

# **Caldwell County Water Extensions Policy**

## **CALDWELL COUNTY, NORTH CAROLINA**

### **Section 1. General Principles of Water Line Extensions**

**a. No water main may be connected to the County's water system unless such line or main is (1) properly designed and constructed to service the properties intended to be served directly by such line or main, and is (2) of a size and design sufficient to accommodate any necessary expansion of the water system to serve other properties, including fire protection.**

**b. The County shall own and control any and all water mains and related facilities connected to and serviced by its water system, except for those water mains or facilities of other public bodies connected to and serviced by the County's water system, under contracts approved by the Board of County Commissioners; between the County and other public bodies.**

**c. Because the extension of water mains to certain properties benefits the owners of such properties by increasing property values, the cost of such extension shall be borne by the owners of such properties except in instances when the Board of County Commissioners makes a determination that the County is obligated to extend such utilities or otherwise when it determines that it is in the best interest of the County to do so.**

**d. To comply with local government obligations imposed by North Carolina statutes, in cases of emergency where it is found to be in the public interest or necessity to protect the public health, or when it is deemed necessary to effect hydraulic improvements in the water sytem, the Board of County Commissioners may authorize at its discretion, extensions of water service into specific areas.**

**e. All extensions, expansions, and new facilities must be deemed by the Board of County Commissioners to be economically feasible, and must be constructed in accordance with the North Carolina Department of (the) Environment and Natural Resources engineering criteria, with the County's standard specifications, and in conformity with any existing policies and plans which are adopted by the County.**

**f. All contracts between the County and an applicant for County water service shall be conditional upon the applicant complying with County ordinances and regulations in effect within the applicant's jurisdiction. If the applicant violates any**

provisions of the contract, the County shall declare all rights under the contract forfeited and shall also have the right to remove and disconnect any connections that may have been made to the County's water system.

**g. The County may require oversized facilities (i.e. water lines eight inches or larger in diameter) to be installed to provide for the future expansion of the County's water system. Should this be the case, the County will reimburse the applicant the difference between the costs of the oversized facilities required by the County and the costs of the facilities required by the applicant. The County will not refund any amount if water mains of eight inches or larger in diameter are determined by hydraulic analysis to be required to serve the property intended to be served by the application.**

## **Section 2. Definitions**

Unless otherwise specifically provided, or unless otherwise clearly required by the context, the words and phrases defined in this section shall have the meaning indicated .

**a. Availability Fee:** A fee charged for having a tap and meter (active) in place to serve a property.

**b. Large Main:** Any main larger than six (6) inches in diameter, serving an area, sized and located so that additional service connections beyond the limits of any associated development can be made without lowering the level of service.

**c. Reimbursement:** That portion of the project cost qualified for reimbursement to the applicant.

**d. Extension:** Any water main line lengthening required to connect a water service to an existing main.

**e. County's Service Area:** All areas outside the corporate and extra-territorial planning limits of the municipalities within Caldwell County; except areas serviced by water mains of other public bodies connected to and serviced by the County's water system.

**f. Serviceable Structure:** Any residential, governmental, institutional, commercial, or industrial structure which is designed for human occupancy or use on a regular basis and which is designed to be serviced by a water system. Also, any property or structure designed for the propagation and care of livestock or poultry.

### **Section 3. Petitions for Water Service**

**a. Petitions by citizens for water service will be reviewed by the Public Utilities Department during the annual budget development process. Cost estimates and a feasibility analysis will be developed and conducted by the Public Utilities Department and recommendations to approve or deny a request for service (Petition) will be made to the County Manager and Board of County Commissioners based upon the following criteria:**

- 1. The requested extension must have the potential for a minimum of six (6) service connections per every 1,000' (one-thousand) linear feet of water main.**
  - 2. The requested extension must have an estimated cost-to-construct that does not exceed \$12,300 per one-thousand (1,000') linear feet of water main.**
  - 3. The requested extension must have a time for "Recovery of Costs" of not longer than ten (10) years. "Recovery of Costs" shall mean the time necessary to return to the Water Enterprise Fund all costs associated with the construction of the requested extension, and shall include the collection of tap fees and monthly water fees.**
  - 4. The requested extension must be possible for construction within a North Carolina Department of Transportation (NCDOT) controlled right-of-way, or within a publicly-dedicated right-of-way along a road constructed to NCDOT specifications.**
  - 5. All Petitioners will be required to pay the current (at the time of application) Residential tap fee *before* the designing and permitting process for the extension will be initiated. The County will be obligated to return to the petitioners their tap fees in-full, without interest, penalties or deductions, if the requested extension is not constructed for any reason.**
- b. Quantifiable improvements in system hydraulics, system water quality, and/or alleviation of any environmental deficiency in the existing water system that might result from construction of the requested project will be considered positively in the review process.**
- c. The Caldwell County Board of Commissioners will be the final authority in approving or denying the requested extension.**
- d. All Petitions for water service will be evaluated on a first-received, first-considered basis. Projects may be denied if funds are not available to construct the requested extension, even if all of the qualifying criteria are met.**

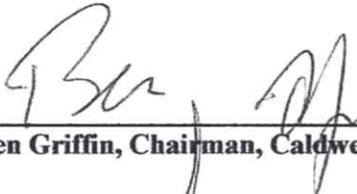
#### **Section 4. Extensions for New Developments or Subdivisions**

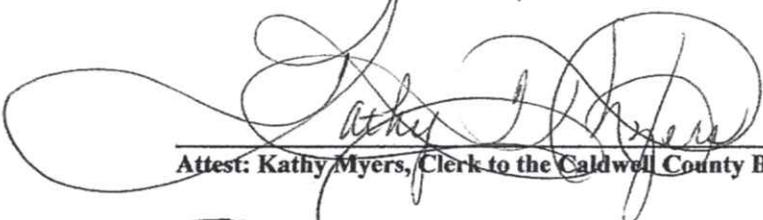
- a. A developer of a property needing public water service and requiring extension of a water main(s) to serve the new development or subdivision may request the County's participation in the cost to construct the new water mains and appurtenances. Such a request is required in written form for the County's consideration *before* any potentially reimbursable costs are incurred. The required document must contain a thorough and complete description of the proposed development, including the number and size of potential new water service connections. This written document must be provided to the Public Utilities Department for its review and recommendation to approve or deny the County's participation.**
- b. If the Public Utilities Department makes a recommendation for County participation (cost sharing), such a recommendation is made contingent upon the developer subsequently providing to the department an approved plat map with an overlay of the proposed water line extension, and a certified engineer's report with an estimate of the daily amount of water that will be required to serve the development upon build-out.**
- c. The Public Utilities Department must review the engineer's design plans for such a proposed extension and will require any design and specification changes it deems necessary, *prior* to the plan being submitted to the North Carolina Department of the Environment and Natural Resources, Public Water Supply Section, for its review.**
- d. Upon receiving the State's approval of the design and authorization to construct the extension, the developer's contractor will construct the water mains and install fire hydrants and valves only, as approved in the design. The County will receive the applications for service, collect the payments of tap fees, and install the taps as needed.**
- e. As water meters are sold and the meter(s) activated into service for a period of not less than ninety (90) days, the developer can request in written form the current reimbursable amount (currently \$350.00 per meter) from the meter sales. Such a request for reimbursement will become eligible in the County's fiscal year that immediately follows the fiscal year in which the meter is installed, but only after the ninety (90) days of activation are completed. Such a written request must be provided to the Public Utilities Department.**
- f. Reimbursements will be made only to the (original; of-record) developer. In addition, no reimbursements will be made after seven years from the time the extension is placed into service, unless reimbursements are denied in a particular fiscal year due to the County's financial inability to make reimbursement. The seven-year (7-year) eligibility period shall then be**

extended by the same number of years that reimbursement may be denied by the County, for financial reasons.

- g. The Caldwell County Board of Commissioners will be the final authority in deciding whether to provide reimbursement of any funds for an extension to serve a new development or subdivision. Any agreement to reimburse any portion of a developer's costs to construct such an extension is made contingent upon the County's financial ability to provide such funding. Therefore, requests for such reimbursement may be denied for a particular fiscal year, yet may remain eligible for consideration in subsequent years.

Adopted this the 12 day of July, 2010

  
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Ben Griffin, Chairman, Caldwell County Board of Commissioners

  
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Attest: Kathy Myers, Clerk to the Caldwell County Board of Commissioners

