

**ACTION ITEM  
BOARD OF SUPERVISORS**

**DATE** August 19, 2008

**TO** Board of Supervisors

**FROM.** Anthony J. Romanello, ICMA-CM  
County Administrator



**ISSUE.** Discuss County Code Section 25-71 – Construction of Sanitary Sewers and Water Distribution Lines by Owners or Developers, General Provisions

**STAFF RECOMMENDATION:** N/A

**BUDGET IMPACT:** N/A

**ATTACHMENTS** (1)

[1] County Code Section 25-71 [ ] Reso/Ord/Proc #

[ ] [ ] Reso/Ord/Proc #

[ ] [ ] Reso/Ord/Proc #

**REVIEW** [ ] County Administrator's Office \_\_\_\_\_

[ ] Legal \_\_\_\_\_

[ ] \_\_\_\_\_

- [ ] Consent Agenda [ ] Other Business [ ] Public Hearing
- [ ] Discussion Item [ ] Presentation [ ] Unfinished Business
- [X] New Business

**PRESENTATION BY** Harry Crisp

**ELECTION DISTRICT:** N/A

**ARTICLE IV CONSTRUCTION OF SANITARY SEWERS AND WATER DISTRIBUTION LINES BY OWNERS OR DEVELOPERS****Sec 25-71 General provisions**

(a) The developer or owner of any property who is required to submit a preliminary subdivision plan, a subdivision construction plan, a minor subdivision plan, or a major site plan shall construct, when required, sanitary sewers and domestic fresh water distribution lines within the subdivision or development at the developer's expense. Immediately upon completion and final acceptance of the construction work, the sanitary sewer and water facilities, with necessary easement shall become the property of the County.

(b) The developer or owner of any property who is required to submit a preliminary subdivision plan, a subdivision construction plan, a minor subdivision plan, or a major site plan for property located inside the urban service area as defined in the County's Comprehensive Plan shall utilize the public water system and the public sewer system.

(c) The developer or owner of any property who is required to submit a preliminary subdivision plan, a subdivision construction plan, a minor subdivision plan, or a major site plan located outside of the urban service area as defined in the county's comprehensive plan shall utilize the public water system if the developer's construction costs for the off-site water line, as determined by the director of utilities, does not exceed two thousand dollars per household equivalent unit, or one thousand one hundred fifty dollars (\$1,150.00) per acre when the number of household equivalents cannot be readily determined and if the use of the public water system is in accordance with good engineering practice, as determined by the director of utilities. The above dollar limits are based on an ENR Construction Cost Index of 7938.

(d) Notwithstanding subsections (a) and (b), above, a developer or owner submitting a new subdivision or site plan for property located inside the urban service area, as defined in the county's comprehensive plan, who has submitted to the county a complete application for plan approval on or before May 3, 2007, and whose plan meets all other zoning and subdivision requirements in order to be served by onsite well and/or septic, may request a waiver from the requirements of this section if it is sufficiently demonstrated to the board of supervisors that

(i) Water and/or sewer is not presently available to the property, and

(ii) The cost to the developer to connect the proposed subdivision or site to existing county water and/or sewer, based on physical and geographical constraints, is unreasonably prohibitive when such cost is compared with the overall scope and size of the development project, and

(iii) The county has no identified plans to extend public water and/or sewer service to within a reasonable distance of the property within the next three (3) years from the date the waiver is requested, and

(iv) The developer or owner clearly demonstrates that each proposed subdivision lot contains sufficient area to support both primary and reserve areas for on-site wastewater disposal and water supply.

(Ord No 082-60(R), § 26 1-40, 1-18-83, Ord No 005-50, 12-13-05 Ord No 007-44, 11-20-07)