGE

Notice is hereby given to all interested persons that the Prince George Board of Supervisors will hold a public hearing on February 14, 2023 beginning at 7:30 p.m. in the Board of Supervisors Meeting Room, Third Floor of the County Administration Building, 4602 Courts Drive, Prince George, Virginia, (located at the intersection of Laurel Springs Road and Courts Drive in the County Government Complex) pursuant to § 15.2-1427, Code of Virginia (1950), as amended, to consider:

Adoption of an 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.

Adoption of an Ordinance to amend "The Code of the County of Prince George, Virginia," 2005, as amended by amending § 74-200 to clarify that any organization that claims exemption by classification for a real estate parcel shall make the request on forms both supplied and reviewed by the County Assessor.

Adoption of an Ordinance to amend "The Code of the County of Prince George, Virginia," 2005, as amended by amending § 74-199 to authorize the abatement of tax levies on buildings which are razed, destroyed or damaged.

Adoption of an Ordinance to amend "The Code of the County of Prince George, Virginia," 2005, as amended by amending § 74-198 to change the dates related to the assessment of new buildings substantially completed.

A copy of the proposed Ordinance is available for review in the County Administrator's Office (Tel. 722-8600), 4602 Courts Drive, Prince George, Virginia. All interested persons shall be given an opportunity to be heard.

Jeffrey D. Stoke
County Administrator
February 2, 9, 2023 8398132

ORDINANCE AUTHORIZING THE BOARD OF SUPERVISORS TO GIVE A REFUND FOR UNUTILIZED WATER AND WASTEWATER CAPACITY

PUBLIC HEARING



BOARD OF SUPERVISORS
FEBRUARY 14, 2023

AUTHORIZATION TO GIVE REFUNDS OF CONNECTION FEES

- 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.

INTENT OF THE AMENDED CODE

Issue:

Speculative buildings are common within industrial parks. To receive plan approval, the developer must provide the projected water and wastewater demands for the building, often before they have a tenant contracted to occupy the building.

Some tenants have significantly larger demands than others that would occupy the same building.

Should an initial tenant fail to take occupancy, the building owner would need to adjust (up fit) the building for a new tenant, whose water and wastewater demands could be much less. In these cases, the size of the water meter that serves the property would need to be reduced in order to accurately measure the water usage.

It is the intent that a refund would only be applied should the initial tenant not occupy the space for which a connection fee was paid. If the space was occupied and a future tenant has less water and/or wastewater demands, a refund would not be warranted since the connection fee paid was warranted by the original tenant.

CONNECTION FEES ARE BASED ON METER SIZES.

CONNECTION CHARGES- EFFECTIVE JULY 1, 2022

The following schedule of connection charges (tap fees) apply for connection to the public utility system:

METER SIZE	WATER CONNECTION FEE	SEWER CONNECTION FEE
5/8"	\$4,000.00	\$5,000.00
3/4"	\$4,000.00	\$5,000.00
1"	\$11,230.00	\$12,500.00
1-1/2"	\$23,420.00	\$25,000.00
2"	\$38,670.00	\$40,000.00
3"	\$80,840.00	\$87,500.00
4"	\$133,610.00	\$155,000.00
6"	\$259,930.00	\$325,000.00
8"	\$559,970.00	\$700,000.00

CODE OF ORDINANCE

ARTICLE II. – WATER SERVICE

DIVISION 8. – FEES AND CHARGES

Sec. 82-261. - Connection charge schedule.

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.~~


CODE OF ORDINANCE

ARTICLE III. WASTEWATER SERVICE

DIVISION 6. – FEES AND CHARGES

Sec. 82-536. - Connection charge schedule.

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.~~



STAFF RECOMMENDATION

Staff recommends the Board adopt the ordinance to amend and reenact the Code of Prince George County, Virginia, 2005, as amended, amending sections 82-261 and 82-536, and 82-53 authorizing the Board of Supervisors to give a refund to property owners for unutilized water and wastewater capacity after the connection fee is paid.

It is further recommended this ordinance be effective immediately upon adoption.