

## **SECTION 11400 – EXTENSION OF PUBLIC WASTEWATER COLLECTION SERVICE**

### **GENERAL POLICY**

- For the purpose of protecting the health and welfare of the residents of Butler County and to improve and protect the quality of the water in the County's many streams, lakes and aquifers, the Board of County Commissioners has designated certain areas of the County as regional wastewater districts for which regional wastewater collection, transmission and treatment facilities (“Facilities”) will be designed and constructed when, in the opinion of the Board, they are necessary for the protection of the public health or desired by the majority of the affected property owners, and it is financially feasible to construct these facilities.
- The necessary public facilities may be constructed by individual property owners, developers, or the County, but in all cases the ownership and operation and maintenance responsibilities for the facilities will reside with the Board of County Commissioners. If constructed by the County, the cost of providing the facilities will be charged to the benefited property owners in the form of direct assessments, connection charges, and/or sewer rates and charges. When constructed by others, the County may agree to share in the cost of providing trunk sewer service if the facilities constructed provide permanent benefit to other non-participating County residents or property owners. Non-participating shall mean those property owners that can be served by the facilities that did not initially participate in the cost of constructing the facilities. The service district for non-participating properties shall be all lots and/or parcels which have frontage abutting a public roadway right-of-way or a public easement in which the sanitary sewer main is located.
- All reimbursement requests (oversizing and off-site), including all supporting documentation must be submitted within 90 calendar days of acceptance for connection. The Director may extend the 90 days for an additional 30 calendar days for extenuating circumstances. Failure to submit all documentation will result in forfeiture of reimbursement.

### **OVERSIZING**

- The County wastewater system may share in the initial cost of all permanent system improvements to the extent of the cost of over-sizing the facilities as per County requirements for the benefit of other non-participating property owners. This cost sharing shall be considered on the basis of the following:
  1. The minimum size of gravity sanitary sewers shall be eight inches (8") in diameter unless otherwise authorized by the County.
  2. The County may require, as a planning measure, a sewer to be increased in size over the size required to adequately serve the participating properties, at the available grade. The incremental oversizing may be required by the Director of BCWS if there is reasonable expectation that the sanitary sewer flows may be more than design allowances. Pipes that are oversized will be eligible for initial cost sharing. However, oversizing due to limited grades will not be eligible for initial cost sharing.
  3. Oversizing cost eligible for County cost sharing shall be determined by using the actual documented cost (i.e. contractor’s paid invoices) of constructing the oversized sanitary sewer main (material and labor, including manholes larger than 4-foot due to the oversizing), less engineering, easement acquisition, financing costs, any sales tax paid and other non-construction costs. Site preparation, restoration and other ordinary or incidental construction costs are not considered eligible as over sizing costs.

## SEWER OVERSIZING COST FACTORS & PERCENTAGES

| <u>SIZE</u> | <u>FACTOR</u> | <u>PERCENTAGE</u> |
|-------------|---------------|-------------------|
| 8"          | 1.00          | 0%                |
| 10"         | 1.03          | 3%                |
| 12"         | 1.12          | 11%               |
| 15"         | 1.20          | 17%               |
| 18"         | 1.50          | 33%               |
| 21"         | 1.68          | 40%               |
| 24"         | 1.93          | 48%               |
| 27"         | 2.16          | 54%               |

As an example, the reimbursement for the cost of oversizing a sanitary sewer main from 8-inch to 15-inch would be calculated as follows:

$$\left(1 - \left(\frac{1.00}{1.20}\right)\right) \times \text{Cost of constructing the 15-inch sanitary sewer main} =$$

017 or 17 percent of the cost of constructing the 15-inch sanitary sewer main

Therefore, the reimbursement will be seventeen percent (17%) of the actual documented cost to construct the sanitary sewer main.

- Reimbursement for oversizing will be made after the sanitary sewer main has been constructed, tested and accepted for connections by the County, and the actual documented construction costs have been submitted and approved by the County.

### **SANITARY SEWER MAINS**

- Individual property owners and developers that provide expanded or extended public sanitary sewer mains may be reimbursed for a portion of their expense, not to exceed the actual construction costs, in addition to the initial oversize cost sharing by the County, through the reimbursement of New Customer Connection Fees. The County shall make reimbursements to individual property owners and developers on a quarterly basis as Permits To Connect to the sewer system are issued. The extent of this reimbursement shall be determined as follows:

### **MAXIMUM REIMBURSEMENT AMOUNT**

- The County's reimbursement of the construction costs of 1) off-site sanitary sewer mains and 2) sanitary sewer mains along the development boundary and across the frontage of non-participating properties shall in no instance exceed eighty percent (80%) of the "maximum amount eligible for reimbursement".

### **ELIGIBLE EXPENSES (FOR COUNTY REIMBURSEMENT)**

#### 1) Off-Site Sewers:

Off-Site Sewers shall be defined as the actual documented construction costs of extending off-site sanitary sewer mains from the downstream boundary of the participating development to the point of connection with the existing County sanitary sewer mains. The amount eligible for reimbursement shall be determined by using the actual documented construction cost of the off-site sanitary sewer mains less the following:

- a. Any applicable County oversizing cost sharing
- b. The developer's ineligible expenses as defined below

2) Sewers Extended Along Development Boundaries:

This is defined as the actual documented costs of extending sanitary sewer mains along the development boundary of the participating development and across the frontage of adjacent non-participating properties. The amount eligible for reimbursement from the County shall be fifty percent (50%) of the remaining balance of the actual documented costs of extending the sanitary sewer mains along the development boundary, as explained above, less the following:

- a. Any applicable County oversizing cost sharing
- b. The developer's ineligible expenses as defined below

**INELIGIBLE EXPENSES**

1. Non-construction costs such as engineering, land, easement acquisition, financing, legal and other non-construction costs that may apply.
2. Permit fees, connection fees, inspection fees, plan review fees and other fees that may apply.
3. On-site sanitary sewer mains, site work, private sewer laterals and other on-site development costs located within the participating development.
4. Site preparation, restoration and other incidental construction costs.
5. The developer's share of providing a trunk sewer to serve the developer's ultimate development shall be determined by multiplying the current trunk sewer capacity fee by the number of lots or (ERUs) to be served within the ultimate development are ineligible. The current trunk sewer capacity fees (\$1,920.00/ERU as of the date of this policy, year 2009) shall be those fees in effect at the time the sanitary sewer mains were constructed and accepted for connection by the County.

Example: The ultimate development consists of 200 buildable lots. The developer's share of providing a trunk sewer to serve the developer's ultimate development shall be 200 lots or ERUs x \$1,920.00/ERU (year 2009 fee) = \$384,000.00. This amount would not be eligible for reimbursement by the County.

**DETERMINATION OF REIMBURSEMENT AMOUNT**

- The maximum amount eligible for reimbursement, from New Customer Connection Fees, shall be determined by using the actual "documented construction cost of the sanitary sewer mains" less the following:
  1. Any applicable County oversizing cost sharing.
  2. The developer's ineligible expenses as defined above.
  3. Fifty percent (50%) of the cost of extending sanitary sewer mains along the development boundary, as explained above.

A sample calculation for determining the reimbursement amount is illustrated below:

Example: An ultimate development consists of 200 lots. The documented off-site construction costs for the sanitary sewer main are \$600,000.00, of which \$180,000.00 is considered oversized. The costs of extending sewer mains along the development boundary are \$135,000.00, of which \$47,000.00 is considered over-sizing.

**EXAMPLE CALCULATIONS:**

|    |   |   |
|----|---|---|
| 1. | Developer's costs of sanitary sewer main construction                                       |   |
|    | a.  | Total documented off-site costs                     |
|    |   | \$600,000.00  |
|    |   | Less County over sizing                             |
|    |   | - <u>\$180,000.00</u>                               |
|    |   | Developer's costs of off-site sanitary sewer main   |
|    |   | \$420,000.00  |
|    | b.  | Total documented costs of extending sewer mains     |
|    |   | along the development boundary                      |
|    |   | \$135,000.00  |
|    |   | Less over sizing                                    |
|    |   | - <u>\$47,000.00</u>                                |
|    |   | \$88,000.00   |
|    |   | Maximum Reimbursable                                |
|    |   | \$ 88,000.00  |
|    |   | Times 50% maximum                                   |
|    |   | x <u>.50</u>  |
|    |   | Developer's cost of extending sewer mains           |
|    |   | along the development boundary                      |
|    |   | \$ 44,000.00  |
|    | c.  | Developer's costs of off-site sanitary sewer main   |
|    |   | \$420,000.00  |
|    |   | Developer's cost of extending sewer mains           |
|    |   | along the development boundary                      |
|    |   | + <u>\$44,000.00</u>                                |
|    |   | Total developer's cost of sewer main construction   |
|    |   | \$464,000.00  |
| 2. | Developer's share of providing a trunk sewer to serve the developer's ultimate development. |   |
|    |   | 200 lots (ERUs) x \$1,920.00 (year 2009 fee) =      |
|    |   | \$384,000.00  |
| 3. | Determining Amount Eligible for Reimbursement   |   |
|    |   | Total developer's cost of sewer main construction   |
|    |   | \$464,000.00  |
|    |   | Less developer's share of providing a trunk         |
|    |   | sewer to serve the developer's ultimate development |
|    |   | - <u>\$384,000.00</u>                               |
|    |   | Amount Eligible for Reimbursement                   |
|    |   | \$80,000.00   |
| 4. | Maximum Reimbursement 80%   |   |
|    |   | Amount Eligible for Reimbursement                   |
|    |   | \$80,000.00   |
|    |   | Times 80% maximum                                   |
|    |   | x <u>.80</u>  |
|    |   | Maximum Reimbursement                               |
|    |   | \$64,000.00   |

Therefore, the maximum reimbursement amount based on this example would be \$64,000.00, which would be paid by the County through reimbursements from future connection fees as explained below.

## REIMBURSEMENT OF ELIGIBLE COSTS

This reimbursement provision shall be valid for a period of 12 years beginning with the date of acceptance of the sewer main by the County. The right of the individual property owner or developer to receive reimbursement of the fees, explained below, is not transferable without approval of the Board of County Commissioners. Reimbursements shall be made on a quarterly basis as Permits to Connect are issued.

1. Local Sewer Connection Fees:

This portion of the connection fee represents the approximate cost of providing a local sanitary sewer main to serve adjacent lots or parcels for non-participating lots and/or parcels which have frontage abutting the off-site sanitary sewer main or sanitary sewer main extended along the development boundary. This fee is applied to all properties connecting directly to a public sanitary sewer main constructed by others. Up to one hundred percent (100%) of this fee will be reimbursed as non-participating properties connect directly to the subject off-site sanitary sewer mains or sanitary sewer main extended along the development boundary.

2. Trunk Sewer Capacity Fees:

Up to fifty percent (50%) of this fee will be reimbursed as Permits to Connect are issued to all lots and parcels that are tributary to the subject off-site sanitary sewer main. Up to one hundred percent (100%) of this fee will be reimbursed as Permits to Connect are issued to all lots and parcels that are tributary to the subject off-site sanitary sewer main if the Developer's costs for the off-site sanitary sewer main exceeds the Developer's share of providing a trunk sewer to serve the Developer's ultimate development by two hundred percent (200%). In the above example, the total Developer's cost of sewer main construction was \$464,000.00. This does not exceed the Developer's share of providing a trunk sewer to serve the Developer's ultimate development (\$384,000.00) by two hundred percent (200%). Therefore, the reimbursement for this example would be based on reimbursement of fifty percent (50%) of the Trunk Sewer Capacity Fee.

**Note: The current trunk sewer capacity fees (\$1,920.00/ERU as of January 2, 2009) shall be those fees in effect at the time the sanitary sewer mains were constructed and accepted for connection by the County.**

END OF SECTION