

AMENDING CHAPTER 29

AN ORDINANCE AMENDING CHAPTER 29 OF THE GREENSBORO CODE OF ORDINANCES WITH RESPECT TO CONNECTION CHARGES AND WATER, SEWERS, AND WASTE DISPOSAL TO ESTABLISH SYSTEM DEVELOPMENT FEES

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

Section 1: That Section 29-26 of the Greensboro Code of Ordinances is hereby amended to read as follows:

Sec. 29-26. – Connection Charges

- (a) *Water connections.* That fixed charge for water service connection installed by city forces or under contract with the city shall include the setting of meter, meter setter, meter box, the tapping of the main, and necessary pipe to extend to the property line or easement limit. Charges for these items shall be as follows:

Meter size

(inches)

$\frac{5}{8} \times \frac{3}{4}$ **per cost \$1,100.00**

$\frac{3}{4}$ **per cost 1,150.00**

1per cost

1½per cost

2per cost

3per cost

4per cost

6per cost

8per cost

Charge for installing an extra meter beside an existing meter:

Meter size

(inches)

$\frac{5}{8} \times \frac{3}{4}$ \$470.00

$\frac{3}{4}$ 510.00

1per cost

1½per cost

2per cost

Charge for setting a meter when lateral has been run to property and meter box and meter setter have been set shall be as follows:

Meter size
(inches)

$\frac{5}{8}$ \$ 165.00

$\frac{5}{8}$ (new construction)185.00

$\frac{3}{4}$ 200.00

1235.00

1½310.00

2385.00

3per cost

4per cost

- (b) *Sewer connections.* The fixed charges for a sewer connection installed by city forces or under contract with the city shall include the tapping of the main, a cleanout and necessary pipe to extend to the property line or easement limit:

Charges for these items shall be as follows:

4-inch\$ 1,050.00

6-inchper cost

8-inchper cost

8-inch × 4-inch saddle onlyper cost

8-inch × 6-inch saddle onlyper cost

Deduct \$100.00 if water and sewer in same ditch.

- (c) *Installing or adjusting fire hydrants.* The fixed charge to install a fire hydrant or make adjustments to an existing hydrant are as follows:

Adjust hydrantper cost

Add hydrant to mainper cost

- (d) *Improved streets.* When making a water and/or sewer connection on a standard paved street (maximum sixty-foot right-of-way) a charge of five hundred seventy dollars (\$570.00) shall be added to the applicable connection charge. All other paved streets will be at a cost/plus basis.
- (e) *Miscellaneous charges.* Request for fire hydrant flow test fifty dollars (\$50.00).

Section 2: That Section 29-53 of the Greensboro Code of Ordinances is hereby amended to read as follows:

Sec. 29-53. System development fees; ~~capacity use fees~~; declaration of purpose.

There are hereby established system development fees ~~and capacity use fees~~ as hereafter set out. The purpose of the system development fee ~~and the capacity use fee~~ is to partially recover directly from new customers the costs of the capacity of the utility system to serve them.

The system development fee shall be applied to new development that connects to the utility system. New development shall be defined as any of the following: 1) the subdivision of land; 2) the construction, reconstruction, redevelopment, conversion, structural alteration, relocation, or enlargement of any structure which increases the number of meters or increases the meter size; or 3) any use or extension of the use of land which increases the number of meters or increases the meter size which began after November 29, 2017.

~~The capacity use fee shall be applied to existing development that connects to the utility system. Existing development shall be defined as land subdivisions, structures, and land uses in existence as of November 29, 2017.~~

It is hereby declared that such charges are reasonable and necessary and results in a more equitable and economically efficient method of recovery of such costs to handle new growth and to serve new customers without placing an additional financial burden on existing customers solely through inordinate enhancement of water and sewer rates. Hence the following ~~and~~ system development fees ~~and capacity use fees~~ are adopted and approved as follows:

- (a) *System development fees*: The system development fees shall be set at the rate as outlined in G.S. § 162A-200 et seq. (Session Law 2017-188 (HB 436)). The City of Greensboro completed the required supporting analysis in accordance with G.S. § 162A-205 et seq. A copy of the study shall be filed with the city clerk, and the study may be accessed on the City of Greensboro website.

The system development fee shall be imposed for new development to fund costs necessitated by and attributable to the costs associated with new development and system growth. The fee is based on the blended value of both the existing and expanded system capacity and its calculation includes both existing assets and future capital projects required to serve growth.

The system development fee shall not exceed the allowable calculated amount as determined by the supporting analysis under G.S. § 162A-205 et seq. and the supporting analysis shall be updated at least every 5 years.

System Development Fees		
	Water Charge	Wastewater Charge
Residential Rate (Per Unit)	\$1,186.00 980.00	\$1,009.00 990.00
<i>General Service Meter Size (inches)</i>		
⁵ / ₈	1,186.00 980.00	1,009.00 990.00

¾	<u>1,782.00</u> 1,472.00	<u>1,516.00</u> 1,488.00
1	<u>2,968.00</u> 2,450.00	<u>2,525.00</u> 2,480.00
1½	<u>5,935.00</u> 4,900.00	<u>5,050.00</u> 4,960.00
2	<u>9,499.00</u> 7,844.00	<u>8,082.00</u> 7,936.00
3	<u>18,996.00</u> 15,684.00	<u>16,163.00</u> 15,872.00
4	<u>29,681.00</u> 24,506.00	<u>25,254.00</u> 24,800.00
6	<u>59,359.00</u> 49,012.00	<u>50,508.00</u> 49,598.00
8	<u>94,978.00</u> 78,422.00	<u>80,815.00</u> 79,358.00
10	<u>135,931.00</u> 112,732.00	<u>115,661.00</u> 114,080.00
12	<u>234,754.00</u> 210,700.00	<u>237,149.00</u> 212,850.00

(b) ~~Capacity use fees: The capacity use fee is established under authority granted by G.S. § 160A-314(a) "A city may establish and revise from time to time schedules of rents, rates, fees, charges, and penalties for the use of or the services furnished or to be furnished by any public enterprise."~~

~~The capacity use fee shall be used to partially recover from new customers the cost of existing development that connects to the utility system.~~

Capacity Use Fees		
	Water Charge	Wastewater Charge
Residential Rate (Per Unit)	\$ 980.00	\$ 990.00
<i>General Service Meter Size (inches)</i>		
5/8	980.00	990.00
¾	1,472.00	1,488.00
1	2,450.00	2,480.00
1½	4,900.00	4,960.00
2	7,844.00	7,936.00

3	15,684.00	15,872.00
4	24,506.00	24,800.00
6	49,012.00	49,598.00
8	78,422.00	79,358.00
10	112,732.00	114,080.00
12	210,700.00	212,850.00

Any multifamily project (including, but not limited to, apartments, condominiums, duplexes, townhomes, etc.) shall be charged a system development fee ~~or a capacity use fee~~ equal to fifty (50) percent of the charges set forth for a five-eighths-inch meter times the number of living units included in the dwelling(s) to be served.

With respect to the system development fee ~~or the capacity use fee~~ based on a five-eighths-inch water meter, any single-family dwelling unit having less than one thousand eight hundred twenty-two (1,822) heated square feet may pay the ~~capacity use~~ fee based on the actual heated square footage of the dwelling unit. The computation for determining the charge shall be as follows:

Water—Heated sq. ft. area × CUF Water Residential Rate / 1,822 =

Sewer—Heated sq. ft. area × CUF Sewer Residential Rate / 1,822 =

Total system development ~~capacity use~~ fee = Sum of above calculation.

**Editor's note(s)—Ord. No. 88-15, § 2, adopted Feb. 15, 1988 added to the effective date of Ord. No. 88-10 (contained in § 3 thereof) the following:
 "Provided that section 29-53 with respect to capacity use fees shall become effective on and after July 1, 1989 and shall apply in all instances in which building permits have not been issued as of said date of 1 July 1989."**

Sec. 29-53.1. Exemptions and refunds of the system development fee ~~and capacity use fee~~ for housing units located within the corporate limits of the city and defined as serving affordable to low income households with incomes below 80% of the area median income as calculated annually by the U.S. department of housing and urban development.

There shall be no exemptions and refunds of the fees for housing units affordable to low-income households which are located outside of the corporate limits of the city at the time the individual applies for a water meter or sewer connection. Exemptions and refunds of the fees for housing units affordable to low income households located within the corporate limits of the city at the time the individual applies for a water meter or a sewer connection shall be as follows:

- (a) *Units not for rental.* Any single-family, not for rent, residential unit containing one thousand five hundred (1,500) square feet, or less may be exempt from the fees based on building permit data. Any single-family, not for rent, residential unit over one thousand five hundred (1,500) square feet may be exempt from the fees based on builder

participation in a low income housing production program as verified by the Greensboro Neighborhood Development Department.

(b) *Rental units.*

- (1) All rental residential units shall be subject to the fees based on meter size and the same will be paid at the time of application for water or sewer connection;
 - (2) Provided that low income rental residential housing units renting for a monthly rental rate equal to, or less than, the Fair Market Rental rates currently adopted by the U.S. Department of Housing and Urban Development for the Greensboro, North Carolina, area, and in effect at the time of application, shall be eligible for refund of the fees in accordance with subsection (3) below;
 - (3) The fees will be refunded to the owner of a rental unit upon presentation of proof, on forms available from the city, to the Neighborhood Development Department that sixty (60) percent of the units in the rental development are rented for an amount equal to, or less than, the Fair Market Rental rate currently adopted by the U.S. Department of Housing and Urban Development for the Greensboro, North Carolina, area, and in effect at the time of application. The rental amount shall not be adjusted for utilities.
 - (4) A property owner intending to request a fee refund for particular rental residential units must file written notice with the Neighborhood Development Department when the fees are paid and provide rent documentation once the property has reached sixty (60) percent occupancy.
 - (5) Provided further that any residential rental units, the owner of which has contracted with the City of Greensboro in advance of construction guaranteeing that sixty (60) percent of the unit rentals will be equal to or less than the U.S. Department of Housing and Urban Development Fair Market Rental rates, shall be entitled to an exemption from the fees.
- (c) The Neighborhood Development Department shall have the duty of determining appropriate exemptions from and refunds of the fees. Exemptions shall be administered by the water resources department. Refunds shall be administered by the Neighborhood Development Department.
- (d) All refunds of the fees shall be from appropriations duly made and authorized by council.

Sec. 29-53.2. Credits.

Credits are provided to customers for parcels of land that already have an existing water and/or sewer service connection(s). This credit is provided to recognize the system capacity already allocated for the existing connection(s) serving a parcel that is being redeveloped or upgraded to require an increased-sized service connection(s).

In order for the water resources department to determine whether a customer qualifies for this credit and the value of the credit, the following must be done:

- (a) Water and/or sewer services to be abandoned must be abandoned at the main and shown on the construction drawing(s) with the property address(es).
- (b) Water resources or engineering and inspections department inspectors must provide documented verification of abandonment for each address provided on construction drawing(s).

- (c) Water resources records must validate that the service(s) described herein is a valid legal connection(s) based on records research.

The value of previous connection(s) will be calculated based on the current fees in effect at the time of application for new connection(s). This calculated value of the previous connection(s) will be deducted from the fees calculated for the new service connections resulting in a net cost for new service.

In the case of exceeding credits, no refund will be given nor will the customer be allowed to apply credits toward another project. However, a project may include more than one parcel of contiguous property and those credits for all individual parcels may be collectively applied toward the fee associated with establishing any new connection(s) for those same contiguous parcels even if recombined.

In no case shall credits result in a net refund for a project.

Section 3: That all sections not amended herein shall remain in full force and effect.

Section 4: That this ordinance shall become effective on July 1, 2023.