



**Amherst County Board of Supervisors
County Ordinance No. 2019-0012**

AN ORDINANCE, NO. 2019-0012

Amending §§ 15-122, 15-123, 15-124, 15-127, 15-128, and 15-129 of Article IV of Chapter 15 of the Amherst County Code to increase water and sewer service charges and fees.

Approved as to form and legality by the County Attorney

FIRST READING: Board of Supervisors, November 5, 2019
PUBLIC HEARING: Board of Supervisors, November 19, 2019

THE COUNTY OF AMHERST HEREBY ORDAINS:

§ 1. That Sections 15-122, 15-123, 15-124, 15-127, 15-128, and 15-129 of Article IV of Chapter 15 of the Code of the County of Amherst be and hereby are amended, as follows:

Sec. 15-122. - Water service charges

- (a) Each premises that is supplied water by the Amherst County Service Authority shall be charged for water service as metered. The charges for the provision of water service shall be based on metered water consumption. The rate for water, per one hundred (100) cubic feet of water metered, shall be ~~four dollars and ninety eight cents (\$4.98)~~ five dollars and thirty five cents (\$5.35).
- (b) Each billing for water service also shall include a twenty four dollars and zero cents (\$24.00) water basic service charge.
- (c) Payment is due on the tenth (10th) day of each billing month.

Sec. 15-123. - Sewer service charges

- (a) All premises that dispose of sewage to the Amherst County Service Authority sewerage system shall be charged for sewer service. The system shall not accept sewage of the strength or quality prohibited either by Division 2 of Article III of this Chapter or by the City of Lynchburg, Virginia sewer use ordinance, as provided by the regional agreement between the County and the City of Lynchburg. Any user whose waste effluent exceeds the limits below shall immediately stop discharging to the system and take steps to bring the waste within the following limits:

Wastewater Limits

Characteristic	Limits
BOD ₅	300 ppm
Suspended Solids	400 ppm
pH	6.0 to 8.0

COD	1400 ppm
Total Oil and Grease	50 ppm

- (b) Premises served with water shall be charged for sewer service based on metered water consumption. The rate for sewage produced shall be ~~seven dollars and thirty two cents (\$7.32)~~ seven dollars and ninety four cents (\$7.94) per one hundred (100) cubic feet of water metered.
- (c) Each billing for sewer service shall include a ~~four dollars and zero cents (\$4.00)~~ five dollars and zero cents (\$5.00) sewer basic service charge.

Sec. 15-124. - Tables.

TABLE 1: COMMERCIAL AND INDUSTRIAL WATER AVAILABILITY CHARGES

a.	Hotels, motels, and motor courts, per unit	\$330.00
b.	Restaurants and/or eating establishments, per seat	\$195.00
c.	Nursing homes or hospitals, per bed	\$540.00
d.	Laundromat, per machine	\$345.00
e.	Car wash, per bay	\$1,975.00
f.	Service station, per bay	\$1,315.00
g.	Schools, nurseries or day care centers, per person	\$35.00
h.	Small businesses and commercial establishments (normal domestic usage)	
	shall be	\$2,790.00 \$3,000.00
	Plus for each additional employee over five (5)	\$135.00
i.	Multifamily dwelling units with a single meter up to three (3) units, per	
	unit	\$2,790.00 \$3,000.00
	Fourth unit and each subsequent unit	\$2,475.00
j.	Industry (normal domestic usage) shall be	\$2,790.00 \$3,000.00
	Plus for each additional employee over five (5)	\$200.00
k.	Facilities not covered above or with high levels of consumption shall have their availability charge established on a case by case basis, by the director. The determination of this fee shall be based on flows (in residence equivalent	

units of two hundred seventy-five (275) gpd or fixture unit evaluation) plus the authority expense of rendering service.	
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TABLE 2: COMMERCIAL AND INDUSTRIAL SEWER AVAILABILITY

a.	Hotels, motels and motor courts, per unit	\$385.00
b.	Restaurants and/or eating establishments, per seat	\$275.00
c.	Nursing homes or hospitals, per bed	\$600.00
d.	Laundromat, per machine	\$385.00
e.	Car wash, per bay	\$2,190.00
f.	Service station, per bay	\$1,465.00
g.	Schools, nurseries or day care centers, per person	\$40.00
h.	Small businesses and commercial establishments (normal domestic usage) shall be	\$3,810.00 \$4,500.00
	Plus for each additional employee over five (5)	\$145.00
i.	Multifamily dwelling units with single connection up to three (3) units/unit	3,810.00 \$4,500.00
	Four (4) or more units, per unit	\$3,240.00
j.	Industry (normal domestic usage) shall be	\$3,810.00 \$4,500.00
	Plus for each additional employee over five (5)	\$220.00
k.	Facilities not covered above or with high levels of consumption, waste other than that of a normal domestic nature or extensive road crossings to provide service shall have their availability charge established on a case by case basis, by the director. The determination of this fee shall be based on flows (in residence equivalent units of two hundred seventy-five (275) gpd or fixture units evaluation) plus the authority expense of rendering service.	

§15-127 Connection Charges

- (a) Each premises supplied with water by, or disposing of sewage to, the authority's Amherst County Service Authority's system shall be charged water or sewer connection fees. Separate water meter connections are required for each premises, except for manufactured home parks, multifamily housing complexes, or other properties provided with water utility services by an incorporated property owners' association for the maintenance of a private water distribution system. Where a single water

meter services such excepted premises or multifamily dwelling units under a common roof, the meter monitoring the service to such premises shall be designated a master meter. The account for any master meter shall be established in the name of the property owner(s) or the property owners' association and the property owner(s) or the property owners' association shall have all responsibility for payment of amounts due under this section. The establishment of water service through a master meter has no impact and shifts no responsibility as to responsible persons on the requirement that water or sewer availability fees must be paid in accordance with Section 15-129 of this chapter.

- (b) Water and sewer connection charges are due and payable at the time that sewer and water availability fees are due and payable, provided in the case of existing dwellings at the time of line availability, in cases of demonstrated hardship as determined by the Director of Public Utilities, the applicant may be permitted to pay the connection charge in twelve (12) bimonthly installments over a twenty four month period.

(c) Water Connection Fees:

<i>Secondary Roads</i>			
(1)	¾ inch pipe	\$1,285.00	\$1,500.00
(2)	1 inch pipe	\$1,740.00	\$1,955.00
<i>Primary Roads</i>			
(3)	¾ inch pipe	\$1,465.00	\$1,680.00
(4)	1 inch pipe	\$1,985.00	\$2,200.00
<i>Dual Lane Highway Connections</i>			
(5)	¾ inch pipe	\$1,690.00	As calculated
(6)	1 inch pipe	\$2,205.00	As calculated

- (d) For any larger connection, the charge shall be the actual cost of making the connection, but not less than the one inch fee specified for secondary roads.

§15-128 Sewer Connection Fees

- (a) Whenever any sewer line designed to flow by gravity and owned by the Amherst County Service Authority runs or is installed within an easement or right-of-way, but not more than two hundred fifty (250) feet (250') from any premises, that property is within the priority service area of the authority Service Authority as determined by the Director of Public Utilities. Any such determination that is disputed by the property owner may be appealed, in writing, to the authority Service Authority Board of Directors.
- (b) Any premises constructed after the availability of a public sewer, or any premises, the use of which is changed, within the priority service area must connect to the Service Authority's public sewerage

system for the fee specified in this section.

- (c) Any premises within the priority service area that has a malfunctioning private sewer system may connect to the Service Authority's public sewerage system for the fee specified in this section.
- (d) All other premises within the priority service area may connect to the Service Authority's public sewerage system for the fee specified in this section. No premises within the priority service area and receiving public sewer service may disconnect from the Service Authority's public sewerage system in favor of a septic tank, privy, or lagoon.
- (e) The sewer connection fee shall be ~~one thousand four hundred dollars (\$1,400.00)~~ one thousand five hundred dollars (\$1,500.00) for a four inch connection. Larger connections shall be actual cost, but not less than the four inch connection fee. Dual highway connections of any size shall be actual cost, but not less than the four inch connection fee.
- (f) Sewer connection charges and the determination of properties to be within the priority service area of the ~~authority~~ Service Authority public sewerage system are governed by this chapter, notwithstanding any conditions, fees, or agreements made pursuant to the ~~authority~~ line extension policy maintained by the ~~Amherst County~~ Service Authority, as that may be amended from time to time.

§15-129 Availability Charges

- (a) Any person or other entity applying for connection of any existing premises or any planned premises to the ~~authority~~ Service Authority system shall be charged a water or sewer availability charge. Upon application for service, the charge is due and payable. No connection shall be activated unless availability charges are paid in full; provided in the case of dwellings existing at the time of line availability, in cases of demonstrated hardship, as determined by the Director of Public Utilities, the applicant may be permitted to pay the availability charge balance in twelve (12) bimonthly installments over a twenty four month period, or for such longer period as the Director of Public Utilities may establish.

The addition of any building, facility, plant or unit to an existing facility or land served by the ~~authority's~~ Service Authority's water or sewer lines shall constitute the creation of separate premises. Water and sewer service may be supplied to such separate premises upon the filing on an application and payment of the applicable availability fee.

- (1) Water availability charge: For residential premises, the water availability charge shall be ~~two thousand seven hundred ninety dollars (\$2,790.00)~~ three thousand dollars (\$3,000.00) per dwelling unit. For other premises, availability charges shall be based on Table 1 or ~~two thousand seven hundred ninety dollars (\$2,790.00)~~ three thousand dollars (\$3,000.00) times the quotient of the estimated flow, which calculations shall be provided on the letterhead of an engineer or architect bearing their professional seal, based on an assumed usage of two hundred seventy five (275) ~~gpd~~ gallons per day (275 gpd). If the availability charges are determined using both Table 1 and estimated flows, the ~~public utilities director~~ Service Authority Director of Public Utilities shall select the lower of the two (2) charges determined. In no instance shall the water availability charge be less than ~~two thousand seven hundred ninety dollars (\$2,790.00)~~ three thousand dollars (\$3,000.00) for each connection to the system.
- (2) Sewer availability charge: For residential premises, the sewer availability charge shall be four thousand five hundred dollars (\$4,500.00) per dwelling unit. For other premises, availability

charges shall be based on Table 2 or four thousand five hundred (\$4,500.00) times the quotient of the estimated flow, which calculations shall be provided on the letterhead of an engineer or architect bearing their professional seal, based on an assumed usage of two hundred seventy five (275) ~~gpd~~ gallons per day (275 gpd). If the availability charges are determined using both Table 2 and estimated flows, the ~~public utilities director~~ Service Authority Director of Public Utilities shall select the lower of the two (2) charges determined. In no instance shall the water availability charge be less than four thousand five hundred dollars (\$4,500.00) for each connection to the system. For any residential premises having a utilized private sewage treatment system, the sewer availability charge shall be forty (40) percent (40%) of the amount specified in this section per dwelling unit, provided connection into the authority Service Authority's is made within the first twelve (12) months following availability of the public sewer line.

- (b) For any nonresidential premises having a utilized private sewage treatment system, the sewer availability charge shall be based on Table 2 or be the fee specified in Section 15-129(a)(2) times the quotient of the flow estimate, which calculations shall be provided on the letterhead of an engineer or architect, bearing their professional seal, and two hundred seventy five (275) ~~gpd~~ gallons per day (275 gpd), but in no instance shall the sewer availability charge be less than the fee specified in Section 15-129(a)(2), provided connection into the authority Service Authority's sewer system is made within the first twelve (12) months following availability of the public sewer line. If the availability charges are determined using both Table 2 and estimated flow, the ~~public utilities director~~ Service Authority Director of Public Utilities shall select the lower of the two (2) charges determined.
- (c) For any residential premises having a utilized private sewage treatment system, the sewer availability charge shall be forty (40) percent (40%) of the amount specified in this section per dwelling unit, provided connection into the authority Service Authority's is made within the first twelve (12) months following availability of the public sewer line. After the first twelve (12) months following line availability, the charge shall be ~~three thousand eight hundred ten dollars (\$3,810.00)~~ four thousand five hundred dollars (\$4,500.00) per unit, for all premises having a utilized private sewage treatment system.
- (d) For residential premises of fewer than four (4) units, constructed after the availability of the public sewer line, the sewer availability charge shall be ~~three thousand eight hundred ten dollars (\$3,810.00)~~ four thousand five hundred dollars (\$4,500.00) per dwelling unit.
- (e) For other premises constructed after the availability of the public sewer line, the sewer availability charge shall be based on Table 2 or ~~three thousand eight hundred ten dollars (\$3,810.00)~~ four thousand five hundred dollars (\$4,500.00) times the quotient of the flow estimated, which calculations shall be provided on the letterhead of an engineer or architect, bearing their professional seal, based on an assumed usage of two hundred seventy five (275) ~~gpd~~ gallons per day (275 gpd), but in not instance shall the sewer availability charge be less than ~~three thousand eight hundred ten dollars (\$3,810.00)~~ four thousand five hundred dollars (\$4,500.00).

§ 2. That this ordinance shall be in force and effect upon adoption.

§ 3. That the fees and charges established by this ordinance shall be used to calculate water and sewer bills issued January 1, 2020, and thereafter, unless and until they are amended further.

Adopted this 19th day of November, 2019.

L. J. Ayers, III, Board Chair
Amherst County Board of Supervisors

ATTEST:

Robert A. Hopkins, PE, Board Secretary
Amherst County Board of Supervisors

Ayes _____

Nays _____

Abstentions _____

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