

Sponsor: Councilwoman Forbes  
First Reading: 11/16/20  
Second Reading: 12/07/20  
Third Reading: 12/21/20  
Ord. No.: 023-20

**AN ORDINANCE TO AMEND CHAPTER 70 (UTILITIES), ARTICLE II (WATER AND SEWER SYSTEM), DIVISION 3 (CONNECTIONS) TO CLARIFY THE TOWN'S ABILITY TO CHARGE FEES FOR CONNECTIONS TO THE TOWN'S WATER AND SEWER SYSTEM**

WHEREAS, Sections 4.2.13 and 21 of the Smyrna Town Charter authorize the Town to operate a water system and enact ordinances that, *inter alia*, establish “the amounts to be paid by the users thereof” and “the means or methods whereby the same shall be collected”;

WHEREAS, Sections 4.2.14 and 22 of the Smyrna Town Charter authorize the Town to operate a sewer system and enact ordinances that, *inter alia*, establish “the amounts to be paid by the users thereof” and “the means or methods whereby the same shall be collected”;

WHEREAS, the Town incurs expenses associated with water and sewer hookups, such as costs to locate the utilities and comply with Miss Utility requirements, the actual construction costs to install connections, cost to inspect connections, and costs to initiate water and sewer flows;

WHEREAS, in the opinion of the Town Council of the Town of Smyrna, it is necessary and in the best interest of the public health, safety, and welfare to update the Town Code in order to clarify the Town's authority to more fully recover expenses associated with water and sewer hookups from those individuals and/or entities requesting and benefiting from the hookups.

NOW THEREFORE, BE IT HEREBY ENACTED by the Town Council of the Town of Smyrna, a majority thereof concurring in Council duly met, that the Town Code of the Town of Smyrna be and hereby is amended as follows:

Section 1. Amend Chapter 70 (“Utilities”), Article II (“Water and Sewer System”), Division 3 (“Connections”) by making insertions as shown by underlining and deletions as shown by strike through as follows:

Sec. 70-64. - Connection and repair fees.

All connection, "tapping" or repairs fees Connection fees (sometimes known as tapping fees) are hereby established to offset those expenses incurred by the Town to create water and sewer connections and shall be based on the fee schedule outlined below. Repair fees for the customer's side of the town's water curb stop or town's sewer clean out shall be based on the actual construction costs for equipment, labor (including benefits) and materials. A ten percent handling charge shall be added to the cost of materials for repair services. One minimum deposit will be charged for multiple connections that are in the same excavation. These fees shall be in addition to any other fees outlined in the Town Code associated with receiving water and sewer services

from the Town. The following minimums shall apply and be deposited with the town in advance of any connections being established:

Service	Within town limits	Outside town limits
Water connection	\$400.00	\$800.00
Sewer connection	\$550.00	\$1,100.00
Repair (customers side of the town's water curb stop or town's sewer clean out.)	Estimate (If the time permits)	Estimate (If time permits)

(a) Fees for water and sewer connections servicing individual residential units shall be as follows:

- (1) Water or sewer connections installed by private contractor:
  - a. Within town limits: \$300 per each water or sewer connection
  - b. Outside town limits: \$450 per each water or sewer connection
- (2) Water connections installed by the Town shall be assessed the following fee, plus town labor and material costs.
  - a. Within town limits: \$400 per each water connection
  - b. Outside town limits: \$600 per each water connection
- (3) Sewer connections installed by town shall be assessed the following fee, plus town labor and material costs.
  - a. Within town limits: \$550 per each sewer connection
  - b. Outside town limits: \$825 per each sewer connection

(b) Fees for water and sewer connections servicing multi-family residential buildings and all non-residential buildings shall be as follows:

- (1) Water or sewer connections within town limits installed by private contractor:
  - a. Lines less than 4": \$450 per each water or sewer connection
  - b. 4" to 6" line: \$1,000 per each water or sewer connection
  - c. 8" or larger line: \$1,550 per each water or sewer connection
- (2) Water or sewer connections outside of town limits installed by private contractor:
  - a. Lines less than 4": \$675 per each water or sewer connection
  - b. 4" to 6" line: \$1,225 per each water or sewer connection
  - c. 8" or larger line: \$1,775 per each water or sewer connection
- (3) Water or sewer connections within town limits installed by the Town shall be assessed the following fees, plus town labor and material costs:
  - a. Lines less than 4": \$575 per each water or sewer connection
  - b. 4" to 6" line: \$1,125 per each water or sewer connection
  - c. 8" or larger line: \$1,675 per each water or sewer connection

- (4) Water or sewer connections outside of town limits installed by Town shall be assessed the following fees, plus town labor and material costs:
- a. Lines less than 4": \$1,150 per each water or sewer connection
  - b. 4" to 6" line: \$1,700 per each water or sewer connection
  - c. 8" or larger line: \$2,250 per each water or sewer connection

Section 2. Effective Date. This Ordinance shall become effective immediately upon its adoption by the Town Council.

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SYNOPSIS

This ordinance clarifies the different water and sewer hookup fees charged by the Town to connect to the Town's water and sewer system. Different fees are charged based on whether the property is situated inside or outside the Town's municipal limits and whether the connection work is performed by the Town or by a private contractor hired by the property owner or contractor. Different fees are established for connections to individual residential properties versus multi-family residential uses and non-residential uses.

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This will certify that this is a true and correct copy of the Ordinance duly adopted by the Town Council of the Town of Smyrna at its regular Council meeting on \_\_\_\_\_, 2020.

ATTEST:

\_\_\_\_\_  
Council Secretary

\_\_\_\_\_  
Mayor

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This shall certify that the title and synopsis of this Ordinance was published in the "Smyrna/Clayton Sun Times" on \_\_\_\_\_, 2020 and posted at the Town Hall on \_\_\_\_\_, 2020.

So Certifies:

\_\_\_\_\_  
Town Clerk