



Legislation Details (With Text)

File #: 34135 **Version:** 1 **Name:** Sewer connection fees
Type: Ordinance **Status:** Passed
File created: 5/12/2014 **In control:** BOARD OF ESTIMATES (ended 4/2017)
On agenda: 5/20/2014 **Final action:** 6/17/2014
Enactment date: 6/26/2014 **Enactment #:** ORD-14-00113

Title: Amending Sections 35.02(4)(a), (b), (c) and creating Section 35.02(10) of the Madison General Ordinances to allow the City to recover sewer connection fees at the time a property is connected to the sanitary sewer.

Sponsors: Larry Palm, Paul R. Soglin

Indexes:

Code sections:

Attachments:

Date	Ver.	Action By	Action	Result
6/17/2014	1	COMMON COUNCIL	Adopt	Pass
6/9/2014	1	BOARD OF ESTIMATES (ended 4/2017)	Return to Lead with the Recommendation for Approval	Pass
6/4/2014	1	BOARD OF PUBLIC WORKS	RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER	Pass
5/20/2014	1	BOARD OF PUBLIC WORKS	Referred	
5/20/2014	1	COMMON COUNCIL	Referred	
5/12/2014	1	Attorney's Office/Approval Group	Referred for Introduction	

Fiscal Note

This ordinance change will allow the City to recover the costs it will incur to allow property to connect to the sanitary sewer, including the central urban service area (CUSA) application fee, the Madison Metropolitan Sewerage District (MMSD) fee, and reasonable staff costs incurred to pursue these applications. It is anticipated that these costs and related recoveries will be managed through the Sewer Utility. No appropriation from the General Fund is required.

Title

Amending Sections 35.02(4)(a), (b), (c) and creating Section 35.02(10) of the Madison General Ordinances to allow the City to recover sewer connection fees at the time a property is connected to the sanitary sewer.

Body

DRAFTER'S ANALYSIS: Before a property may be connected to the City's sanitary sewer, it must be within the central urban service area (CUSA) and within the Madison Metropolitan Sewerage District (MMSD) service area boundaries. The Capital Area Regional Planning Commission (CARPC) approves amendments to the CUSA on behalf of the Wisconsin Department of Natural Resources. In 2014, CARPC will begin charging fees for CUSA amendment applications. These applications are made by the City, not the property owner, meaning the City will bear the costs of the CUSA application, including staff time and resources in preparing and presenting the application to CARPC. In addition, the City has been informed that MMSD will begin charging fees to review applications made by the City to add City territory to the MMSD service area boundaries. This will be an additional cost to the City to enable a property to be served by City sanitary sewer. This ordinance will expressly allow the City to recover the costs it will incur to allow property to connect to the sanitary sewer, including the CUSA application fee, the MMSD fee, and reasonable staff costs incurred to pursue these

applications. The fee will be determined by the City Engineer, consistent with the requirements of Wis. Stat. Sec. 66.0628, and be approved by the Board of Public Works. It will be collected based upon the method determined by the City Engineer, and approved by the Board of Public Works, at the time an application is made by a property owner to connect to the City's sanitary sewer.

The Common Council of the City of Madison do hereby ordain as follows:

1. Subdivision (a) entitled "Properties Within The City of Madison" of Subsection (4) entitled "Building Sewers and Connections to the Public Sewerage System" of Section 35.02 entitled "The Public Sewerage System" of the Madison General Ordinances is amended to read as follows:

(a) Properties Within The City of Madison. All property within the City of Madison in which sewer districts have been established or sewer service has been provided shall be entitled to be connected with the Public Sewerage System of the City of Madison subject to the following requirements:

1. Conformance to the rules and regulations of the Board of Public Works, the City of Madison Standard Street and Sewer Specifications and General Conditions and subject to the ordinances passed by the Common Council; and
2. That the applicable sewer district charges or assessments, the Madison Metropolitan Sewerage District charges, sewer connection fees, and the cost of the sanitary sewer lateral have been defrayed or the method of payment provided for; and
3. In the case of connection to a sewer owned and operated by the Madison Metropolitan Sewerage District, an application shall be made in writing to the Chief Engineer of the Madison Metropolitan Sewerage District by a master plumber licensed by the Department of Health and Family Services of the State of Wisconsin; and
4. ~~Obtain~~ The necessary permits specified in Section 35.02(4)(c) herein are obtained.

2. Subdivision (b) entitled "Properties Outside the City of Madison" of Subsection (4) entitled "Building Sewers and Connections to the Public Sewerage System" of Section 35.02 entitled "The Public Sewerage System" of the Madison General Ordinances is amended to read as follows:

(b) Properties Outside the City of Madison. All property outside the City of Madison limits in sewer districts that have been established or sewer service has been provided may be allowed by the Common Council to connect with the Public Sewerage System of the City of Madison, subject to the following requirements:

1. Conformance to the rules and regulations of the Board of Public Works, the City of Madison Standard Street and Sewer Specifications and General Conditions and subject to the ordinances passed by the Common Council; and
2. That the applicable sewer district assessments or charges, the Madison Metropolitan Sewerage District charges, sewer connection fees, and sewer lateral charges have been defrayed or the method of payment provided for; and
3. ~~Agreement by~~ The owner of the property agrees to pay for the costs of sewerage disposal costs incurred by the Madison Metropolitan Sewerage District to the local governmental body; and
4. That the connection will be in the best interest of the City of Madison; and
5. ~~Obtain~~ That the necessary permits specified in Section 35.02(4)(c) herein are obtained.

3. Paragraphs 1. and 2. of Subdivision (c) entitled "Administration and Specifications for Building Sewers and Connections to the Public Sewerage System" of Subsection (4) entitled "Building Sewers and Connections to the Public Sewerage System" of Section 35.02 entitled "The Public Sewerage System" of the Madison General Ordinances are amended to read as follows:

1. No person(s) shall uncover, make any connections with or opening into, use, alter, or disturb a public sewer or appurtenance thereof owned and operated by the Madison Sewer Utility without first obtaining a written permit from the Engineer. No persons shall uncover, make any connections with or opening into, use, alter, or disturb any interceptor or appurtenance thereof owned and operated by the Madison Metropolitan Sewerage District without first obtaining a written permit from the Director of the Madison Metropolitan Sewerage District. No permit shall be issued unless the Engineer determines that the public sewerage system is adequately sized to convey additional flow from the proposed connection, and sewer connection fees have been paid. No permit shall be issued to a user who contributes

industrial waste until that user has obtained a permit from the Director of the Madison Metropolitan Sewerage District.

2. The permit shall only be granted by the City Engineer upon written application, provided by the Engineer, by the owner or authorized agent on the premises desiring to make such an application. The Engineer may, at his/her option, accept the owner's application for a building permit as the application to connect to the public sewerage system. The user who proposes to connect to the public sewerage system shall submit an application fee of one hundred dollars (\$100) for each connection. Said application fee will be in addition to any connection fees levied by the Director of the Madison Metropolitan Sewerage District or imposed by the City of Madison such as impact fees, connection fees, or deferred assessments. The application fee is not refundable.

Upon approval of the application and payment of all sewer connection fees, the City Engineer shall issue a permit granting the right to make the connection and may specify special conditions which must be met as a part of the permit. In addition, the applicant must comply with all special conditions required by the Director of the Madison Metropolitan Sewerage District, if any."

4. Subsection (10) entitled "Sewer Connection Fees" of Section 35.02 entitled "The Public Sewerage System" of the Madison General Ordinances is created to read as follows:
"(10) Sewer Connection Fees. Prior to approving a request to connect a property to the sanitary sewer under subsection (4)(c) above, the City Engineer shall determine whether any sewer connection fees are due for the connection. Sewer connection fees shall include the administrative costs to the City to extend sewer service to the property, including Madison Metropolitan Sewerage District service area expansion application fees, the central urban service area amendment fee imposed by the Capital Area Regional Planning Commission, or its successor, along with reasonable staff costs associated with these applications. City Engineering shall determine a method of calculating and apportioning the sewer connection fees consistent with Wis. Stat. § 66.0628, which method and apportionments shall be approved by the Board of Public Works."